



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

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

**Objective :**

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

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

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

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

**Instruction :**

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

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

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

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## 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)

[ 10 850 620 ]

Comments

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

[ 26 334 ]

Comments The GDP is constantly growing + the impact of the exchange rate

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

[ 20 084 ]

[ ] NA

Comments The gross salary is constantly growing + the impact of the exchange rate

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

[ 24.11 ]

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, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	601 590 092 [ ] NA [ ] NAP	661 365 934 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	375 200 061 [ ] NA [ ] NAP	381 841 204 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>2.2 Maintenance of the IT equipment of courts</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	39 339 791 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	5 004 829 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 017 141 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Annual public budget allocated to training</b>	98 250 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75 512 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other (please specify)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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: There can be movement among individual chapters + impact of the exchange rate. 3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.): The largest increase due to expenditure on remuneration of appointed criminal and civil lawyers (ex officio attorneys).

5. Annual public budget allocated to investments in new (court) buildings: The largest expenditure due to project of a total reconstruction of the judicial complex in Prague called „Na Míánky“.

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

<b>Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?</b>
--

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

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

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

- The court fee is CZK 1000 if the monetary performance is lower than CZK 20 000 and it represents 5% of the respective amount of money if the monetary performance is higher than CZK 20000. In non-monetary performance the court fee is CZK 2000.

**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 €):**

[ 47 544 601 ]

NA

NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	<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
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	<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
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The 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
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	24 156 410 [ ] NA [ ] NAP	16 813 787 [ ] NA [ ] NAP	7 342 623 [ ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	24 156 410 [ ] NA [ ] NAP	16 813 787 [ ] NA [ ] NAP	7 342 623 [ ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ 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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### 012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
<b>Coverage of court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include coverage of court fees)
<b>Exemption from court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include exemption from court fees)

Comments

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	138 055 286 [ ] NA [ ] NAP	149 073 927 [ ] NA [ ] NAP
<b>13.1. Annual public budget allocated to training of public prosecution services</b>	39 876 [ ] NA [ ] NAP	9 628 [ ] NA [ ] NAP

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

### 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 €)
<b>Total annual public budget allocated to the whole justice system in €</b>	820 224 453 [ ] NA [ ] NAP	891 727 031 [ ] NA [ ] NAP

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

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

	Included
<b>Courts</b>	( X ) Yes ( ) No [ ] NAP
<b>Legal aid</b>	( X ) Yes ( ) No [ ] NAP
<b>Public prosecution services</b>	( X ) Yes ( ) No [ ] NAP

Comments

### 015-3. Other budgetary elements

	Included
<b>Prison system</b>	( ) Yes ( X ) No [ ] NAP
<b>Probation services</b>	( X ) Yes ( ) No [ ] NAP
<b>High Judicial Council</b>	( ) Yes ( ) No [ X ] NAP
<b>High Prosecutorial Council</b>	( ) Yes ( ) No [ X ] NAP
<b>Constitutional court</b>	( ) Yes ( X ) No [ ] NAP

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

If "Other", please specify:

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

Sources: Ministry of Justice

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1 Scope of legal aid

016. Does legal aid apply to:

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

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

- Some proceedings and some acts (p.e. the court's care of minors, a proposal to order the enforcement of a decision on child support for minor children, and court assistance before ordering the enforcement of a decision if it concerns the enforcement of child support for minor children) and some persons may be exempt from the court fee, in part or in whole.

In addition to the above, upon request for exemption from court fees, the court may partially exempt a specific participant from court fees due to his difficult social situation (lack of assets), if it is not clear at first sight that he cannot succeed (p.e. he is suing without grounds, claiming a non-existent right, etc.).

The law provides the possibility to turn to the court with a request to appoint a representative, if it's necessary to protect person's interests, or if it is a proceeding in which representation by a lawyer is mandatory. The condition is that the person meets the requirements to be exempted from court fees (lack of assets). If the court appoints a representative, the state pays his remuneration. Furthermore, a person who does not meet the conditions for the appointment of a lawyer by the court and cannot afford the provision of legal services may request that the Czech Bar Association appoints a lawyer to represent him. In the decision on the appointment of a legal representative, the Chamber may also establish other conditions for the provision of legal services, including the obligation to provide legal assistance free of charge or for a reduced fee, if the applicant's assets and income circumstances justify it.

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

Yes

No

NAP

If yes, please specify: see previous answer

**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: If a person has been exempted from the court fees (like explained in the comment od Q016-1) he cannot be required to pay p.e. a deposit for the cost of proof, even if you proposed the proof or even if the court ordered proof of the facts stated by you or in your interest, so it is paid by the state.

## 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
<b>TOTAL</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In criminal cases</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In other than criminal cases</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: As the legal aid is provided by courts and by the Czech Bar Association, or rather by individual lawyers, it is difficult to collect the data.

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

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

Comments - Please specify when appropriate: As the legal aid is provided by courts and by the Czech Bar Association, or rather by individual lawyers, it is difficult to collect the data.

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

Yes

No

Comments

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

	Total	Males	Females
<b>Number of recipients of legal aid</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Yes

No

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

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

Yes

No

Comment: If yes, please specify:

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

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

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

	Time in days
Maximum duration prescribed in law/regulation	<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: Data on the actual average duration are not being collected in Czech Republic.

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

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

Comments - If yes, please specify:

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

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

Comments

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

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Some proceedings and some acts (p.e. the court's care of minors, a proposal to order the enforcement of a decision on child support for minor children, and court assistance before ordering the enforcement of a decision if it concerns the enforcement of child support for minor children) and some persons may be exempt from the court fee, in part or in whole.

In addition to the above, upon request for exemption from court fees, the court may partially exempt a specific participant from court fees due to his difficult social situation (lack of assets), if it is not clear at first sight that he cannot succeed (p.e. he is suing without grounds, claiming a non-existent right, etc.).

The law provides the possibility to turn to the court with a request to appoint a representative, if it's necessary to protect person's interests, or if it is a proceeding in which representation by a lawyer is mandatory. The condition is that the person meets the requirements to be exempted from court fees (lack of assets). If the court appoints a representative, the state pays his remuneration.

Furthermore, a person who does not meet the conditions for the appointment of a lawyer by the court and cannot afford the provision of legal services may request that the Czech Bar Association appoints a lawyer to represent him. In the decision on the appointment of a legal representative, the Chamber may also establish other conditions for the provision of legal services, including the obligation to provide legal assistance free of charge or for a reduced fee, if the applicant's assets and income circumstances justify it.

**023. If yes, please specify in the table:**

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

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

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: Upon a request, a judge may grant the party of the proceedings a partial exemption from court fees, if this is justified by the participant's circumstances and if it is not an arbitrary or apparently unsuccessful exercise or obstruction of the right.

**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 court and the Czech Bar Association

**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.justice.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

Comments - Please provide more information on these systems and specify how this assistance is provided:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<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

<b>Victims of terrorism</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Minors (witnesses or victims)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Victims of domestic violence</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Ethnic minorities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Persons with disabilities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: Other vulnerable persons are persons of advanced age.

A modified and more precise definition according to Act No. 45/2013 Coll., on victims of crimes.

