



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

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

Objective :

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

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

Instruction :

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

- User manual
- Explanatory note

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

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



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

[10 701 777]

Comments

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

	Amount
State or federal level	102 442 628 571 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	23 326 837 200 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The increase of the Annual public expenditure is due to the Covid situation and to the increase of the exchange rate.

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

[20 278]

Comments

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

[16 279]

NA

Comments The gross salary is constantly growing.

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

[26.25]

Allow decimals : 5

NAP

Comments

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

Sources: Czech Statistical Office
Czech National Bank

1.1.2 Budgetary data concerning judicial system

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

question 6, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	545 281 653 [] NA [] NAP	558 482 718 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	485 425 264 [] NA [] NAP	489 144 110 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	4 700 571 [] NA [] NAP	10 628 753 [] NA [] NAP
2.1 Investments in computerisation	350 095 [] NA [] NAP	5 792 941 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	4 350 476 [] NA [] NAP	4 835 812 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	[X] NA [] NAP	16 058 373 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	4 438 762 [] NA [] NAP	5 025 566 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	4 006 448 [] NA [] NAP	5 640 994 [] NA [] NAP
6. Annual public budget allocated to training	110 152 [] NA [] NAP	68 602 [] NA [] NAP
7. Other (please specify)	46 600 456 [] NA [] NAP	31 916 320 [] 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: 1. Annual public budget allocated to (gross) salaries: the increase between 2017 and 2020 was mainly due to government regulations increasing wage tariffs in the public sector during the period.

5. Annual public budget allocated to investments in new (court) buildings: In general, it can be stated that in 2018, most major court events were in the preparation phase, ie. processing of project documentation or preparation of tender documentation for a public contract for a supplier. In 2020, the drawing of expenditures on the implementation of the construction part of these projects became apparent. The difference between the expenditures between 2018 and 2020 is approximately 2 361 275.089 EUR, and larger investment projects include the following: Czech Supreme Court - replacement of hole fillings 747 737.111 EUR, Regional court in Ostrava - conference hall No. 7 and its facilities 629 673.357 EUR, Municipal court in Prague - extension of the courtyard tract 1 259 346.714 EUR or District court in Litomice - reduction of energy intensity 1 101 928.375 EUR.

The Economic Department does not have information on the increase of the implemented budget allocated to "4. court buildings (maintenance, operating costs)" nor on the decrease of the implemented budget allocated to "6. training". The explanation is similar to point 3 (see general comment). These are expenditures from the volume of "other material expenses".

No particular explanation was provided in respect of the variations in the categories "2. Annual public budget allocated to computerization" and "7. Other".

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to

courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

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

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

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

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

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

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

- see general comments

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

[150]

NA

NAP

Comments

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

[41 281 451]

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

Comments The data on approved budget allocated to legal aid do not exist, the approved budget is not divided to this level.

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)	20 421 726 [] NA [] NAP	14 820 574 [] NA [] NAP	5 601 152 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	20 421 726 [] NA [] NAP	14 820 574 [] NA [] NAP	5 601 152 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] 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:

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012-2. Does legal aid include:

	Legal aid includes:
Coverage of court fees	(X) Yes () No [] NAP
Exemption from court fees	(X) Yes () No [] NAP

Comments

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

	Amount calculated/estimated included
Coverage of court fees	(X) Yes () No <input type="checkbox"/>] NAP
Exemption from court fees	(X) Yes () No <input type="checkbox"/>] NAP

Comments

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	133 683 358 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	131 805 533 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP
13.1. Annual public budget allocated to training of public prosecution services	22 438 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	7 390 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

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

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

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

Comments - If "Other Ministry" and/or "Inspection body" and/or "Other", please specify:

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

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

NAP

Comments - If "Other", please specify

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

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

Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box:

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

Sources: Ministry of Justice

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 €	745 473 749 <input type="checkbox"/> NA <input type="checkbox"/> NAP	754 572 583 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

If "Other", please specify:

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

Sources: Ministry of Justice

1.2. Organisation and management of courts and public prosecution services

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

- President of each court

In the Czech Republic it is the president of the court who manages a court and through them Ministry of justice performs state administration of high, regional and district courts. Presidents of courts are the bodies of the state administration of the courts but they still remain performing judges as well, only with a proportionally smaller amount of cases.

President of the court:

- issues the rules of procedure of the court after hearing the plenary
- convenes the plenary, determines its agenda and directs its proceedings
- directs the issuance of the Collection of Judicial Decisions and Opinions
- gives the Supreme Court incentives to unify court decisions
- appoints assistants of judges and assigns judicial trainees to individual judicial departments in accordance with the purpose of their preparatory service
- issues work schedule for the period of a calendar year (after consultation with judicial council), where are appointed judges constituting the Chamber, single judges, lay judges, assistant judges, senior judicial officers, court secretaries and bailiffs who will serve in the various judicial departments; determined range of matters that are discussed and decided at a branch of the court; determined specialization of a court department; layed down rules for the assignment of cases to the judicial departments, etc.
- decides on the temporary assignment of judges
- may, for serious reasons, release the judge from the obligation of professional secrecy
- determines the schedule of working hours (or flexible working hours and its form in the working rules) for judges to ensure the proper performance of the judiciary in court
- is entitled to file a disciplinary motion or a reprimand for the disciplinary offense of a judge of his court
- performs the state administration of the court by ensuring the running of the court in terms of personnel and organization, in particular by ensuring the proper staffing of the court by judges, assistant judges, professional and other employees and handling personnel matters of judges; by taking care of the expertise of judges and creating conditions for its increase; by taking care of raising the professional level of assistant judges and other employees working at the court; by overseeing the proper functioning of the court offices; by ensuring the provision of information by the court in accordance with a special legal regulation; by controlling the activities of the director of the administration of the court; by ensuring the security of the court and the tasks of crisis management; and other tasks ordered by law
- ensures the dignity of the proceedings and the observance of the principles of judicial ethics in court proceedings and that there are no unnecessary delays in these proceedings. For this purpose, even with the use of electronic records of cases kept in court, president may check court files, to supervise the level of court proceedings, and to handle complaints.
- controls the court's procedure for allocating cases according to the work schedule
- handles complaints, which include a complaint about delays in the proceedings, inappropriate conduct or violation of the dignity of the proceedings of the Vice-President of the Court, the President of the Chamber, judges, judges' assistants and other court staff.

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

- Head of the Public prosecution office

Chief public prosecutors are entitled to issue instructions of a general nature to unify and guide the procedure of lower public prosecutors in the exercise of the powers of the public prosecutor's office or to ensure a uniform internal organization of the public prosecutor's office and the uniform performance of the file service.

Chief public prosecutors are bodies of the public prosecutor's office that act on behalf of the public prosecutor's office to the extent that they perform the administration of the public prosecutor's office. The chief prosecutors are responsible to the Ministry of Justice for the performance of the administration of the public prosecutor's office, which they head; Regional public prosecutors are also responsible for the performance of the administration of district public prosecutor's offices entrusted to them.

In the performance of the administration of the Public Prosecutor's Office, chief public prosecutors may issue measures that are binding for their subordinates.

Chief public prosecutors:

- ensures the operation of the Public Prosecutor's Office in terms of personnel and organization, in particular by participating in the staffing of the Public Prosecutor's Office by public prosecutors, ensures its proper staffing by other professional and other employees and handles personnel matters of public prosecutors,
- takes care of the continuity of proceedings at the Public Prosecutor's Office and supervises the proper fulfillment of the duties of public prosecutors and other employees working at this Public Prosecutor's Office,
- handles complaints,
- takes care of the expertise of public prosecutors and senior officials and creates conditions for its increase,
- takes care of raising the professional level of other employees working for the public prosecutor's office,
- ensures providing of information to other public prosecutor's offices in accordance with a legal regulation,
- ensures the security of the Public Prosecutor's Office and the tasks of crisis management,
- issues model organizational rules of the public prosecutor's office and unifies and controls the performance of the file service of the public prosecutor's office.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- Legal representation in court

If a person is in a bad financial situation, which prevents him from defending his rights through legal representation, he has the opportunity to apply to the court for the appointment of a representative, if necessary to protect the interests of the participant. If the protection of the interests of the party so requires or if it is the appointment of a representative for proceedings in which representation by a lawyer is mandatory, the President of the Judicial Chamber shall appoint a representative from among the lawyers. The condition is that it is a party for whom the preconditions are met to be exempted from court fees by the court. The applicant must apply for the appointment of a lawyer before a court and prove that his financial situation is not sufficient to pay for the lawyer himself. These facts must be accurately documented and attached to the application. There is no charge for submitting such application. If the court appoints the legal representative, his remuneration is paid by the state. A person who does not meet the conditions for the appointment of a lawyer by a court and cannot even obtain the provision of legal services may request that the Czech Bar Association appoints him a legal representative, if he needs legal assistance in administrative proceedings or before the Constitutional Court, or he has not been able to obtain a lawyer himself (this must be substantiated by two negative statements) and at the same time does not meet the conditions for the appointment of a lawyer by a court (the so-called ex officio lawyer). In the decision on the appointment of a lawyer, the Chamber may also stipulate other conditions for the provision of legal services, including the obligation to provide legal aid free of charge or for a reduced fee, if justified by the applicant's property, income and social circumstances.

Exemption from court fees

Certain proceedings and certain acts are exempt from the court fee (p.e. the court's care of minors, a petition for an enforcement order for maintenance for minors and court assistance before an enforcement order for the enforcement of maintenance for minors) and persons (p.e. petitioners in statutory proceedings). The court may also partially exempt a specific participant from court fees due to his request for exemption from court fees due to his difficult social situation (lack of property), but only if it is not clear at first sight that he cannot succeed (sues completely unreasonably, demands non-existent law, etc.). The party must submit this request at the same time as the action.

Legal advice

Besides the above mentioned, one can also turn to the Czech Bar Association for a lawyer, who will provide him with legal advice, as he is entitled to up to 120 minutes of legal advice per year for a fee of CZK 100 for processing the application. However, the CZK 100 fee is not paid by a holder of a disability card, a person receiving benefits in material need or a person under 15 years of age.

Free legal advice or assistance is also offered by several non-profit organizations and associations. There are free legal counselling services in bigger Czech cities and on-line as well.

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

Yes

No

If yes, please specify:

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

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

Comments - If yes, please specify:

2.1.2 Information on legal aid

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

	Total	Cases brought to court	Cases not brought to court
TOTAL	<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	<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 other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

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

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

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

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

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

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP
Victims	(X) Yes () No [] NAP

Comments

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

() Yes

(X) 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:

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	[] NA [] NAP	[] NA [] NAP
Full legal aid to the applicant for other than criminal cases	[] NA [] NAP	[] NA [] NAP
Partial legal aid to the applicant for criminal cases	[] NA [] NAP	[] NA [] NAP
Partial legal aid to the applicant for other than criminal cases	[] NA [] NAP	[] NA [] 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)?

(X) Yes

No

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

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

- the judge(s) dealing with the main case
- another judge or official
- an authority external to the court
- several authorities (court and external bodies)

Comments

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

- Yes
- No

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

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

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

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

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

Sources: Ministry of Justice

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.)	<input checked="" type="checkbox"/> www.mvcr.cz	<input type="checkbox"/>

Case-law of the higher court/s	<input checked="" type="checkbox"/> www.nsoud.cz	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> www.justice.cz	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> www.justice.cz	<input type="checkbox"/>

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

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

- Yes, always
 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 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 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 type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

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

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Victims of terrorism	() Yes (X) 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	(X) Yes () No
Ethnic minorities	() Yes (X) No	() Yes (X) 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)	(X) Yes () No	(X) Yes () No	(X) Yes () 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

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

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input checked="" type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input checked="" type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

To be a witness	<input type="checkbox"/> Age threshold	<input type="checkbox"/> Age threshold
	[Comment]	[Comment]
	<input type="checkbox"/> Exceptions from the threshold	<input type="checkbox"/> Exceptions from the threshold
	<input checked="" type="checkbox"/> Capacity for discernment	<input checked="" type="checkbox"/> Capacity for discernment
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other). In the case of minors, they do not have full procedural capacity within the Code of Civil Procedure. However the full proc. capacity can only be accepted in specific, very exceptional situations and must always be duly substantiated. It is necessary to take into account, in particular, the individual intellectual and volitional maturity of a particular child. Generally a minor must be represented in proceedings by a parent/legal guardian or a legal representative.

An action taken by a minor who does not have full procedural capacity cannot simply be ignored, but must be assessed through the prism of the best interests of the child. In other words, not only the will of the legal guardians is relevant, but also the will of the child, which cannot be completely ignored.

To be a witness

Minors (including those under the age of 15) may be witnesses in court proceedings. If the minor is older than 15 years old, he will be treated like any other witness. It is different for children under 15 years of age. In their case, the law places great emphasis on the protection of their personality when it comes to testifying to facts whose revival in memory could, due to age, adversely affect their mental and moral development. Such an interrogation is usually carried out only once in the preparatory proceedings and, unless it is really necessary, the interrogation is not repeated in court. The interrogation must be carried out with special care and in terms of content, so that the interrogation in the next proceedings does not usually have to be repeated; an educator or other person with experience in the education of young people who would, with regard to the subject of the interrogation and the degree of mental development of the interrogated person, contribute to the proper conduct of the interrogation will be added to the interrogation. If this can contribute to the proper conduct of the interrogation, the parents can also be taken in. There are interrogation rooms specially equipped for interrogating small children. There are toys in such rooms, they need to be cheerfully painted, etc., to relieve the children of the stress of interrogation and the unfamiliar environment.

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

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

Comment

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)

[15]

NA

NAP

Criminal liability resulting in sentence of privation of liberty

[18]

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 offender is unknown

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

Yes, always

No

Comment

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

For all types of offences

For some types of offences

NAP

Comment - Please specify: the compensation is granted only in cases of health injury or for surviving dependant

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

Yes

No

Comments

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: the compensation is granted only in cases of health injury or for surviving dependant

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

Yes

No

Comments

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: the compensation is granted only in cases of health injury or for surviving dependant

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

Yes

No

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comment - If yes, please specify:

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

Yes

No

NAP

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Excessive length of proceedings	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Non-execution of court decisions	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Wrongful arrest	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Wrongful conviction	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Other	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

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

2.2.2 Confidence and satisfaction of citizens with their justice system

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

	National level	Court level
Surveys for judges	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc
Surveys for court staff	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc
Surveys for public prosecutors	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc
Surveys for lawyers	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc
Surveys for other professionals	<input type="checkbox"/>] Other regular <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Other regular <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc
Surveys for the parties	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input type="checkbox"/>] Ad hoc	<input type="checkbox"/>] Annual <input type="checkbox"/>] Other regular <input 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 type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

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

Yes, please specify:

No

Comment - If you have additional comments please specify:

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

Yes

No

Comments

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

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

Comments

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

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

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: There are no surveys in the Czech Republic concerning data on the categories “Number of complaints” and “Compensation amount granted”.

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)	98 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	97 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	86 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	10 <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	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 2. Supreme Administrative Court

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify:

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)	89 [] 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)	107 [] NA [] NAP

Comments 6 regional courts and 3 district courts have their branches in other cities.

=

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

	Number of courts
A small claim	89 [] NA [] NAP
An employment dismissal	89 [] NA [] NAP
A robbery	89 [] NA [] NAP
An insolvency case	14 [] NA [] NAP

Comments regional courts (8 + 6 branches) as courts of first instance are competent for insolvency cases

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

() Yes

(X) No

Comments - If not, please give your definition of a small claim: There is no definition of a small claim but the appeal is not admitted when the litigious value is less than 10 000 CZK (about 382 EUR in 2020).

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

[382]

Comments see the explanation above

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

Sources: Ministry of Justice

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)	3 007 [] NA [] NAP	1 192 [] NA [] NAP	1 815 [] NA [] NAP
1. Number of first instance professional judges	1 814 [] NA [] NAP	601 [] NA [] NAP	1 213 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	1 088 [] NA [] NAP	512 [] NA [] NAP	576 [] NA [] NAP
3. Number of Supreme Court professional judges	105 [] NA [] NAP	79 [] NA [] NAP	26 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

=

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

Yes

No

Comments

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

Child-care

Elderly care

For the purposes of early retirement

Other reason, please specify:

Without reason

Comments It depends on the decision of the court management - mainly a decision of the President of the particular court. Permission of a part-time work for a judge is generally possible if the court is able to fulfill his duties even with a part-time working judge.

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

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

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

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

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	3 007 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 971 <input type="checkbox"/> NA <input type="checkbox"/> NAP	756 <input type="checkbox"/> NA <input type="checkbox"/> NAP	149 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP
First instance	1 814 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 369 <input type="checkbox"/> NA <input type="checkbox"/> NAP	445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Second instance	1 088 <input type="checkbox"/> NA <input type="checkbox"/> NAP	554 <input type="checkbox"/> NA <input type="checkbox"/> NAP	290 <input type="checkbox"/> NA <input type="checkbox"/> NAP	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Supreme court	105 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

If “Other”, please explain which types of cases: Insolvency Proceedings

=

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	97 <input type="checkbox"/> NA <input type="checkbox"/> NAP	52 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Number of first instance court presidents	85 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court presidents	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments the term of office of the previous presidents terminated and among the new appointed presidents are also 3 females.

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	5 176 <input type="checkbox"/> NA <input 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)	()	()	(X)
Criminal cases (misdemeanour and/or minor)	()	()	(X)
Family law cases	()	(X)	()
Labour law cases	()	()	(X)
Social law cases	()	(X)	()
Commercial law cases	()	(X)	()
Insolvency cases	()	(X)	()
Other civil cases	()	(X)	()

NAP

Comments - If "Other civil cases", please specify:

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

() Yes

(X) 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)	9 921 [] NA [] NAP	1 245 [] NA [] NAP	8 676 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	2 501 [] NA [] NAP	429 [] NA [] NAP	2 072 [] NA [] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)	4 556 [] NA [] NAP	205 [] NA [] NAP	4 351 [] 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)	2 158 [] NA [] NAP	339 [] NA [] NAP	1 819 [] NA [] NAP
4. Technical staff	648 [] NA [] NAP	250 [] NA [] NAP	398 [] NA [] NAP
5. Other non-judge staff	58 [] NA [] NAP	22 [] NA [] NAP	36 [] 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)	9 921 [] NA [] NAP	1 245 [] NA [] NAP	8 676 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	6 538 [] NA [] NAP	617 [] NA [] NAP	5 921 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	2 967 [] NA [] NAP	481 [] NA [] NAP	2 486 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	416 [] NA [] NAP	147 [] NA [] NAP	269 [] NA [] NAP

Comments

=

053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system,

please specify in which fields they have a role:

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

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments

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

Sources: Ministry of Justice individual courts

3.3. Public prosecution

3.3.1 Public prosecutors and staff

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



	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 224 [] NA [] NAP	561 [] NA [] NAP	663 [] NA [] NAP
1. Number of prosecutors at first instance level	822 [] NA [] NAP	339 [] NA [] NAP	483 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	345 [] NA [] NAP	183 [] NA [] NAP	162 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	57 [] NA [] NAP	39 [] NA [] NAP	18 [] 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

No

Comments

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

Child-care

Elderly care

For the purposes of early retirement

Other reason, please specify:

Without reason

Comments

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

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. At first instance level (%)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. At second instance (court of appeal) level (%)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

3. At Supreme Court level (%)	<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

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

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

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	95 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	84 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <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. Do other persons have similar duties to those of public prosecutors?