**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 person under 18 years of age to act in court proceedings or to be a witness?**

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

Comments - Please specify if you selected "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 person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?**

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

Comment

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

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

Comment

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

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

[ 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 the offender is unknown

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

Yes, in both situations

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: see general comments

**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: see general comments

**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: see general comments

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

Yes

No

Comments

**034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?**

Yes

No

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

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

Yes

No

Comments - If yes, please specify: The Public Prosecutor's Office participates in the prevention of crime and the provision of assistance to victims of crimes (a particularly vulnerable victims are children, persons who are elderly or affected by a physical, mental or psychological handicap or sensory impairment, victims of the crime of human trafficking, the crime of rape, the crime of abuse of a trusted person, the crime of abuse of a person living in a common dwelling or the crime of a terrorist attack, or victims of a crime against human dignity in the sexual area, a crime that involved coercion, violence or the threat of violence, a crime committed because of belonging to a nation, race, ethnic group, religion, class or other group of persons, or victims of a crime committed for the benefit of organized criminal groups, if in a specific case there is an increased risk of causing secondary harm, especially with regard to her age, gender, race, nationality, sexual orientation, religious belief, state of health, mental maturity, ability to express herself, life situation in which she is , or with regard to the relationship with or dependence on a person suspected of committing a crime).

The police, public prosecutors and other authorities have an obligation to respect the personality and dignity of the victim, to treat the victim politely and gently and to accommodate them as much as possible. They proceed with regard to the victim taking into account his age, state of health including mental state, his intellectual maturity and cultural identity in such a way that there is no aggravation of the harm caused to the victim by the criminal act or secondary harm.

Public prosecutors and other authorities have an obligation to inform the victim about their rights in an understandable way and to enable them to fully exercise them. At the victim's request, they are obliged to do so repeatedly.

Public prosecutors and the law enforcement authorities cooperate in providing assistance to victims with entities providing assistance to victims of crimes.

The competent authorities are obliged to take appropriate measures so that the victim does not come into contact with the person whom he identified as the perpetrator, who is suspected of having committed a crime, or against whom criminal proceedings are being conducted.

Questions directed to the intimate area of the interrogated victim, especially regarding the victim's previous sexual relationships and behavior, can only be asked if it is necessary to clarify facts important for criminal proceedings. These questions must be asked particularly gently and exhaustively in terms of content, so that it is not necessary to repeat the questioning again; their formulation must be adapted to the age, personal experience and psychological state of the victim while maintaining the necessary consideration. The victim has the right to object to the question at any time.

In criminal proceedings, a particularly vulnerable victim must be interrogated with particular sensitivity and with regard to the specific circumstances that make him particularly vulnerable.

If possible, the interrogation of particularly vulnerable victims in the preliminary proceedings is carried out by a person trained for this purpose in premises adapted or adapted for this purpose.

When negotiating a plea agreement, the public prosecutor also takes into account the interests of the injured party. If the injured party is present at the negotiation of the plea agreement, he will express his views in particular on the extent and method of compensation for damage or non-pecuniary damage or the award of unjustified enrichment.

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

- Yes
- No

Comment - If yes, please specify: By Czech law a child is considered a particularly vulnerable victim with higher protection; for details see the previous answer.

-  
-

**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 of compensation in the following circumstances:**

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	4 762 [ ] NA [ ] NAP	2 153 [ ] NA [ ] NAP	11 446 891 [ ] NA [ ] NAP
<b>Excessive length of proceedings</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Non-execution of court decisions</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Wrongful arrest/detention</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Wrongful conviction</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Other</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

**037-1. Please specify which authorities are responsible for dealing with the requests and whether a**

legal time limit exists to deal with these requests:

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

Comments

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

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

Comments

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

Yes

No

If yes, please specify:

## 2.2.2 Confidence and satisfaction of citizens with their justice system

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

National level	Court level
----------------	-------------

Surveys for judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input 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"/> 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 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

N/A

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: There were no surveys in 2022.

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

##### 042. Number of courts - legal entities.

Number of courts
------------------

<b>Total number of all courts - legal entities (1 + 2)</b>	98 [ ] NA [ ] NAP
<b>1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)</b>	97 [ ] NA [ ] NAP
<b>1.1 First instance courts of general jurisdiction - legal entities</b>	86 [ ] NA [ ] NAP
<b>1.2 Second instance courts of general jurisdiction - legal entities</b>	10 [ ] NA [ ] NAP
<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	1 [ ] NA [ ] NAP
<b>2 Total number of specialised courts - legal entities</b>	1 [ ] NA [ ] NAP

Comments 2. Supreme Administrative Court

### 043. Number of specialised courts – legal entities.

	<b>First instance</b>	<b>Higher instances</b>
<b>Total number of specialised courts - legal entities</b>	[ ] NA [X] NAP	1 [ ] NA [ ] NAP
<b>Commercial courts (excluded insolvency courts)</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Insolvency courts</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Labour courts</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Family courts</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Rent and tenancies courts</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Enforcement of criminal sanctions courts</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Fight against terrorism, organised crime and corruption</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Internet related disputes</b>	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>Administrative courts</b>	[ ] NA [X] NAP	1 [ ] NA [ ] NAP

<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Juvenile courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised courts</b>	<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)
<b>First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)</b>	89 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>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)</b>	107 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

#### 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
<b>Total number of professional judges (1 + 2 + 3)</b>	3 057 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 212 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 845 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Number of first instance professional judges</b>	1 880 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	622 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 258 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>2. Number of second instance (court of appeal) professional judges</b>	1 071 [ ] NA [ ] NAP	510 [ ] NA [ ] NAP	561 [ ] NA [ ] NAP
<b>3. Number of Supreme Court professional judges</b>	106 [ ] NA [ ] NAP	80 [ ] 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 professional judges with proportionally reduced remuneration?**

Yes

No

Comments

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

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify: .....

Comments 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 number of professional judges working part-time with reduced remuneration?**

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

Comments

**046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time**

or conditions with or without reduced remuneration?

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

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

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

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

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	3 057 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 154 <input type="checkbox"/> NA <input type="checkbox"/> NAP	744 <input type="checkbox"/> NA <input type="checkbox"/> NAP	159 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>First instance</b>	2 001 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 450 <input type="checkbox"/> NA <input type="checkbox"/> NAP	429 <input type="checkbox"/> NA <input type="checkbox"/> NAP	122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Second instance</b>	950 <input type="checkbox"/> NA <input type="checkbox"/> NAP	658 <input type="checkbox"/> NA <input type="checkbox"/> NAP	292 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Supreme Court</b>	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP	46 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 <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: The category civil/commercial includes all proceedings except criminal and administrative.

=

**047. Number of court presidents .**



	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	98 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	86 [ ] NA [ ] NAP	41 [ ] NA [ ] NAP	45 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	10 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	2 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments The number of females court presidents has increased only from 3 to 4.