- Yes
- No

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

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

[]
 NA

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

- Yes
- No

Comments

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

	-
Domestic violence	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" 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	1 474 <input type="checkbox"/> NA	262 <input type="checkbox"/> NA	1 212 <input type="checkbox"/> NA

Comments

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

Sources: Ministry of Justice

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

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

	Yes, please specify	No
judges	()	(X)

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

[] NA

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

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

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

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

=

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

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

Comments

3.4.2 At national level

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

() Yes

(X) No

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

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

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

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

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

(title, date, nature of the text)

[X] NAP

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

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

[X] NAP

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

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

3.4.3 At court/public prosecution services level

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

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

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

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

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

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

NAP

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

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

NAP

Comments - Please specify also the reference documents.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

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

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

Comments The Ministry of Justice defines, coordinates and governs IT policies and strategies.

065-1. In case there is a national structure in charge of the strategic policy making and governance

of the judicial system modernisation (including also IT) what is the composition of this structure?

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

Comments - (please specify if there are other modernisation approaches that have been implemented): Strategic department at ministerial level with cooperation of mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff.

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

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

Comments - please also describe in case of “other alternatives” Mainly by business experts with the help of IT department and professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)

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

- Yes
- No

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

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

Comments (please specify examples of the impact) We have measured the impact of implementation broadly, e. g. how many cases are subject to the new case allocation tool, how many decisions are in the database of judicial decisions, etc.

3.5.2 Security of courts information system and personal data protection

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

- Yes

No

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

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

Yes

No

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

3.5.3 Centralised databases for decision support

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

Yes

Non

Comments Since 2020, a new database of judicial decisions of lower courts, which contains a search option for ECHR case law, is available online.

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

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

Comments - if it exists in other matters please specify

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

Yes

No

Comments

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

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

Comments - Please specify who is the authority delivering the access Register of criminal records

3.5.4 Writing assistance tools

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

- Yes
- No

Comment – if it exists in other matters please specify The templates are available for all courts but do not cover all matters.

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

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

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

Yes

No

Comments

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

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

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

Availability rate:

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

NA

Comments Intranet with judicial system provides distribution of relevant news and designated ICT service portal provides distribution of news in judicial IT systems.

3.5.5 Technologies used for administration of the courts and case management

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

- Yes
- No

Comments - if it exists in other matters please specify

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

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

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

063-2. Computerised registries managed by courts

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

Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

063-6. Budgetary and financial management systems of courts

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

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

Comments The budgetary information system is called IRES and is used by the Ministry of Justice since 1995.

Other tools of courts management

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

Yes

No

Comments The measurement tool is only available to assess the workload of judges and public prosecutors.

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

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

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

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments It is possible to introduce a case by electronic means, i. e. e-mail, data box, electronic filling room.

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

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

Comments - if it exist in other matters please specify

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

Yes

No

Comments

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

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

Granting legal aid is also electronic	() Yes (X) No [] NA [] NAP
Information available in CMS	(X) Yes () No [] NA [] NAP

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

(X) Yes

() No

Comments

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

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	[X]	[]	[X]	[] SMS [X] E-mail [X] Specific computer application [] Other	[X]
Criminal	[X]	[]	[X]	[] SMS [X] E-mail [X] Specific computer application [] Other	[X]
Administrative	[X]	[]	[X]	[] SMS [X] E-mail [X] Specific computer application [] Other	[X]

Comments It is possible to transmit summons by electronic means, i. e. e-mail, data box, electronic filling room.

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

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

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

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned

documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Judicial police services	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments

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

Yes

No

Comments – Please describe the system that exists.

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

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

Yes

No

Comments

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

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

Comments Videoconferencing was introduced in administrative matters in 2020. The use of videoconferencing is subject to the consent of all parties and is only possible when the court considers it to be appropriate.

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

(X) Yes

() No

Comments The recording of hearings is mandatory in all the matters in the form of sound or audio-visual recording since 2009.

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

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <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
Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <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

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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064-12. Is electronic evidence admissible?

	Admissibility of electronic evidence	Legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP

Comments - Other devices of electronic communication between courts, professionals and/or users. Anything that can contribute to the proper clarification of the matter can serve as evidence.

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

Comments

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



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

Yes

No

Comments

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

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

Comments

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

Yes

No

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff

- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

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

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify:

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?

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

Comments

=

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

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

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 Measuring courts' / public prosecution services activity



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

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

Comments

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

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

Comments

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

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

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

Comments

3.6.4 Information regarding courts /public prosecution services activity

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

Yes (please indicate the name and the address of this institution):Ministry of Justice

No

Comments

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

Yes, on the internet

No, only internally (on an intranet website)

No

Comments

=

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

Yes (please indicate the name and the address of this institution):Prosecutor General's Office

No

Comments

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

Yes, on the internet

No, only internally (on an intranet website)

No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

=

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

Yes

No

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

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

3.6.5 Courts administration

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

NAP

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

=

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

() Yes

(X) No

Comments

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

[] Executive power (for example the Ministry of Justice)

[] Prosecutor General /State public prosecutor

[] Public Prosecutorial Council

[] Head of the organisational unit or hierarchically superior public prosecutor

[] Other (please specify):

[X] NAP

Comments

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

(X) Yes

() No

Comments

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

() Annual

(X) Less frequent

() More frequent

Comments

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

Sources: Prosecutor General's Office

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not

attending the hearing in person nor is represented by a lawyer)?

[]

[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 is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

[]

[X] NA

Comments

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

[X] 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): A newsletter published periodically by the Office of the governmental agent before ECHR, database of the case law of the selected cases of the ECHR in Czech (<http://eslp.justice.cz/>), training of judges...

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

() Yes

(X) No

[] NAP

Comments Not directly, there should be also a decision of Supreme or Constitutional Court.

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

Sources: Ministry of Justice

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:

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:

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:

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

- Yes
 No

Comments - If yes, please specify:

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)	409 216 <input type="checkbox"/> NA <input type="checkbox"/> NAP	930 125 <input type="checkbox"/> NA <input type="checkbox"/> NAP	913 104 <input type="checkbox"/> NA <input type="checkbox"/> NAP	426 237 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	129 181 [] NA [] NAP	305 443 [] NA [] NAP	299 306 [] NA [] NAP	135 318 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	152 957 [] NA [] NAP	583 503 [] NA [] NAP	570 574 [] NA [] NAP	165 886 [] 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)	147 291 [] NA [] NAP	471 957 [] NA [] NAP	457 632 [] NA [] NAP	161 616 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	5 009 [] NA [] NAP	109 904 [] NA [] NAP	111 067 [] NA [] NAP	3 846 [] NA [] NAP	[X] NA [] 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	5 009 [] NA [] NAP	109 904 [] NA [] NAP	111 067 [] NA [] NAP	3 846 [] NA [] NAP	[X] NA [] 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	657 [] NA [] NAP	1 642 [] NA [] NAP	1 875 [] NA [] NAP	424 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	11 044 [] NA [] NAP	10 015 [] NA [] NAP	11 275 [] NA [] NAP	9 784 [] NA [] NAP	[X] NA [] NAP
4. Other cases	116 034 [] NA [] NAP	31 164 [] NA [] NAP	31 949 [] NA [] NAP	115 249 [] NA [] NAP	[X] NA [] NAP

Comments The registry cases are very quickly resolved and the numbers can vary between years significantly. In 2019, courts managed to resolve more cases than was the number of incoming cases, which led to decrease in pending cases. The same explanation applies to “other non-litigious cases”. The number of cases is quite small. It follows that there is big variance in the data between years.

Furthermore, during 2019 courts managed to resolve significantly more cases than in 2018, no special reasons were reported other than a fact that number of cases is relatively small and the cases are not complex. This also resulted in further reduction of the number of cases at the end of 2019. In 2020, the courts again managed to resolve more cases than was the number of incoming cases for both registry cases and other non-litigious cases.

Business registry cases are very quickly resolved and there is quite a variance between years. The number of cases is probably affected by many factors – new laws, economic situation and much more.

Other cases: The number of incoming cases has grown, probably due to changes in insolvency legislation.

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

. Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases.

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

. Category "other cases" includes: insolvency cases and incidence disputes.

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)	13 017 [] NA [] NAP	65 131 [] NA [] NAP	65 264 [] NA [] NAP	12 884 [] NA [] NAP	1 069 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other 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

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)	11 304 [] NA [] NAP	53 147 [] NA [] NAP	53 053 [] NA [] NAP	11 398 [] 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)	10 531 [] NA [] NAP	49 597 [] NA [] NAP	49 443 [] NA [] NAP	10 685 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	773 [] NA [] NAP	3 550 [] NA [] NAP	3 610 [] NA [] NAP	713 [] NA [] NAP	[X] NA [] NAP

Comments - If “Other cases” please specify In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

Civil (and commercial) litigious cases: In general, number of incoming cases is decreasing (mostly because number of first instance cases is decreasing too) and it follows that the number of pending cases is decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

Other cases: The variations are the result of changes in first instance agenda. This category includes insolvency cases and there were numerous legislative changes in last years. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

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)	1 672 [] NA [] NAP	21 950 [] NA [] NAP	21 630 [] NA [] NAP	1 992 [] NA [] NAP	32 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify.

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)	5 191 [] NA [] NAP	8 402 [] NA [] NAP	8 497 [] NA [] NAP	5 096 [] 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)	1 970 [] NA [] NAP	3 927 [] NA [] NAP	4 234 [] NA [] NAP	1 663 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	47 [] NA [] NAP	151 [] NA [] NAP	160 [] NA [] NAP	38 [] 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)	47 [] NA [] NAP	151 [] NA [] NAP	160 [] NA [] NAP	38 [] 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	2 884 [] NA [] NAP	4 037 [] NA [] NAP	3 785 [] NA [] NAP	3 136 [] NA [] NAP	[X] NA [] NAP
4. Other cases	290 [] NA [] NAP	287 [] NA [] NAP	318 [] NA [] NAP	259 [] NA [] NAP	[X] NA [] NAP

Comments - If “Other cases”, please specify Civil (and commercial) litigious cases: After several years of steady growth in the incoming cases, the incoming cases started to decrease in 2018. This is mainly due to legislative changes and drop in first and second-instance agenda in previous years. Thanks to this decrease the Supreme court was able to resolve part of its backlog and thus pending cases significantly decreased.

Civil (and commercial) non litigious cases: The variations should be put into perspective due to small absolute values.

Administrative cases: The Supreme court is overburdened and encounter difficulties to resolve its cases thus the number of pending cases grow quite quickly. It is connected to grow in number of administrative first-instance cases and growing tendency to fill an appeal to Supreme Administrative Court.

Other cases: This category includes appeals in last (third) instance of insolvency cases and incidence disputes. The changes are the result of changes in second-instance agenda. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

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

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

() 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)	183 [] NA [] NAP	1 410 [] NA [] NAP	1 443 [] NA [] NAP	150 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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 Total of criminal cases: The variations should be put into perspective due to small absolute values.

4.2.5 Case flow management and timeframes – specific cases

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Litigious divorce cases	9 036 [] NA [] NAP	23 601 [] NA [] NAP	24 054 [] NA [] NAP	8 583 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	111 104 [] NA [] NAP	26 712 [] NA [] NAP	27 567 [] NA [] NAP	110 249 [] NA [] NAP	[X] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments In last years, there were many legislative changes in insolvency law. That results in relatively big changes in the number of cases.

=

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<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
Non-court procedures relating to the right of entry and stay for aliens	<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
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<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
Court cases relating to the right of entry and stay for aliens	<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

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:

. Administrative proceedings for granting international protection are held by the Ministry of the Interior of the Czech Republic. The commencement of these proceedings is bound to the alien's declaration, from which the alien's intention to apply for the granting of international protection is obvious. Other than in exceptional situations, the alien is obligated to appear at a reception centre within twenty-four hours of making the declaration, where he/she will file an application for international protection and the alien police will perform identification processes. The alien is obligated to surrender his/her travel document, undergo fingerprinting and be photographed. The alien is also required to undergo a medical examination at the reception centre. The application for international protection is used to determine the reasons that led the alien to depart from the country where he/she was staying. Once all required tasks are completed, the applicant for international protection is transferred to an accommodation centre, where he/she awaits the first instance decision. Over the course of this period, an interview is conducted with the applicant, which is intended to more specifically define the reasons that were stated in the application for international protection. The ministry will issue a decision in the matter within a period of ninety days of the date on which proceedings are commenced. If a decision cannot be made within this timeframe due to the specific nature of the matter, the Ministry can extend it appropriately. The decision becomes legally effective as of the date it is delivered to the applicant. The Alien Police will issue a departure order to the alien on that date.

Proceedings for granting international protection can be terminated on the basis of a decision to reject the application as manifestly unfounded, or by discontinuing the proceedings.

An action may be filed against a final decision of the Ministry of the Interior with the regional court with territorial jurisdiction according to the place of residence of the foreigner on the day the action was filed and then the foreigner has also the right to lodge a cassation complaint with the Supreme Administrative Court in Brno against this decision of a regional court on an action against the decision of the Ministry of the Interior.

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	<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
Child pornography	<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 - Please explain what are the legal definitions of these categories of offences in your system: Child sexual abuse is having sexual intercourse with a child under the age of fifteen or sexually abusing them in another way. "Another way" may include for example oral sexual intercourse, palpation of the genitals, or other forms of sexual instinct on the victim's body or at the request of the offender on his own body are considered to be other forms of sexual abuse. Child sexual abuse includes any sexual touching that leads to the sexual arousal of the offender. However, it does not have to be a direct contact between the perpetrator and the victim. It is not important whether there is an emotional relationship between the offender and the victim to fulfill all the legal signs of sexual abuse. It is also irrelevant whether or not the victim has consented to sexual intercourse or from which side the initiative came or who was more active during the negotiations.

Child pornography is possession, manufacture, import, export, operation, offering, making available to the public, intermediation, putting into circulation, sale or other measure to another of a photographic, cinematographic, computer, electronic or other pornographic work that depicts or otherwise exploits a child or a person who appears to be a child. Also inducing, acting, hiring, seducing, abusing a child to produce a pornographic work or looting from the child's participation in such a pornographic work.

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Max numeric value allowed : 100 8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	211 <input type="checkbox"/> NA <input type="checkbox"/> NAP	134 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	261 <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Max numeric value allowed : 100 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Litigious divorce cases	_____ Max numeric value allowed : 100 <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	_____ Max numeric value allowed : 100 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Employment dismissal cases	<p>_____</p> <p>Max numeric value allowed : 100</p> <p>24</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>454</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>143</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>565</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>_____</p> <p>Max numeric value allowed : 100</p> <p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>
Insolvency cases	<p>_____</p> <p>Max numeric value allowed : 100</p> <p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>68</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>_____</p> <p>Max numeric value allowed : 100</p> <p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>
Robbery cases	<p>_____</p> <p>Max numeric value allowed : 100</p> <p>39</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>210</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>47</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>266</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>_____</p> <p>Max numeric value allowed : 100</p> <p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>
Intentional homicide cases	<p>_____</p> <p>Max numeric value allowed : 100</p> <p>75</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>113</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>48</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>194</p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>	<p>_____</p> <p>Max numeric value allowed : 100</p> <p><input checked="" type="checkbox"/> NA</p> <p><input type="checkbox"/> NAP</p>

Comments

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

. If a marriage has existed for at least 1 year, spouses have not lived together for more than 6 months and the petition for divorce by one spouse is joined by the other, the court does not establish the grounds for the breakdown of the marriage and issues the judgment of divorce if the parties submit: a written agreement with officially verified signatures of parties which regulates the settlement of property after divorce, the rights and duties of the parties with respect to their common housing and duty to financially maintain the other spouse, if relevant, and a final and conclusive decision of court approving the spouses' agreement with respect to their minor children after divorce. If there is a minor child (minor children) the court decides, before issuing the judgment of divorce, on the rights and duties of parents with respect to the child or children, in particular, which of them will be entrusted with custody of a child or children and what their duties to (financially) support and maintain children are. The marriage remains valid until the decision on the position of children after divorce becomes final and conclusive. The decision on parental responsibility may be replaced by an agreement of parents which must be approved by court to be valid.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. The data on length of proceedings are available for all cases, where the decision is legally effective. The database contains several important case-related dates (date the application for judicial review is lodged, date the court makes a decision, date the decision becomes legally effective etc.). Thus with this data we can calculate length of proceedings for each case, where the decision is legally effective. Afterwards, the mean is calculated.

1. Employment dismissal cases - average length in 1st and 2nd instances are in days, from the date the application for judicial review is lodged at court of 1st (2nd) instance to the date the court makes a decision. Average total length of the total procedure is in days from

the date the application for judicial review is lodged at court of 1st instance to date the decision becomes legally effective.

2. Insolvency - average length in 1st is in days from the date the application for judicial review is lodged at court of 1st instance to date the court makes a decision about the method of the resolution of the insolvency. In the previous cycles the duration of the whole insolvency proceedings was reported until the very end of the insolvency. The methodology has been changed since the number of days to the date the court makes a decision about the method of the resolution is much better indicator of court performance.

3. Robbery cases and Intentional homicide – methodology for average length is the same as for employment dismissal cases. We are not able to exclude attempts. Robbery cases include Robbery (Section 173 of Czech Penal code). Intentional homicide cases include Murder, Manslaughter and Murder of a New-born Child by its Mother (Sections 140, 141 and 142 of Czech Penal code).

4. Civil and commercial litigious cases – the methodology is the same as for Employment dismissal cases, but applied to all cases in the civil and commercial cases data.

Average total length of the total procedure (in days) - from the date the application for judicial review is lodged at court of 1st instance to date the decision becomes legally effective. This includes all cases. Of course, there are some exceptions to the rule, special circumstances etc. But this applies in majority of the cases.

4.2.6 Case flow management – public prosecution



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

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

Comments

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

- [X] civil cases
- [X] administrative cases
- [X] 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	41 936 [] NA [] NAP
2.Incoming/received cases	181 924 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	188 314 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	95 306 [] NA [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	[X] NA [] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP
3.1.4 Discontinued for other reasons	[X] NA [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	2 793 [] NA [] NAP
3.3.Cases closed by the public prosecutor for other reasons	33 574 [] NA [] NAP
3.4.Cases brought to court	56 641 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	35 546 [] NA [] NAP

Comments Last year, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + .Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

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	222 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments There was a legislative change which make it easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes.

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

(X) Yes

() No

Comments

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

Sources: Ministry of justice

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges



110. How are judges recruited?

[X] mainly through a competitive exam (open competition)

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

[] a combination of both (competitive exam and working experience)

[] other (please specify):

Comments

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

[] An authority made up of judges only

[X] 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) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

111-1. How many members compose this authority?