**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
<b>Gross figure</b>	[ ] NA [ X ] NAP
<b>In full-time equivalent</b>	[ ] NA [ X ] NAP

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

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

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

Comments

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

	Figure
<b>Gross figure</b>	5 021 [ ] NA [ ] NAP
<b>In full time equivalent</b>	[ ] NA [ X ] 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
<b>Criminal cases (severe)</b>	( )	( )	( X )
<b>Criminal cases (misdemeanour and/or minor)</b>	( )	( )	( X )
<b>Family law cases</b>	( )	( X )	( )
<b>Labour law cases</b>	( )	( )	( X )
<b>Social law cases</b>	( )	( X )	( )
<b>Commercial law cases</b>	( )	( X )	( )
<b>Insolvency cases</b>	( )	( X )	( )
<b>Other civil cases</b>	( )	( 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
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	9 868 [ ] NA [ ] NAP	1 248 [ ] NA [ ] NAP	8 620 [ ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	2 505 [ ] NA [ ] NAP	410 [ ] NA [ ] NAP	2 095 [ ] NA [ ] NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	4 515 [ ] NA [ ] NAP	230 [ ] NA [ ] NAP	4 285 [ ] NA [ ] NAP
<b>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)</b>	2 161 [ ] NA [ ] NAP	346 [ ] NA [ ] NAP	1 815 [ ] NA [ ] NAP
<b>4. Technical staff</b>	633 [ ] NA [ ] NAP	235 [ ] NA [ ] NAP	398 [ ] NA [ ] NAP
<b>5. Other non-judge staff</b>	54 [ ] NA [ ] NAP	27 [ ] NA [ ] NAP	27 [ ] 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
<b>Total non-judge staff working in courts (1+2+3)</b>	9 868 [ ] NA [ ] NAP	1 248 [ ] NA [ ] NAP	8 620 [ ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	6 537 [ ] NA [ ] NAP	636 [ ] NA [ ] NAP	5 901 [ ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	2 905 [ ] NA [ ] NAP	468 [ ] NA [ ] NAP	2 437 [ ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	426 [ ] NA [ ] NAP	144 [ ] NA [ ] NAP	282 [ ] NA [ ] NAP

Comments

=

**053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:**

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

Comments - Please briefly describe their status and exact duties:

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

- Yes
- No

Comments

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

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

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

NA

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

Sources: Ministry of Justice

**3.3. Public prosecution**

**3.3.1 Public prosecutors and staff**

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

Total	Males	Females

<b>Total number of prosecutors (1 + 2 + 3)</b>	1 244 [ ] NA [ ] NAP	584 [ ] NA [ ] NAP	660 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	836 [ ] NA [ ] NAP	355 [ ] NA [ ] NAP	481 [ ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	349 [ ] NA [ ] NAP	188 [ ] NA [ ] NAP	161 [ ] NA [ ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	59 [ ] NA [ ] NAP	41 [ ] 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(s) part-time work can be granted? (multiple replies possible)**

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

Comments It depends on the decision of the public prosecutors office management - mainly a decision of the Head of the particular office.

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

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total (1 + 2 + 3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. At first instance level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. At second instance (court of appeal) level</b>	[ 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. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?**

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

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? It is possible to have special leave without reduced remuneration for example for training. Temporary reduction of the workload without reduced remuneration is possible for example in time, before the prosecutor leaves for some time (usually from 3 to 6 months) to another/higher public prosecution office or Ministry of Justice for practical training.

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

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

Comments

**056. Number of heads of prosecution offices.**

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	94 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <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	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>3. Number of heads of prosecution offices at Supreme Court level</b>	1	1	0
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: The number of females heads of prosecution offices has decreased only from 2 to 1.

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

Yes

No

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

**057-1. If yes, please provide the number (in full-time equivalent):**

[            ]  
 NA

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

Yes

No

NAP

Comments

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

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

Comments - If yes, please specify There was a change and now in each public prosecution office, there is one prosecutor specialized in domestic and sexual violence (in smaller offices not only).

=

**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	1 449 [ ] NA	239 [ ] NA	1 210 [ ] NA

Comment – please describe which categories of staff you have included in your reply:

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

Sources: individual public prosecution services

### 3.4. Gender equality

#### 3.4.1 Specific provisions for facilitating gender equality

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

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

[ ] NA

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

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

	Yes, please specify	No
judges	( )	( X )
prosecutors	( )	( X )
non-judge staff	( )	( X )



lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( )	( X )

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

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

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

Comments

**3.4.2 At national level**

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

- ( ) Yes  
( X ) No

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

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

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

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

consequences:

### 3.4.3 At court/public prosecution services level



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

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

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

[ X ] NAP

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

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

[ X ] NAP

### 3.5. Use of information technologies in courts

#### 3.5.1 Governance

#### ICT STRATEGY

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

Yes

No

Comments In 2022, the Ministry of Justice's Resorts Strategy for the Development of eJustice 2016-2020 was extended. In 2023, a new strategy entered into force.

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

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify) .....

NA

NAP

Comments

#### LEGISLATION

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

Yes

No

Comments

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

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify Regulation by the Ministry of Justice

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details The relevant regulations are included in general legal provisions/regulations and apply to all public administration. Additionally, the relevant provisions are established by the Ministry of Justice within the regulation of the judicial system.

## IMPACT OF IMPLEMENTATION OF ICT SYSTEMS



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

Yes

No

Comments

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

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

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation. Among other audits, we could include, for example, financial audits of IT projects that are examined both internally and externally. The frequency of these audits varies depending on the project and supervisory authorities, but it can generally be said that they take place once a year.

Security audits are conducted annually.

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

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify .....
- NA
- NAP

Comments The organization applied the recommendations, from for example security audits by providing employee training, modifying internal regulations, and creating new security procedures that are implemented throughout the department.

**3.5.2 Electronic case processing**

**ELECTRONIC SUBMISSION OF CASES**

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

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

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

Comments In the Czech Republic, it is possible to electronically file a lawsuit in any matter. Electronic submissions can be made continuously 24/7. The chosen rate of usage tends to be more on the lower end of the selected range. We don't have precise statistical data on usage, and this is a qualified estimation. The process of adopting electronic submissions has been gradually implemented since 2008, depending on the specific laws that regulate the respective agenda.

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

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

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

## SENDING ELECTRONIC DOCUMENTS TO COURT

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

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

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

Comments The process of adopting electronic submissions has been gradually implemented since 2008, depending on the specific laws that regulate the respective agenda. Adoption of usage started slowly, with professionals in the field being the first to embrace it, followed gradually by non-professional users. This question does not have an easy answer. As for the usage rate, it is difficult to calculate, and we have made a qualified estimate of the current state. Manual transfer depends on the specific court agenda, in insolvency proceedings, electronic submissions are common, but in other agendas, paper files are still used. The information systems where court files are managed are designed as record-keeping tools.

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

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



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

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details. The individuals involved in a judicial proceeding (interpreter, witness, expert, prosecutor, interested organization, requested persons, etc.), or other public administration bodies and legal entities.

## ELECTRONIC NOTIFICATIONS

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

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

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

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

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

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

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details. The individuals involved in a judicial proceeding (interpreter, witness, expert, prosecutor, interested organization, requested persons, etc.), or other public administration bodies and legal entities.

## CONSULTATION OF A CASE ONLINE

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

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

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

Comments Consulting a case online is possible only in the case of an electronic payment order and in proceedings before the Constitutional Court of the Czech Republic.

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

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

Comment - If you have selected the option “Other”, please specify details. Anyone who has a legitimate interest.