	Total	Male	Female
Members	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

- Yes
 No

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

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

- Yes
 No

Comments

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

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

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

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

- Years of experience
 Professional skills (and/or qualitative performance)
 Performance (quantitative)
 Subjective criteria (e.g. integrity, reputation)
 Other
 No criteria

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

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
 Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
 Is part of the executive power (without functional independence)
 Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
 Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify. There is no set term of office for public prosecutors. Public prosecutors are not selected in transparent selection process. The Attorney General administers the Supreme Public Prosecutor's Office. The Chief Public Prosecutor administers the High Public Prosecutor's Office. The regional public prosecutor performs the administration of the regional public prosecutor's office and the administration of the district public prosecutor's offices in its district. In accordance with the instructions of the superior regional prosecutor, the district public prosecutor administers the district public prosecutor's office. The Public Prosecutor is appointed by the Minister of Justice for an indefinite period on the proposal of the Chief Public Prosecutor. Performance of the public prosecutor is considered to be performance of the public prosecutor's office. It is the state who is liable for damage caused in the exercise of state power by the public prosecutor. Public prosecutor is only responsible for the disciplinary offense.

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - Please describe these exceptions:

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

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

Comments - If "Other", please specify:

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

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

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

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

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

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

Yes

No

NAP

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

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. How many members compose this authority?

	Total	Male	Female
Members	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Yes

No

Comments - Please specify which body is competent to decide on appeal?

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

Yes

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

Comments

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

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

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): It should be noted that the criteria are not formalised.

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:70

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

Comments

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

Yes, please indicate the compulsory retirement age:70

No

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

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

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

No

Comments

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

[]

[] NA

[X] NAP

Comments

125-1. Is it renewable?

Yes

No

[X] NAP

Comments

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

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

Yes

No

[X] NAP

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

Sources: Ministry of Justice

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)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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 type="checkbox"/> Regularly (for example every year) <input checked="" 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

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

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

Comments

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 type="checkbox"/> Regularly (for example every year) <input checked="" 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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

5.2.3 Training institutions

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

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

Comments

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

	Budget of the institution(s) for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Institution(s) for both judges and prosecutors

2 833 233

NA

NAP

Comments

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

. NAP

5.2.4 Number of trainings



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

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
Total	434 <input type="checkbox"/> NA <input type="checkbox"/> NAP	233 <input type="checkbox"/> NA <input type="checkbox"/> NAP	565 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For other non-judge staff	<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
4. For other non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Training for other professionals	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. Generally, the courses are accessible both for judges, prosecutors, assistants, trainees etc. For example, there were 43 courses for civil judiciary, 28 for criminal judiciary, 2 for administrative judiciary, 120 courses for judicial personnel. The number of delivered in-person training courses in days decreased due to the covid-19 pandemic.

The total number of training courses available was 434 - this number contains 233 in-person courses; 565 seminars in on-line forms (e-learning, streams, webinars, 3 courses in combination with in-person course) and 12 courses/webinars with supported teaching (=combination of in-person courses + distance courses).

The Education Platform of the Academy of Justice (ASJA) monitored only certain data for 2020 and can therefore provide only the information already filled in the table above.

Online training courses available during the reference year (e-learning): in 2018, the ASJA provided the number of 376 e-modules, which was the total number of distance e-learning texts that the Judicial Academy had already developed in 2018 in its ASJA educational platform for online education within the so-called e-modules. These distance e-learning texts were (and still are) available for study at

ASJA and trainees could and still can work with them at any time and from anywhere and log in whenever they need to and study, whenever they need and do not have to access specific e-learning modules. With Covid 19 happening, these online e-modules were joined by other online learning tools (e.g. streams; webinars; recorded lectures) in a total of 189 (streams + webinars + recorded lectures: 186 + 3 in combination with in-person courses). From this point of view, because of the introduction of new forms, the on-line training increased by 189 of educational events (in the form of streams, webinars and recorded lectures: 186 + 3 in combination with in-person courses) and another 12 seminars in 2020 with supported distance learning (= course combining in-person and on-line training with supported teaching).

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

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
Total	6 574 [] NA [] NAP	858 [] NA [] NAP
Judges	[X] NA [] NAP	[X] NA [] NAP
Prosecutors	[X] NA [] NAP	[X] NA [] NAP
Non-judge staff	[X] NA [] NAP	[X] NA [] NAP
Non-prosecutor staff	[X] NA [] NAP	[X] NA [] NAP
Other professionals	[X] NA [] NAP	[X] NA [] NAP

Comments The Education Platform of the Academy of Justice (ASJA) monitored only certain data for 2020 and can therefore provide only the information already filled in the table above.

In 2020 ASJA provided information that the total number of training participants were:

Judges: 1889

Prosecutors: 636

Judicial trainees: 387

Legal trainees: 270

Assistants: 1296

Senior court clerks + court secretaries: 951

In 2020, ASJA monitored the total number of training participants, not specifically monitoring the number of participants in in-person courses and in online courses, as some of them can study after applying to ASJA without having to register for a specific course (e-learning) and after logging into ASJA, repeated online accesses to selected online courses are possible without the need to register for a specific training.

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	40 584 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 065 204 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	89 904 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 359 944 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	36 528 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	958 692 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	79 008 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 074 056 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments the salaries have risen generally + exchange rate

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Housing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other financial benefit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

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

. see general comment

NAP

=

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

With remuneration	Without remuneration
-------------------	----------------------

Teaching	(X) Yes () No	() Yes (X) No
Research and publication	(X) Yes () No	() Yes (X) No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	(X) Yes () No	(X) Yes () No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	(X) Yes () No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify:

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:

5.3.2 Body/institution of ethics

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

Yes

No

Comments

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 opinions of this institution / body publicly available?

Yes

No

NAP

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

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

Yes

No

Comments

138-4. If yes, who are the members of this institution/body?

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

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

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions



140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Parliament
- Executive power (please specify):minister of justice
- Other (please specify):President of the Republic
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Professional body
- Executive power (please specify):minister of justice
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple replies possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman

- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple replies possible)

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: alcohol consumption

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

	Judges	Prosecutors
Total number (total 1 to 10)	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Temporary reduction of salary	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <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	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

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

Sources: Ministry of Justice

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	12 267 <input type="checkbox"/> NA	7 360 <input type="checkbox"/> NA	4 907 <input type="checkbox"/> NA

Comments Data to: 31.12.2020

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

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

[]

NA

NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Dismissal cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Defendant	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Victim	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Administrative cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	() Yes (X) No
Self-representation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Trade union	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):Insolvency administrator

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Czech Bar Association

6.1.2 Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

() No

Comments - If yes, what are the quality criteria used?

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

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	125 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" 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)	59 [] NA [] NAP
1. Reprimand	12 [] NA [] NAP
2. Suspension	2 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	38 [] NA [] NAP
5. Other	7 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Provided figures are for the year 2020.

Disbarment - 1

Prohibition to provide legal services according to Art. 56a of the Czech Act on the Legal Profession - 1 (A lawyer shall be obliged to deposit money, securities or any other property accepted by the lawyer into his administration, on a special account in a bank or with another person authorized pursuant to special legislation to accept deposits or take securities or other property into custody.)

Lawyers were found guilty in the disciplinary proceeding but no sanction was pronounced against them - 5

Suspension = (temporary suspension)

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?

(X) 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

[X] Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

[] No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

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

(X) Yes

() No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Family cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Labour cases including employment dismissals	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Consumer cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

- (X) Yes
() No
[] NAP

Comments - If yes, please specify (only one or both options)::

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	669 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments From the above mentioned number of mediators there are 356 probate and mediation officials and 313 mediators in non criminal 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)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input 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
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	471 <input type="checkbox"/> NA <input type="checkbox"/> NAP	471 <input type="checkbox"/> NA <input type="checkbox"/> NAP	451 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: Probation and Mediation Service

=

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):

Comments

G1. Please indicate the sources for answering the questions in this part

Source: Probation and Mediation Service

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)	267 [] NA	[X] NA	[X] NA
1. Private professionals under the authority (control) of public authorities	157 [] NA [] NAP	116 [] NA [] NAP	41 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	110 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

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

Comments - If "other", please specify:

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: for life
- No, please specify the duration of the appointment:

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

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 checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify:

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

	Option
Seizure of movable tangible properties	<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 type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" 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 type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" 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 checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input 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 'Other': the enforcement agent may order receivables from the account of the financial institution or order receivables from the account of the obligated spouse to the financial institution, take over real estate management of an estate of the debtor, suspend driving license of the debtor, order receivables from supplementary pension insurance or supplementary pension savings, order the payment of a sum of money by affecting a plant, divide a common thing, or order a performance of work.

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 Enforcement agent within other activities provides legal assistance to the entitled or liable party after the issuance of the enforcement order, as well as in connection with the enforcement activity and other activities; performs authorized conversion of documents; draws up documents and performs other activities in accordance with the law; in connection with enforcement, court or other proceedings, accepts into custody money, documents and other movables, the nature of which allows it. If the court entrusts the e. agent, he may also perform other activities, in particular deliver court documents and perform the activities of a bailiff according to a special legal regulation. As part of other activities, the e.agent also performs other activities if a special legal regulation provides so. He may also auction the movable or immovable property at the proposal of the owner or the person authorized to dispose of the property. On the basis of a court authorization or a public prosecutor, the e.agent determines the property subject to seizure according to the decision issued in the criminal proceedings and, on the authority of the body active in the criminal proceedings, personally or through another person administers the seized property. Upon request, the e.agent shall draw up the enforcement agent's certificate certifying the facts or the state of affairs, such as the fulfilment of debt, the state of immovable property, flats and non-residential premises, if they can prove claims in court or other state authority and if the factual situation occurred or if the agent is convinced of the state of affairs.

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:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

Yes

No

Comments - If yes, please specify:

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:

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: Chamber of Executors

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:

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

- Yes

No

Comments - If yes, please specify:

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 checked="" type="checkbox"/> Yes <input 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)	3 [] NA [] NAP
1. For breach of professional ethics	2 [] NA [] NAP
2. For professional inadequacy	0 [] NA [] NAP
3. For criminal offence	1 [] NA [] NAP
4. Other	0 [] 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)	1 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	[] NA [X] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	1 [] 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: The other two disciplinary proceedings were terminated without pronouncing a sanction.

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

Source: Chamber of Executors

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).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%
 50-79%
 less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	435 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Holders of public offices appointed by the State	435 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Civil servants (paid by the State)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is

mainly engaged in the appointment procedure:

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments

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:until 70 years of age
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible):

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input 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
Legalisation of signatures / Apostille	<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
Legality control of documents	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input 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 checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input 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 checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input 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. Apart from the above-mentioned activities, notaries draw up notarial records of legal actions and certify, upon request, facts and declarations which could be the basis for the exercise or proof of rights or which could have legal consequences. The notary performs in particular the following certificates: official verification that the copy or copies of the document are literally identical to the document submitted, legalization (signature verification), submission of a document, protests of bills of exchange and other documents that must be submitted for the application of the law, certificate of decisions of the bodies of legal entities as well as the course of general meetings, meetings and proceedings of other bodies of legal entities, that someone is alive, other factual events and the state of affairs, declarations, on the performance of acts and completion of formalities in accordance with the Regulation of the Council of the European Communities on the Statute for a European Company (SE) and the

Regulation of the Council of the European Communities on the Statute for a European Cooperative Society and the laws issued for their implementation; outputs from the public administration information system; fulfillment of statutory requirements by a Czech person involved in the cross-border transformation of a company or cooperative and fulfilment of statutory requirements for registration of a cross-border transformation in the Commercial Register; authorized conversion of documents. Notaries accept into notarial custody: documents on the legal action of the testator in the event of death and other documents; money, if so provided by a special law; money and documents for the purpose of their issuance to other persons. At the request of the creditor, the notary shall deliver a creditor's notice of his reservation of the right to invoke the ineffectiveness of legal action under the Civil Code (also referred to as "notice of reservation") to whom the applicant has designated, and the notary will draw up an official report on this request with the participation of the creditor.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) Register of Associations, Register of Foundations, register of pledges, register of certificated signatures, register of matrimonial property documents
- None

Comments Family law registry - notaries always consult the register of wills held by the Notarial Chamber of the Czech Republic. Further, there is a register of matrimonial property documents with a public and a non-public part. Other registry - other public registries similar to the Business Register, such as Register of Associations, Register of Foundations etc that are runned by regional courts. Further, register of pledges and register of certificated signatures held by the Notarial Chamber of the Czech Republic.

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Business registry	<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
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 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
Any other registry (please specify)	<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
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 Other public registries similar to the Business Register (Register of Associations, Register of Foundations etc.), register of matrimonial property documents, register of pledges and register of certificated signatures. All these registries are modified directly.

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments Notarial Chamber of the Czech Republic runs an archive of notarial deeds and an archive connected to the registers of matrimonial property documents.

Other public authority - regional courts run the archive connected to Commercial Register, Register of Association and of other legal entities.

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

professional body

court

Ministry of Justice

public prosecutor

other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

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 type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

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

Sources: Notary Chamber

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1 Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of registered court interpreters:

[2 945]

[] NA

[] NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

[] Yes, for recruitment and/or appointment for a specific term of office

[X] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

[] No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

11. Judicial experts

11.1. Profession of judicial expert

11.1.1 Status of judicial experts



202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

[X] Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

[X] Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

Yes, for how long

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input 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:

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	6 590 <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 As a consequence of changing the rules for judicial experts (stating the more strict rules) and in relation with not very high remuneration (the remuneration was increased after 18 years from 350 to 450 CZK - cca 17 EUR per hour) many non-active or less active experts decided to terminate their work.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

Number of cases

Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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 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
Defined by Ministry of Justice or another ministry (setting a tariff for example)	<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
Salary of public official (in case of forensic or another specialist – who is public employee)	<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
Freely agreed between expert and the parties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input 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 - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Quality of expertise	<input type="checkbox"/>	<input checked="" 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

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: Ministry of Justice

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) Committee on recodification of the criminal procedure law consisting of reputable judges, public prosecutors, attorneys and ministry officials is convened regularly in order to prepare a comprehensive reform of the Czech criminal procedure law. The new Criminal Procedure Code should replace the current Criminal Procedure Code enacted in 1961, which underwent very many amendments adjusting it not only to the change of political regime but also to the development of technologies etc. and has thereby become relatively complicated. Main aim of the efforts is simplifying and streamlining of the criminal proceedings as well as decreasing of the administrative burden while preserving all rights of

the person against whom the proceeding is conducted. Although the works on recodification are intensive, the finalization and subsequent adoption of the new Criminal Procedure Code still requires some time. However, progress in drafting the Code has been achieved recently and substantial parts of the new Criminal Procedure Code are already drafted and prepared.

2) An amendment of the Act on Courts and Judges is adopted into Czech legal framework.

The amendment is establishing a transparent and uniform system of new judges' recruitment and selection of court presidents based on precise, objective and uniform criteria, which must be fulfilled by any person who wants to become a judge, or a court president.

The selection system of new judges consists of 5 phases: 1. a practice as an assistant of judge, 2. judicial exam, 3. selection procedure of a judicial candidate, 4. practice of a judicial candidate and 5. an open competition for the position of a judge. A possibility for applicants from other legal professions (such as lawyers, notaries, bailiffs or public prosecutors) to apply for the position of a judicial candidate and/or judge is also allowed.

Court presidents of district, regional and high courts are selected in open competitions before selection committees in which judges will have majority. Applicants are required to be judges that have at least 5 years of practice as a judge. The proposal prohibits the possibility to repeat the mandate of a court president at the same court. Court presidents are required to fulfil a management education course (organized by the Judicial Academy).

3) 3) The new Civil Procedure Code

The Ministry of Justice of the Czech Republic has been working on the comprehensive reform of the civil procedure since 2016. For this purpose, the Ministry established a Committee of Experts. The Committee has prepared a Draft White Paper of the Civil Procedure Code.

The Committee presented the first Draft version of the White Paper to the Ministry at the end of July 2017. Years 2018 and 2019 were devoted to the public discussions (the Draft Paper was published on the website "crs.justice.cz" where anyone could add their comments and suggestions, three open conferences took place in 2018 and all relevant stakeholders were asked to send their written statements).

Following the public debate, all the comments were gathered and the Committee had to consider which of them ought to be reflected in the first version of the Draft. Subsequently, the Committee prepared the second version of the Draft White Paper of the Civil Procedure Code and handed it to the Ministry of Justice at the end of 2020. The second version takes account of the comments and criticism mentioned during the public discussion previously. The Draft, as it stand now, is based on the conception of Austrian Zivilprozessordnung. It thereby inclines to the social conception of civil procedure (as opposed to the liberal conception). The leading principles of the new civil procedure are the principle of effectiveness, procedural economy and the principle of material truth. A significant emphasis is put on the swiftness of the procedure while safeguarding right to a fair trial.

The second version of the Draft White Paper of the Civil Procedure Code from 2020 also contains rules on court jurisdiction. Committee has not proposed any major changes from the current state of affairs in this regard.

4) The Collective Procedure Act

Another relevant ongoing project in the Czech Republic is the introduction of the new Collective Procedure Act. Now, it is not possible to file a collective action for redress measure before Czech national courts. It is only possible to file a representative action for injunction measure by qualified consumer organizations in case of unlawful conduct of a trader.

The Ministry of Justice finished drafting the Collective Procedure Act in 2019. The Government approved the Proposal in February 2020. At the moment, the Proposal is assessed by the Czech Parliament as a document No. 775. If approved, the Collective Procedure Act will allow the representative procedure in consumer disputes where a group of consumers was affected by the same illegal practice of a trader provided the claims, which arose from such a practice, are of the same or similar nature. Legal standing is granted either to an individual consumer or to a qualified entity (consumer organization). The plaintiff may

seek injunction, declaratory as well as redress measure. As a principle, the collective procedure should be governed by an opt-in. However, in cases of small claims (up to 100 EUR) also opt-out is possible.

As there is no complex regulation of the collective proceedings in the Czech legal system, it is one of the most important projects to modernize the Czech civil procedural law.

5) The Act on the Service of Documents

In 2020, the Ministry of Justice has been continuing with the preparation of the White paper of the Act on the Service of Documents. For that purpose, the Ministry established a working group consisting of representatives of the Ministry of Justice, Finance, and Interior, along with judges, practitioners, and academics. Since then, the Working group has held six meetings so far, all focusing on relevant issues concerning the service of documents (both physical and electronic means of service of documents, the material scope of the Act, definitions and principles, service of documents on people with address registered at the city council). Based on the discussion, the Ministry of Justice decided to conduct further analysis of some of these topics. After the White paper is finished, it will be presented to relevant stakeholders for discussion. Given their close connection, works on the White Paper and the Act itself need to be undertaken in coordination with works on the new Civil Procedure Code.

7) Possible amendments to the Act no. 150/2002 Coll., Code of Administrative Justice

Ministry of Justice has set up an expert Committee in April 2020 which consists of experts from the judiciary, from the Ministry of Justice and from the Office of the Government. The Committee now discusses possible changes to the Act no. 150/2002 Coll., Code of Administrative Justice, that shall lead to more efficient and faster proceedings and reduce caseload before administrative courts. At the moment, a White paper is being drafted which will then be further discussed in wide and open public consultation. Subsequently, an amendment to the Code of Administrative Justice should be presented during the official legislative process (probably in 2022).