## REMOTE HEARINGS



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

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

Comments Remote hearing organization is available procedurally in all cases, yet it is subject to the discretion of the judge. The deployment rate is estimated based on technical limitations. Projects aimed at enhancing the deployment rate are currently ongoing. Determining the usage rate isn't straightforward; we, along with the statisticians at the Ministry of Justice, conducted a qualified estimate based on surveys conducted at the courts.

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

Functionalities	Modalities

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

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

## ELECTRONIC ARCHIVES



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

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

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input checked="" type="checkbox"/> NAP - electronic archives do not exist	<input checked="" type="checkbox"/> NAP - electronic archives do not exist
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

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

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

Comments

**3.5.3 Tools**

**CASE MANAGEMENT SYSTEMS (CMS)**

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



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

Comments

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

<b>Functionalities</b>
------------------------

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

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

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

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

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

## WRITING ASSISTANCE TOOLS

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

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

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

Comments APSTR is an application that allows courts to work with document templates, create new templates, and generate parts of documents. application is only available for district courts.

The templates are available for all courts but do not cover all matters.

Speech to text tools are available for all courts.

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

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

<b>Criminal</b>	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

## RECORDING OF COURT HEARINGS

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

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

Comments Recording of court hearings is compulsory in all matters in the form of audio or audiovisual recordings since 2009. The recording of court hearing projects have been implemented slowly in terms of both hardware and software. The crucial aspect has been ensuring appropriate funding. In the last two years, the court hearings projects have reached their peak.

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

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

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

## DATABASE OF COURT DECISIONS

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

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

Comments

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

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

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

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

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

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



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

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

## STATISTICAL TOOLS

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

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

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

Comments

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

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

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

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

## OTHER TOOLS

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

Yes

No

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

Yes, please specify the maximum value 1000000CZK

No

Comments The Electronic Payment Order takes the form of a simplified procedure. The plaintiff can claim an amount of up to 1 million CZK.

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

Small claim litigation

Undisputed claim

Payment order

Misdemeanour criminal cases

Enforcement of civil cases

Other, please specify .....

Comment: Please describe the existing online procedures: The Electronic Payment Order takes the form of a simplified procedure. The plaintiff fills out an electronic form on the Ministry of Justice's website, signs it with an electronic signature, and submits it to the court.

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

Yes

No

Comments

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

The computerised record includes biometric data (ex. fingerprint data, picture)

The computerised record is linked to other European records of the same nature (ex. ECRIS)

The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)

The content is directly available for purposes other than criminal (ex. civil and administrative matters)

The record contains conviction information on third-country nationals and stateless persons

Comments The Criminal Records is an organisational unit of the State, subordinate to the Ministry of Justice, which keeps a register of persons finally convicted by the courts in criminal proceedings, as well as a register of other facts relevant to the criminal proceedings. The data record which the Criminal Records make in the system for identifying Member States which have information on previous convictions of third-country nationals includes the fingerprints of a person who is a national of a Member State other than the European Union, a stateless person or a person whose nationality has not been established.

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

Yes

No

Comment: If yes, please provide details on the purposes and usage of this system. IRES is an economic information system for organizations under the Ministry of Justice. It is an application created in Oracle Forms and Oracle Reports, small parts of the system are

in C and Java. Data is stored in the Oracle relational database.

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

Yes

No

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

**3.6.Performance and evaluation**

**3.6.1 National policies applied in courts and public prosecution services**

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

**3.6.2 Measuring court/public prosecution services**

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

costs of the judicial procedures

number of appeals

appeal ratio

- clearance rate
- disposition time
- other (please specify): .....

Comments

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

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

Comments

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

- civil law cases
- criminal law cases
- administrative law cases

Comments

**072. Do you monitor waiting time during judicial proceedings?**

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

Comments

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

- ( X ) Yes

( ) No

Comments

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

( X ) 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?**

( X ) Yes

( ) No

Comments

**073-2. If yes, which courses of action are taken (multiple replies possible)?**

[ X ] Identifying the causes of improved or deteriorated performance

[ X ] Reallocating resources (human/financial resources based on performance)

[ ] Reengineering of internal procedures to increase efficiency

[ ] Other (please specify): .....

Comments

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

( X ) Yes

( ) No

Comments

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

( X ) 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?**

( X ) Yes

( ) No

Comments

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

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

Comments

=

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

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

Comments

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

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

Comments

**3.6.3 Information regarding courts /public prosecution services activity**

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

- Yes (please indicate the name and the address of this institution):Ministry of Justice
- No

Comments

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

- Yes, on the internet (please provide the link)<https://justice.cz/web/msp/statisticke-udaje-z-oblasti-justice>
- No, only internally (on an intranet website)
- No

Comments <https://justice.cz/web/msp/statisticke-udaje-z-oblasti-justice>



=

**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 The centralised institution responsible for collecting statistical data regarding the functioning of the public prosecution services is the Prosecutor General's Office.

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

Yes, on the internet (please provide the link)<https://verejnazaloba.cz/nsz/cinnost-nejvyssiho-statniho-zastupitelstvi/zpravy-o-cinnosti/>

No, only internally (on an intranet website)

No

Comments <https://verejnazaloba.cz/nsz/cinnost-nejvyssiho-statniho-zastupitelstvi/zpravy-o-cinnosti/>

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

=

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

( ) Yes

( X ) No

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

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

[ ] Internet

[ ] Intranet (internal) website

[ ] Paper distribution

Comments

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

( ) Annual

( ) Less frequent

( ) More frequent

Comments

**3.6.4 Performance and evaluation of judges and public prosecutors**

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

( X ) Yes

( ) No

Comments

**083-1. Who is responsible for setting these targets for each judge?**

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

[ ] Legislative power

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

[ ] President of the court

[ ] Other (please specify): .....

[ ] NAP

Comments

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

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

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

Comments

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

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

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

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

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: .....
- NAP

=

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

- Yes
- No

Comments

**083-3. Who is responsible for setting these targets for each public prosecutor?**

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

Comments

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

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

Comments

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

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

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: The Head of Public Prosecutor's Office monitors e.g. the number of appeals, the number of returnig cases etc.

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

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: .....
- NAP

Comments

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

Sources: Prosecutor General's Office
--------------------------------------

## 4. Fair trial

### 4.1. Principles

#### 4.1.1 Principles of fair trial

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

[            ]

[ X ] NA

[ ] NAP

Comments - Please add methodology for calculation used.

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

( X ) Yes

(   ) No

Comments - Please could you briefly specify:

**085-1. If yes, what are:**

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

Comment - Please, could you briefly specify:

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

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

[   ] For civil cases

- For criminal cases
- For administrative cases
- NAP

Comments 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 etc.)?**

Yes	No
-----	----

Agreement on general arrangements	( )	( X )
Agreement in specific cases	( )	( X )

Comments



## 4.2.2 Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	402 929 [ ] NA [ ] NAP	931 749 [ ] NA [ ] NAP	950 250 [ ] NA [ ] NAP	384 428 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	124 530 [ ] NA [ ] NAP	313 501 [ ] NA [ ] NAP	320 347 [ ] NA [ ] NAP	117 684 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	158 782 [ ] NA [ ] NAP	586 370 [ ] NA [ ] NAP	591 078 [ ] NA [ ] NAP	154 074 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, 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)</b>	153 848 [ ] NA [ ] NAP	467 943 [ ] NA [ ] NAP	471 731 [ ] NA [ ] NAP	150 060 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	4 345 [ ] NA [ ] NAP	115 578 [ ] NA [ ] NAP	116 489 [ ] NA [ ] NAP	3 434 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	4 345 [ ] NA [ ] NAP	115 578 [ ] NA [ ] NAP	116 489 [ ] NA [ ] NAP	3 434 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	589 [ ] NA [ ] NAP	2 849 [ ] NA [ ] NAP	2 858 [ ] NA [ ] NAP	580 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>3. Administrative law cases</b>	8 025 [ ] NA [ ] NAP	7 702 [ ] NA [ ] NAP	9 729 [ ] NA [ ] NAP	5 998 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	111 592 [ ] NA [ ] NAP	24 176 [ ] NA [ ] NAP	29 096 [ ] NA [ ] NAP	106 672 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments Pending cases on 31 Dec. ref. year: In general, the number pending cases in Czech republic is decreasing, which can be seen in the table.

Administrative law cases: There is a significant and steady decrease in law administrative cases in last years. Thanks to the decreasing number of incoming cases and thanks to the increasing of the number of judges, the pending cases are rapidly decreasing.

**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
<b>Total of criminal law cases (1+2+3)</b>	10 872 [ ] NA [ ] NAP	65 299 [ ] NA [ ] NAP	66 020 [ ] NA [ ] NAP	10 151 [ ] NA [ ] NAP	707 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please 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
<b>Total of other than criminal law cases (1+2+3+4)</b>	9 645 [ ] NA [ ] NAP	51 837 [ ] NA [ ] NAP	51 663 [ ] NA [ ] NAP	9 819 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	8 849 [ ] NA [ ] NAP	48 043 [ ] NA [ ] NAP	47 714 [ ] NA [ ] NAP	9 178 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>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)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other cases</b>	796 [ ] NA [ ] NAP	3 794 [ ] NA [ ] NAP	3 949 [ ] NA [ ] NAP	641 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If “Other cases” please specify Other cases are insolvency and incidency cases.

**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
<b>Total of criminal law cases (1+2+3)</b>	1 778 [ ] NA [ ] NAP	20 246 [ ] NA [ ] NAP	20 405 [ ] NA [ ] NAP	1 619 [ ] NA [ ] NAP	22 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] 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:

**4.2.4 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
<b>Total of other than criminal law cases (1+2+3+4)</b>	5 297 [ ] NA [ ] NAP	7 925 [ ] NA [ ] NAP	8 350 [ ] NA [ ] NAP	4 872 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	1 568 [ ] NA [ ] NAP	3 893 [ ] NA [ ] NAP	3 875 [ ] NA [ ] NAP	1 586 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	52 [ ] NA [ ] NAP	163 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP	37 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>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)</b>	52 [ ] NA [ ] NAP	163 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP	37 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	3 469 [ ] NA [ ] NAP	3 493 [ ] NA [ ] NAP	3 943 [ ] NA [ ] NAP	3 019 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	208 [ ] NA [ ] NAP	376 [ ] NA [ ] NAP	354 [ ] NA [ ] NAP	230 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If "Other cases", please specify Administrative cases: The Supreme court is overburdened and has trouble resolving its cases thus the number of pending cases grow quite quickly. It is connected to growth in the number of administrative first-instance cases in previous years and growing tendency to file an appeal to the Supreme Administrative Court.

Other cases: Includes insolvency cases. The changes are the result of changes in second-instance agenda.

**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

<b>Total of criminal law cases (1+2+3)</b>	147 [ ] NA [ ] NAP	1 207 [ ] NA [ ] NAP	1 214 [ ] NA [ ] NAP	140 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] 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

#### 4.2.5 Case flow management and timeframes – specific cases

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	7 301 [ ] NA [ ] NAP	21 589 [ ] NA [ ] NAP	22 035 [ ] NA [ ] NAP	6 855 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Insolvency</b>	107 226 [ ] NA [ ] NAP	20 482 [ ] NA [ ] NAP	24 965 [ ] NA [ ] NAP	102 743 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Robbery case</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Intentional homicide</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

=

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

**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
<b>Child sexual abuse</b>	<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
<b>Child pornography</b>	<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 length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 7 [ ] NA [ ] NAP	201 [ ] NA [ ] NAP	140 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	249 [ ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 27 [ ] NA [ ] NAP	508 [ ] NA [ ] NAP	100 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	612 [ ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Insolvency cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	47 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Robbery cases</b>	_____ Allow decimals : 2 31 [ ] NA [ ] NAP	152 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	199 [ ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 67 [ ] NA [ ] NAP	101 [ ] NA [ ] NAP	35 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	162 [ ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP

Comments In Czech Republic, some divorce cases are considered litigious and other non-litigious cases. However, we do not know the exact ratio of these cases. They are both reported in the same report, and we cannot distinguish how many cases are litigious and how many are non-litigious.

**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 replies possible):**

- [ X ] to conduct or supervise investigation
- [ 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



=

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

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	36 086 [ ] NA [ ] NAP
<b>2.Incoming/received cases</b>	201 948 [ ] NA [ ] NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	194 112 [ ] NA [ ] NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	91 559 [ ] NA [ ] NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	[ X ] NA [ ] NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	[ X ] NA [ ] NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	[ X ] NA [ ] NAP
<b>3.1.4 Discontinued for other reasons</b>	[ X ] NA [ ] NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	2 315 [ ] NA [ ] NAP
<b>3.3.Cases brought to court</b>	57 405 [ ] NA [ ] NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	43 922 [ ] NA [ ] NAP

Comments Two years ago, 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
<b>Total number of guilty plea procedures</b>	1 514 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Before the main trial</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>During the main trial</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments There was a legislative change, which make several changes regarding the guilty pleas - it is 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. As a result, the number of guilty pleas is rapidly rising.

**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 ] through a competitive exam (open competition)

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

[ ] other (please specify): .....

Comments

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

. A selection procedure is held for the post of judge. A citizen of integrity who has reached at least 30 years of age, has a clean criminal record, has completed a university degree in law and has successfully passed a professional judicial examination, may become a professional judge. The judicial exam is public and consists of a written and an oral part. The exam is primarily focused on the branches of law that courts apply in the exercise of their jurisdiction, and on legal regulations that relate to the organization of courts and the status and duties of judges. The oral part of the exam takes place before a five-member expert examination board

appointed by the Minister of Justice, composed of judges (in majority), employees of the Ministry of Justice and other experts in legal theory and practice. The condition for submitting an application for the examination is the performance of legal practice for a period of 3 years, of which at least 1 year is the performance of the function of a judge's assistant. Judges are appointed by the President. The proposal shall be countersigned (countersigned) by the Prime Minister or a member of the Government authorised by him (Minister of Justice).

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

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

Comments - If "other", please specify:

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

	Total	Males	Females
<b>Number of applicants</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
<b>Number of recruited persons</b>	139 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

- Yes
- No

Comments

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

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

Comments: If "other", please, specify:

=

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

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

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: President, Prime Minister, Minister of Justice, Selection Committee (judges and non-judges).