8) New legal framework for preventive restructuring

In cooperation with an external expert working group, the Czech Ministry of Justice is working on the transposition of the Directive of the European Parliament and of the Council (EU) 2019/1023 on restructuring and insolvency, concerning preventive restructuring frameworks.

At this point, there is no informal or an out-of-court preventive restructuring procedure in the legal system of the Czech Republic. Under this new legal concept, enterprises shall avert financial difficulties and approaching bankruptcy in the early stages of their economic distress and be enabled to continue business. Entrepreneurs can achieve it either in a potential out-of-court non-public procedure or in a public in-court procedure, depending on the debtor's selected strategy and on further development in the procedure.

The transposition is about to be ready for public consultation in the second half of 2021 and is going to be enacted in the first half of 2022, considering the latest transposition deadline of 17 July 2022.

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes -

e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The Ministry of Justice presented the draft reform of public prosecution services in June 2019 through the amendment of the Act No. 283/1993 Coll., on Public Prosecutor's Office. The aim of this amendment is to contribute to wider independence of chief public prosecutors. Firstly, it introduces the requirement of dismissal of chief public prosecutors solely in the disciplinary proceedings. Secondly, it introduces the terms of office of the chief public prosecutors, which shall be seven years. Thirdly, it establishes transparent selection procedure for selecting chief public prosecutors (except for Prosecutor General).

The amendment also introduces essential requirements, which public prosecutor must fulfil in order to be appointed as a chief public prosecutor.

The amendment has been awaiting its government approval. In view of the fact that the Czech Republic is awaiting its elections to the Chamber of Deputies of the Parliament in October 2021, it is questionable whether the legislative process will be completed in the current election period. It shall be noted that any possible future legislative works on the reform of public prosecution services will be dependent on the decision of a newly appointed government.

2) The Ministry of Justice has drawn up a bill amending the Act No. 283/1993 Coll., on Public Prosecutor's Office, as amended, the Criminal Procedure Code and other acts in order to adapt the Czech legal order to the Council regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office. This bill is effective since 1 December 2019. In 2020 the relevant Czech authorities focused mainly on finalizing necessary practical and administrative steps related to the commencement of the activities of European Delegated Prosecutors at selected public prosecutor's offices in the Czech Republic.

3) An amendment of the Act on Courts and Judges is adopted into Czech legal framework. The amendment is establishing a transparent and uniform system of new judges' recruitment and selection of court presidents based on precise, objective and uniform criteria, which must be fulfilled by any person who wants to become a judge, or a court president. Except for this main topic, this amendment also regulates the obligation for district, regional and high courts to publish their decisions at the Database administrated by the Czech Ministry of Justice. This part of amendment shall come into force in 1 July 2022.

4) Declined amendment to the Act no 549/1991 Coll., on court fees
In the Czech Republic, the legal regulation of court fees is regulated by a separate Act (Act no 549/1991 Coll. on court fees). The specific amount of these fees is determined by the so-called List of fees, which is an annex to this Act. Court fees have not been increased over almost the last 10 years, so their level is currently set very gently and does not constitute an obstacle for access to justice, considering the standard of living and the average wage in the Czech Republic.

There was a comprehensive amendment approved by the Government in 2020 that aimed to revise court fees in terms of their amount and adapt them to the socio-economic situation in the Czech Republic. However, the House of Commons has declined this amendment on

January 29, 2021. Therefore the Court fees will further remain substantively gentle and unchanged.

Some proceedings are completely exempted from court fees. The court may also, at a request, exempt a party from court fees completely or partly. Exemption from court fees is based on the participant's financial situation.

If certain conditions are fulfilled, the party is exempt from court fees, and the court may also appoint a legal representative or a lawyer. The costs are reimbursed by the State in that case.

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: 1) The Act No. 333/2020 Coll. amended the Act No. 141/1961 Coll., Criminal Procedure Code, with effect from 1 October 2020. This particular amendment explicitly clarified that costs incurred by retaining an agent of injured person, who is entitled to legal aid provided by an agent free of charge or at a reduced fee, will be borne by the State, i.e. regardless of the fact whether such agent is appointed to the injured person by the (presiding) judge or whether such agent is chosen by injured person himself/herself. Previous wording explicitly covered only agent appointed to the injured person, who is entitled to legal aid provided by an agent free of charge or at a reduced fee, by the presiding judge and by the judge in pre-trial proceedings, therefore it was necessary to make relevant provisions applicable also to the agent chosen by injured person.

2) Comprehensive system of state-funded legal aid came into force on 31 July 2018 and should allow access to legal assistance not only in judicial or administrative proceedings, but also to general legal advice prior to litigation. This system provides legal consultation for an applicant, whose average monthly income does not exceed, for the period of 6 calendar months preceding application filing, three times the living minimum for an individual or persons assessed jointly and who is not represented by another lawyer or a person according to provisions about free legal aid.

According these new provisions legal consultation shall be provided to one applicant as a minimum of 30 minutes and up to 120 minutes of legal consultation for each calendar year.

Another part of this new system creates a possibility for an applicant whose income and property circumstances justify it and who is not represented by another lawyer in the matter in which the applicant is applying for the provision of a legal service to have a lawyer appointed by the Bar for the provision of a legal service.

Special provision contains also the rules of providing legal consultation to unspecified number of people placed in detention facility for foreigners under the Act governing the stay of foreigners in the Czech Republic or a reception centre under the Asylum Act.

The rules are regulated by the Act no. 85/1996 Coll., on the Legal Profession, as amended, especially by Sections 18-18d of this Act.

The legal assistance and legal service is provided by lawyers recorded in the Register of Lawyers maintained by the Czech Bar Association and the Czech Bar Association (selfgoverning legal professional organization) decides, whether the applicant fulfil all the criteria mentioned in the abovementioned Act on the Legal Profession.

3) Declined amendment to the Act no 549/1991 Coll., on court fees

Some proceedings are completely exempted from court fees. The court may also, at a request, exempt a party from court fees completely or partly. Exemption from court fees is based on the participant's financial situation.

Making access to justice easier was one of the goals of the amendment to the Act no 549/1991 Coll., on court fees as this amendment was supposed to make exemption from court fees easier to reach if the reason for the exemption is reasonable and valid.

However, the House of Commons have declined this amendment on January 29, 2021.

Therefore the Court fees will further remain substantively gentle and unchanged.

4) The Collective Procedure Act

As there is no complex regulation of the collective proceedings in the Czech Republic, certain groups of plaintiffs have limited access to justice. These include especially consumers, employees or persons who were unlawfully discriminated. Their claims are generally not enforced before the Czech courts individually, mainly because it is not economically rational. To tackle the issue, the Ministry of Justice proposed a Proposal for the Collective Procedure Act. It is expected that the introduction of the collective actions into the Czech legal system will have a significant positive impact on the access to justice of consumers and other groups of people who were victims of mass harms situations and suffered only a small loss.

5) Transformation of personal insolvency law

The Czech Ministry of Justice proposed an Act transforming discharge of debt proceedings, which came into force on the 1st June 2019 as Act No. 31/2019 Coll. amending the Act No. 182/2006 Coll., Insolvency Act. With this amendment, discharge of debt proceedings have been made accessible to a broader range of honest debtors by removing the rule that a debtor has to repay at least 30 % of his debt during the proceedings that involve a repayment plan lasting for 5 years. Vulnerable debtors can be discharged of their debt when fulfilling a repayment plan lasting 3 years. Since the Act No. 230/2019 Coll., which came into force on the 1st October 2019, debtors who predominantly acquired their debts when underage are also considered vulnerable and fulfil a repayment plan lasting 3 years.

6) Anti-Covid-19 measures - Lex Covid I and II

To alleviate the negative impacts of the Covid-19 pandemic in areas of bankruptcy and insolvency, the Czech Republic has adopted several insolvency or contract-affecting extraordinary measures. The common feature of these legal measures was to suspend potentially negative effects of insolvency law and individual enforcement actions, both preventively and temporarily. The Act No. 191/2020 Coll. (so-called “Lex Covid Justice I”), which came into force on 24th April 2020, as well as the Act No. 460/2020 Coll. (so-called “Lex Covid Justice II.”), which came into effect on 13th November 2020, were passed in order to achieve the abovementioned goal.

First, the debtor's duty to file for insolvency (in case of COVID-related bankruptcy that occurred within 6 months from the end of the governmental extraordinary measures) has been suspended from 24th April 2020 till 30th June 2021. Creditor's right to file for insolvency of a debtor was also suspended from 24th April 2020; this measure already expired on 31st August 2020.

Furthermore, the concept of “extraordinary moratorium” was introduced into the Czech Insolvency Act. It suspends enforcement orders and realization of collateral rights against the debtor. The extraordinary moratorium is easily accessible for debtors, as it does not require a consent of creditors for the first 3 months; creditors' consent is needed for a further 3 months' extension. The deadline for debtors' applications was prolonged to 30th June 2021 – the latest date of expiration of extraordinary moratorium protection would therefore be 31st December 2021.

Several other partial measures affecting private debt resolution were also adopted. From 24th April 2020 until 30th June 2021, an insolvency court could have decided that the reorganization plans adopted under the Insolvency Act may not be temporarily filled by a debtor without any sanctions. Most individual enforcement action types conducted by bailiffs were also suspended until 31st January 2021. In addition, some minor alleviations were introduced into ongoing discharge-from-debts procedures; they apply to debtors affected by governmental extraordinary measures in order to partially compensate the loss of incomes

needed to fulfil repayment schedules. For example, it enables slightly easier way to adjust monthly repayments (expiry date was not set; any adjustment has to be by some means connected to COVID impacts).