**111-1. How many members compose this authority?**

	Total	Males	Females
<b>Members</b>	5 <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 – Please specify what is the status of this authority and who is proposing/appointing its members: The selection committee has 5 members. The Minister of Justice appoints 2 members from among the experts from among the employees of the Ministry or the bodies and persons falling within the scope of competence of the Ministry according to a special law, 2 members from among the judges on the proposal of the competent president of the regional court, so that one of the judges is from the district court and the other from the regional court, and 1 member from among the judges on the joint proposal of the president of the Supreme Court and the president of the Supreme Administrative Court.

No gender distinction.

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

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

- Yes
- No

Comments - No, please specify which authority is competent for promoting judges The Minister of Justice, the competent President of the Court, the competent Judicial Council.

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

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: No special procedural procedure is laid down; the Administrative Procedure Code shall apply. The proceedings shall not be public.

The transfer (i.e. de facto promotion) of a judge is decided by the Minister of Justice after consultation with the President of the court to which the judge is transferred and after consultation with the President of the court from which the judge is transferred. A judge may be transferred to the Supreme Court or the Supreme Administrative Court only with the consent of the President of that court.

The respective Judicial Councils shall also express their views on the promotion.

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

	Total	Males	Females
Number of applicants	39 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	39 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

### 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. The public prosecutor's office falls under the executive power as stated in the Constitution of the Czech Republic. The status and powers of the public prosecutor's office are determined by law. The Public Prosecutor's Office protects the public interest in accordance with the law, independently, impartially and effectively. It supervises the legality of criminal preliminary proceedings. Represents the public action in the proceedings before the court. It protects the public interest in a number of other proceedings of a non-criminal nature.

The public prosecutor performs the powers of the public prosecutor's office consistently according to the law and his conscience, independently of other authorities and of local, political, private or other influences and interests.

The independence of the public prosecutor's office lies, for example, in the rules for the appointment and dismissal of senior prosecutors. Dismissal from the position of the chief prosecutor and other senior prosecutors before the end of the term of office is possible only on the basis of fulfilling the legal conditions and based on a decision of the disciplinary court in disciplinary proceedings.

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

Yes

No

Comments - If yes, please specify: The Prosecutor General's Office issues General Instructions serve for the unification and regulation of the procedure of public prosecutors in performing their competence or in providing for a unified internal organization of the public prosecution service and a unified performance of the filing service and issues opinions on the unification of the interpretation of laws and other legal enactments.

The Prosecutor General can order the Prosecutor General's Office or authorize other Public Prosecutor's Offices to review closed cases, which were handled by the relevant Public Prosecutor's Office, and to take corrective measures in case of deviation.

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

Yes

No

NAP

Comments - Please describe these exceptions: The law states that the nearest higher public prosecutor's office is entitled to supervise the progress of the nearest lower public prosecutor's offices in their district when dealing with matters within their jurisdiction and to give them written instructions on their progress. The nearest lower public prosecutor's office is obliged to follow the written instructions, with the exception of an instruction that is contrary to the law in a specific matter. If, for this reason, the nearest lower public prosecutor's office refuses to comply with the instruction, it shall immediately communicate the reasons for the refusal in writing to the nearest higher public prosecutor's office; if the closest higher public prosecutor's office insists on its instruction and does not apply a different procedure, it will remove the matter from the lower public prosecutor's office and handle it itself.

The head of prosecution office is authorized to supervise the progress of public prosecutors and senior officials working at the public prosecutor's office, of which he is the head, and to give them instructions on how to proceed when dealing with matters under the jurisdiction of this public prosecutor's office.

Public prosecutors are obliged to follow the instructions of the head of prosecution office or the public prosecutor authorized by him, with the exception of an instruction that is contrary to the law in a specific matter.

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

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify:

#### 115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other
- NAP

Comments - If "Other", please specify: written confirmation only at the request of the public prosecutor to whom the instruction is addressed

#### 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. Public prosecutors are obliged to follow the instructions of the head of prosecution office or the public prosecutor authorized by him, with the exception of an instruction that is contrary to the law in a specific matter.

If the public prosecutor refuses to comply with the instruction for the above mentioned reason, he shall immediately communicate the reasons for the refusal in writing to the public prosecutor who issued the instruction. If he insists on the instruction, he will immediately present the matter with his opinion to the head of prosecution office - he is entitled to cancel the instruction, and if he does not do so, the matter will be handled by the public prosecutor who issued the instruction. If the head of prosecution office has issued an instruction, he will handle the matter himself.

In proceedings before the court, the public prosecutor is not bound by the instruction of the head of prosecution office or the public prosecutor authorized by him in the event that the evidence situation changes during the proceedings.

=

#### 116. How are public prosecutors recruited?

through a competitive exam (open competition)

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

other (please specify): .....

Comments

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

. The public prosecutor shall be appointed by the Minister of Justice on the basis of the results of a selection procedure on a proposal from the Supreme Public Prosecutor.

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

Age

Nationality

Physical/Psychological capacity

General studies in law

Advanced studies in law (Master, PhD)

Number of years of relevant experience

Traineeship/judicial functions in courts

Validation of a general state examination in law

Validation of a specific examination for prosecutors

Clean criminal record

Foreign languages

Personal requirements (related to integrity)

Other

NAP

Comments - If "other", please specify:

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

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	49 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

Yes

( X ) No

Comments

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

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

Comments: If "other", please, specify:

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

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

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: The Chief State Prosecutor, the Minister of Justice and the commission of the relevant public prosecutor's office.

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	<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/appointing its members: Odd number, minimum 5 members, no gender distinction.

The Minister of Justice and the Attorney General appoint one member each to the Commission. The remaining members of the Commission shall be appointed by the Chief State Prosecutor who announced the selection procedure; if the State Prosecutor is to be exceptionally assigned to the Supreme State Prosecutor's Office, these remaining members shall be appointed by the Chief State Prosecutor.

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

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

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



Comments The proposal shall be submitted by the chief prosecutor of the public prosecutor's office to which the promotion is proposed to the Minister of Justice through the Chief Prosecutor.

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

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: No special procedural procedure is laid down. The procedure shall not be public.

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

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	21 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

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

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

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

[            ]

NA

NAP

Comments

**125-1. Is it renewable?**

Yes

No

NAP

Comments

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

[            ]

NA

NAP

Comments

**126-1. Is it renewable?**

Yes

( ) No

[ X ] NAP

Comments

## 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
<b>Initial training (e.g. attend a judicial school, traineeship in a court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments Training on leadership, psychology, foreign legal language, judicial exchanges, international training events, etc.

In general, the continuous training in the Czech judiciary is not compulsory and more or less the same (or very similar) for judges as well as for prosecutors. The difference is in the management training. Since 2022, it is compulsory to undergo a management training organized by the Judicial Academy for presidents and vice-presidents of District, Regional and High Courts (Courts of 1st – 3rd Tier) and it is stipulated by Law (§ 105b paragraph 3 of Act No. 218/2021 Coll). Management training for Chief prosecutors is not compulsory. However, the Judicial Academy offers training programmes for Chief Prosecutors too.

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

	Frequency of the judges training
<b>General in-service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for management functions of the court (e.g. court president)</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for the use of computer facilities in courts</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on ethics</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<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: Training is provided by the Czech Judicial Academy in compliance with annual training programme. More detailed information available here: <https://www.jacz.cz/>

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

	Per judge
<b>Initial compulsory training – minimum number of trainings</b>	<hr/> Min numeric value allowed : 0  <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments Continuous training is not compulsory for judges in the Czech Republic. There are compulsory parts of the initial training for future judges. There is compulsory training for the management of courts.

## 5.2.2 Training of prosecutors

### 129. Types of different trainings offered to public prosecutors:

	<b>Compulsory</b>	<b>Optional</b>	<b>No training proposed</b>
<b>Initial training</b>	<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
<b>General in-service training</b>	<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
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	<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
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	<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
<b>In-service training for the use of computer facilities in office</b>	<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
<b>In-service training on ethics</b>	<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
<b>In-service training on child-friendly justice</b>	<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
<b>In-service training on gender equality</b>	<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
<b>Other in- service training</b>	<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 Training on leadership, psychology, foreign legal language, judicial exchanges, international training events, etc.

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

<b>Frequency of the in-service training</b>
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<b>General in-service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)</b>	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for the use of computer facilities in office</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on ethics</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<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: Training is provided by the Czech Judicial Academy in compliance with annual training programme. More detailed information available here: <https://www.jacz.cz/>

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

	Per prosecutor
<b>Initial compulsory training – minimum number of trainings</b>	<hr/> Min numeric value allowed : 0  <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	<hr/> Min numeric value allowed : 0  <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>In-service compulsory trainings – minimum number of trainings per year</b>	<hr/> Min numeric value allowed : 0  <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	<hr/> Min numeric value allowed : 0  <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Continuous training is mostly not compulsory for prosecutors in the Czech Republic. There are compulsory parts of the initial training for future 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
<b>Institution(s) for judges</b>	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/> [ ]	<input type="checkbox"/> [ ]	<input checked="" type="checkbox"/> [ X ]

Comments The Czech Judicial Academy provides training for both judges and prosecutors. The Czech Judicial Academy is an organizational unit of state.

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

	Implemented budget of the institution for the reference year, in €
<b>Institution(s) for judges</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Institution(s) for both judges and prosecutors</b>	2 749 208 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. The Czech Judicial Academy in close cooperation with courts, prosecutor's offices and the Ministry of Justice designs, organizes, and offers study programmes of initial training. Some parts of them are compulsory, and some parts are optional.

## 5.2.4 Number of trainings

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	916 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP	1 642 [ ] NA [ ] NAP	345 [ ] NA [ ] NAP
<b>For judges</b>	916 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP	1 642 [ ] NA [ ] NAP	345 [ ] NA [ ] NAP
<b>For prosecutors</b>	916 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP	1 642 [ ] NA [ ] NAP	345 [ ] NA [ ] NAP
<b>For non-judge staff</b>	916 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP	1 642 [ ] NA [ ] NAP	345 [ ] NA [ ] NAP
<b>For non-prosecutor staff</b>	916 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP	1 642 [ ] NA [ ] NAP	345 [ ] NA [ ] NAP

Comments The sources for answering the questions in this part are statistics of the Czech Judicial Academy and its Annual Report.

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

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	12 938 [ ] NA [ ] NAP	14 140 [ ] NA [ ] NAP
<b>Judges</b>	5 836 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Prosecutors</b>	1 983 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Non-judge staff</b>	4 623 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Non-prosecutor staff</b>	496 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

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



### 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	44 182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 065 216 <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 highest salary of a judge at this level, excluding the salary of the Court President)	100 367 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 419 848 <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	39 763 <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 highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	83 522 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 013 720 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: the impact of 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:

. Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office. Other benefits for judges are expenses for representation and expenses for specialist law books in the amount of 5,5% of the salary.

[ ] NAP

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

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

<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?**

- Yes
- No

Comment - Please specify:

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

- Only judges
- Judges and other legal professionals
- Other, please specify: .....

Comments

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

- Yes
- No

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

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

- [            ]
- [ X ] NA

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

**138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical**

questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comment: Please specify

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: .....

Comments

**138-5. Are the guidelines and/or opinions of this institution / body publicly available?**

Yes

No

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

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

[            ]

NA

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

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

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

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body

Ombudsman

Parliament

Executive power (please specify): 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
- 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
<b>Total number (1+2+3+4)</b>	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

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

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Position downgrade</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>8. Resignation</b>	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>9. Other</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>10. Dismissal</b>	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Judges:  
5 proceedings are not finished.

### 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	Males	Females
Number of lawyers	14 335 [ ] NA	8 154 [ ] NA	6 181 [ ] NA

Comments There is no special reason for the increase, the profession is open to everyone regardless of the gender.

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

Yes ( )

No ( X )

Comments

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

[ ]

[ ] NA

[ X ] NAP

Comments

=

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

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

	<b>First instance</b>	<b>Second instance</b>	<b>Highest instance court (Supreme Court)</b>
<b>Civil society organisation</b>	<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
<b>Family member</b>	<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
<b>Self-representation</b>	<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
<b>Trade union</b>	<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
<b>Other</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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 (please specify):Insolvency administrator

Comments Other activity: Insolvency administrator.

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

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

Comments

**150. Is the lawyer profession organised through:**

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

Comments

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

- Yes
- No

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

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

Sources: Czech Bar Association

**6.1.2 Practicing the profession of lawyer**



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

Yes

No

Comments

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

### 6.1.3 Quality standards and disciplinary procedures for lawyers

**157. Have quality standards been determined for lawyers?**

Yes

No

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

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

the bar association

the Parliament

other (please specify): .....

Comments

**159. Is it possible to file a complaint about:**

the performance of lawyers

the amount of fees

Comments - Please specify:

**160. Which authority is responsible for disciplinary procedures?**

a judge

Ministry of Justice

a professional authority

other (please specify): .....

**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
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	104 [ ] NA [ ] NAP
<b>1. Breach of professional ethics</b>	[ X ] NA [ ] NAP
<b>2. Professional inadequacy</b>	[ X ] NA [ ] NAP
<b>3. Criminal offence</b>	[ X ] NA [ ] NAP
<b>4. Other</b>	[ X ] NA [ ] NAP

Comments - If "other", please specify:

**162. Sanctions pronounced against lawyers.**

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	86 [ ] NA [ ] NAP
<b>1. Reprimand</b>	29 [ ] NA [ ] NAP
<b>2. Suspension</b>	2 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	44 [ ] NA [ ] NAP
<b>5. Other</b>	11 [ ] 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 2022.

Disbarment - 2

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 - 7

Withdrawal of the book for the authenticity of signature statement - 1

(Section 25a of the Act on the Legal Profession - A lawyer shall be entitled to substitute for the official verification of a signature required by special legislation his statement to the same effect, if he has prepared the document by himself, or if the actor has signed the document with his own hand in front of the lawyer)

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?

Yes

No

Comments

##### 163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

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

No mandatory mediation

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

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

Yes

No

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

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

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Labour cases including employment dismissals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

<b>Criminal cases</b>	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Consumer cases</b>	(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:

=

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

	Total	Males	Females
<b>Number of mediators</b>	712 [ ] NA [ ] NAP	[X] NA [ ] NAP	[X] NA [ ] NAP

Comments From the above mentioned number of mediators there are 362 mediators in criminal cases and 350 mediators in non criminal cases (of which there are 307 active mediators).