7) Draft bill to amend personal insolvency law

The Covid-19 pandemic accelerated the preparation of an amendment to the Insolvency Act (Act. No. 182/2006 Coll.), which will transpose the Directive of the European Parliament and of the Council (EU) 2019/1023 on restructuring and insolvency, concerning personal insolvency law. According to the Czech Ministry of Justice's proposal, which was submitted for the parliament's approval on the 4th November 2020, natural persons shall have equal access to a debt relief instrument, both entrepreneurs and non-entrepreneurs. The key change arising from the amendment is the reduction in duration of new discharge of debt proceedings from five to three years regardless of the debtor's income source. This rule is expected to reduce the economic consequences of the pandemic; however, it is not temporary or limited to post-pandemic insolvencies. The amendment will be discussed in the Parliament of the Czech Republic. The amendment may yet be changed during the legislative process.

208-5. High Judicial Council

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: A body like the High Judicial Council has not been established in the Czech Republic. Judicial power in the Czech Republic is exercised by independent courts (Section 1 of the Act on Courts and Judges). This provision corresponds with Article 81 of the Constitution, which entrusts the exercise of judicial power – as one of three independent powers - to independent courts. Independence and impartiality of court as main attribute of these bodies are based also on the guarantee in Article 36 of the Charter of Fundamental Rights and Freedoms (Act no. 2/1993 Coll.), which guarantees to anybody the possibility to pursue in a prescribed manner their rights at independent and impartial courts.

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: Comprehensive system of state-funded legal aid came into force on 31 July 2018 and should allow access to legal assistance not only in judicial or administrative proceedings, but also to general legal advice prior to litigation. This system provides legal consultation for an applicant, whose average monthly income does not exceed, for the period of 6 calendar months preceding application filing, three times the living minimum for an individual or persons assessed jointly and who is not represented by another lawyer or a person according to provisions about free legal aid.

According to these new provisions legal consultation shall be provided to one applicant as a minimum of 30 minutes and up to 120 minutes of legal consultation for each calendar year.

Another part of this new system creates a possibility for an applicant whose income and property circumstances justify it and who is not represented by another lawyer in the matter in which the applicant is applying for the provision of a legal service to have a lawyer appointed by the Bar for the provision of a legal service.

Special provision contains also the rules of providing legal consultation to unspecified number of people placed in detention facility for foreigners under the Act governing the stay of foreigners in the Czech Republic or a reception centre under the Asylum Act.

The rules are regulated by the Act no. 85/1996 Coll., on the Legal Profession, as amended, especially by Sections 18-18d of this Act.

The legal assistance and legal service is provided by lawyers recorded in the Register of Lawyers maintained by the Czech Bar Association and the Czech Bar Association (selfgoverning legal professional organization) decides, whether the applicant fulfil all the criteria mentioned in the abovementioned Act on the Legal Profession.

208-7. Gender balance

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) As for international conventions in the field of criminal law, the proposal for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210) by the Czech Republic has been submitted in July 2020 to the government. Since then the proposal is awaiting its government approval.

2) As regards international judicial cooperation in criminal matters, the Act No. 315/2019 Coll. amended the Act No. 104/2013 Coll., on international judicial cooperation in criminal matters, as amended, with effect from 1 December 2019 and introduced a new legal institute of the sharing of property with a foreign state. According to newly adopted legal provisions the Czech Republic may enter into an agreement with a foreign state on the sharing of property obtained by enforcement of criminal sanction in criminal proceedings in the Czech Republic, provided that reciprocity is guaranteed and the State with which the agreement is negotiated has provided the Czech Republic with significant judicial cooperation. The previous legal regulation does not make it possible to share part of the property obtained by enforcement of criminal sanction on a legal basis other than on basis of a recognized foreign decision in criminal proceedings.

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:

208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The Act No. 114/2020 Coll. (Act amending the Act No. 40/2009 Coll., the Criminal Code, as amended, and certain other acts) introduced with effect since 1 June 2020 reformulation of the wording of the criminal offence of maltreatment of animals as well as establishing of new criminal offence of keeping of animals in unsuitable conditions. At the same time amendment established higher sentences of imprisonment for this type of criminal activity and new type of penalty consisting in prohibition of possessing and keeping animals which can be imposed up to 10 years or up to 20 years in case of legal persons.

2) The Act No. 333/2020 Coll. (Act amending the Act No. 40/2009 Coll., the Criminal Code, as amended, the Act No. 141/1961 Coll., Criminal Procedure Code, as amended, and some other laws) introduced with effect since 1 October 2020 among others the broadening of the scope of the criminal offence of manipulation with foreign exchange rates, extension of the limitation period from 20 to 30 years for criminal offences for which the Criminal Code allows the imposition of an exceptional sentence and regarding the criminal offence of legalization of proceeds from criminal activity it was explicitly clarified that criminal activity committed abroad is understood as criminal offence committed abroad, which fulfills the attributes of a criminal offence pursuant to the law of the Czech Republic, regardless of whether it is punishable also under the law of the State in territory of which it was committed. Significant legal change introduced by this Act is the redefining (increasing) of the individual amounts of damages limits, as set for the purposes of the Criminal Code, which reflects the development of the economic environment as well as the growth of the minimum and average wage. This shall restrict undesirable extent of criminal repression in trivial (less serious) cases which as a result of inflation and of the increase in living standards affected still a wider range of perpetrators of property and economic offences.

3) The Act No. 37/2021 Coll. (Act on registration of beneficial owners)

Act on registration of beneficial owners introduced with effect since 1 June 2021.

The primary objective of this act is to implement requirements arising from the new Directive (EU) 2018/843 of the European Parliament and of the Council amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU („5th Anti-Money Laundering Directive“) into Czech law.

The 5th Anti-Money Laundering Directive requires inter alia public accessibility of some data on beneficial owners, introduction of mechanisms for verification of data kept in in the register and the establishment of effective sanctions. Given the number of new rules and the specificity of the institute of registration of beneficial owners, a new specific act came into force.

The new act regulates in particular (1) a detailed definition of the beneficial owner, (2) the method of accessing the data in the register, (3) procedure of registration of data on beneficial owners, (4) automatic transmission of certain data from the public register, (5) matter of incorrect or missing data in the register and (6) sanctions for breaches of obligations related to the registration of beneficial owners.

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The Act No. 165/2020 Coll. amending the Act No 141/1961 Coll., Criminal Procedure Code, introduced with effect since 1 October 2020 changes regarding enforcement of unconditional sentence of imprisonment in case of convicted pregnant women and convicted mothers of children under one year of age. According to the previous legislation, the presiding judge always had to decide in the case of pregnancy or maternity of a woman of a child under one year of age who was sentenced to an unconditional sentence of imprisonment, about the postponement or suspension of enforcement of such sentence, up to one year of her child's age. Such a decision had to be made also in the case of women convicted of particularly serious crimes, even though this was contrary to the need for effective protection of society in a particular case. The aim of this amendment is to give the presiding judge the power to decide whether such woman, who has been convicted of a particularly serious crime, will be allowed to postpone or suspend her sentence; otherwise the woman remains in prison or she will be obliged to start enforcement of the sentence imposed. If this is the case, women are allowed to have their child in prison with them whereas the enforcement of the sentence takes place in a specialized section for mothers with minors.

2) The Act No. 333/2020 Coll. (Act amending the Act No. 40/2009 Coll., the Criminal Code, as amended, the Act No. 141/1961 Coll., Criminal Procedure Code, as amended, and some other laws) extended the circle of convicted persons who may be conditionally released after already one third of the sentence served. This amendment is effective since 1 October 2020.

3) One of the significant factors contributing to the high recidivism rate is the indebtedness of prisoners. The Ministry of Justice has over a long period of time made efforts to reduce the risk of recidivism of prisoners and at the same time to help to improve the social status of those who are dependent on them for their livelihood, especially prisoners' dependent children. In 2019 the Ministry of Justice introduced two legal regulations concerning the remuneration of prisoners', namely Decree No. 88/2019 Coll. and Government Decree No. 87/2019 Coll. These regulations increased the percentage rate that is paid from prisoners' remuneration to maintenance for dependent children and also increased the remuneration

for convicted persons, which is now directly linked to the minimum wage. Both pieces of legislation entered into force on 1 January 2020.4) Decree No. 362/2020 Coll., and Decree No. 363/2020 Coll. reacted to the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, respectively to the higher standards promoted by this Committee in the area of setting the minimum accommodation area per prisoner. These decrees in parts concerning the provisions on the minimum accommodation area in prison or in custody will enter into force on 1 January 2024.

208-13. Child friendly justice

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-14. Domestic violence

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

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: With effect since 1 October 2020 the Act No. 333/2020 Coll. (Act amending the Act No. 40/2009 Coll., the Criminal Code, as amended, the Act No. 141/1961 Coll., Criminal Procedure Code, as amended, and some other laws) has broaden the possibilities of applying an agreement on guilt and punishment by applicability to all criminal offences and introduced a new institute of declaration of guilt. This amendment also includes set

of legal measures aiming at broader and more rational imposition of pecuniary penalties (e.g. by abolishing the possibility of converting a pecuniary penalty into another alternative penalty). Among others, these legislative changes should relieve the unfavorable situation related to insufficient capacity of prison facilities.

With effect since 1 July 2021 the Act No. 192/2021 Coll. (Act amending the Act No. 89/2012 Coll., the Civil Code, the Act No. 99/1963 Coll., the Code of Civil Procedure and some other laws). The aim is to prevent so called children's debts. As a result, people should not enter adulthood with debts.