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

. Registered mediators are people who have proven their knowledge and abilities by passing an exam and meet other conditions set by law. According to the law, upon one's request, the Ministry shall register a person who is capable of legal acts, is of good repute and integrity, has obtained a master's degree from university in the Czech Republic (or has obtained a similar higher education abroad, if according to an international treaty to which the Czech Republic is bound the recognition of such education is determined), has passed the mediator exam (or has been recognized as qualified), and has not been removed from the list of mediators in the last 5 years before submitting the application. Person of a good repute and integrity is one who has not been legally sentenced for an intentionally committed criminal offence or a crime committed due to negligence in connection with the performance of the mediator's activities.

**167. Number of court-related mediations:**

<b>Number of cases for which the parties agreed to start mediation</b>	<b>Number of finished court-related mediations</b>	<b>Number of cases in which there is a settlement agreement</b>
--	--	---

<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	<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
<b>1. Civil and commercial cases</b>	<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
<b>2. Family cases</b>	<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
<b>3. Administrative cases</b>	<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
<b>4. Labour cases including employment dismissal cases</b>	<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
<b>5. Criminal cases</b>	833 <input type="checkbox"/> NA <input type="checkbox"/> NAP	833 <input type="checkbox"/> NA <input type="checkbox"/> NAP	795 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Consumer cases</b>	<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
<b>7. Other cases</b>	<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: Source: Probation and Mediation Service.

The numbers in 2021 were affected by covid. In 2022, there was an educative campaign for after-covid restorative programmes.

=

## 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
<b>Total (1+2+3+4)</b>	250 [ ] NA [ ] NAP	[ X ] NA [ ] NA [ ] NAP	[ X ] NA [ ] NA [ ] NAP
<b>1. Private professionals under the authority (control) of public authorities</b>	152 [ ] NA [ ] NAP	112 [ ] NA [ ] NAP	40 [ ] NA [ ] NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	98 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Judges</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] 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: Enforcement agents are appointed to office for an undetermined period (for life). Exceptions:

- removing the bailiff (disciplinary sanction, criminal conviction, failure to conclude an insurance contract, ill health, if the court so decides)
- loss of citizenship
- limitation of legal capacity
- request for termination

**8.1.2 Activities/scope of competence**

**171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?**

	Access to information	Direct electronic access to information
Address	( X ) Yes ( ) No	( X ) Yes ( ) No
Date of birth	( X ) Yes ( ) No	( X ) Yes ( ) No
Civil status	( X ) Yes ( ) No	( X ) Yes ( ) No
Cohabitant	( ) Yes ( X ) No	( ) Yes ( X ) No
Employer	( X ) Yes ( ) No	( X ) Yes ( ) No
Motor vehicle	( X ) Yes ( ) No	( X ) Yes ( ) No
Movable property	( X ) Yes ( ) No	( ) Yes ( X ) No
Immovable property	( X ) Yes ( ) No	( X ) Yes ( ) No
Bank account	( X ) Yes ( ) No	( X ) Yes ( ) No
Other enforcement proceedings underway	( X ) Yes ( ) No	( ) Yes ( X ) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	( X ) Yes ( ) No	( X ) Yes ( ) No
Other	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

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

	Option
Seizure of movable tangible properties	( ) Yes, exclusively performed by enforcement agents ( X ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
Preventive seizure of movable tangible properties	( ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( X ) No [ ] NAP



<b>Seizure of immovable properties</b>	<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
<b>Preventive seizure of immovable properties</b>	<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
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<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
<b>Seizure of remunerations</b>	<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
<b>Seizure of motorised vehicles</b>	<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
<b>Eviction measures</b>	<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
<b>Seizures of boats and ships</b>	<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
<b>Seizure of aircrafts</b>	<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

<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<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
<b>Enforced sale by public tender of seized properties</b>	<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
<b>Sale of shares</b>	<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
<b>Other</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

### 171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

## 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: Decree No. 330/2001 Coll. on the remuneration and reimbursement of the judicial officer

Available (only in Czech): <https://www.zakonyprolidi.cz/cs/2001-330?text=330%2F2001>

**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: see general comments

**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
--

<b>Total number of initiated disciplinary proceedings (1+2+3+4)</b>	4 [ ] NA [ ] NAP
<b>1. For breach of professional ethics</b>	2 [ ] NA [ ] NAP
<b>2. For professional inadequacy</b>	0 [ ] NA [ ] NAP
<b>3. For criminal offence</b>	2 [ ] NA [ ] NAP
<b>4. Other</b>	0 [ ] NA [ ] NAP

Comments - If “other”, please specify:

### 188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	0 [ ] NA [ ] NAP
<b>1. Reprimand</b>	0 [ ] NA [ ] NAP
<b>2. Suspension</b>	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	0 [ ] NA [ ] NAP
<b>5. Other</b>	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: 4 disciplinary proceeding initiated in 2022, none was terminated in 2022

### 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	Males	Females
<b>TOTAL (1+2+3+4)</b>	438 <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
<b>1. Private professionals (without control from public authorities)</b>	<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
<b>2. Holders of public offices appointed by the State</b>	438 <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
<b>3. Civil servants (paid by the State)</b>	<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
<b>4. Other</b>	<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: Notaries are appointed to office until the age of 70.

**9.1.2 Activities/scope of competences**

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

	Please select one option
<b>Authentication</b>	<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
<b>Certification of signatures</b>	<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
<b>Mediation</b>	<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
<b>Taking of oaths</b>	<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



<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<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
<b>Act as civil servant (for example performing marriage, please specify)</b>	<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
<b>Other judicial functions (for example, payment orders)</b>	<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
<b>Public auctions</b>	<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
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

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

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

Comments

## 9.1.3 ICT, organisation of the profession and training

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

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

In their relations with their clients

In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

#### 194-4. Which computerised registries can notaries consult?

Land registry

Business registry

Civil status / Population registry

Succession / Family law registry

Any other registry (please specify) Register of Associations, Register of Foundations, register of pledges, register of certificated signatures, register of matrimonial property documents

None

Comments Succession/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. are runned by regional courts. Further, the register of pledges and register of certificated signatures are 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



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**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, certified signatures 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	( X )	( )
Law of another Member State (cross-border training programmes)	( )	( X )

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

## I1. Please indicate the sources for answering the questions in this part

Sources: Notarial Chamber

## 10. Judicial experts

### 10.1. Profession of judicial expert

#### 10.1.1 Status of judicial experts

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

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify .....

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

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

- Yes
- No

Comments

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

- national
- administrative district or federal entity
- judicial district
- other

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

#### 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: There was change in legislation and now only the Ministry of Justice is competent for the registration of judicial experts.

**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: The public authority may exceptionally appoint another person to submit an expert opinion, who is not registered in the list of experts for the given field and branch and possibly specialization, has the necessary prerequisites to submit an expert opinion, and agrees to his appointment, if for the given task no one is registered in the list in the specific field and branch or specialization, or if there is no registered expert that can provide an expert opinion, or the submission of an expert opinion by an expert would be associated with disproportionate costs or difficulties.

**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
<b>Initial training</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Continuous training</b>	<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

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### 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: If there is a conflict of interests, the expert is obliged to notify about it immediately and, if necessary, withdraw from the task.

### 205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	5 972 <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

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

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

Comments

**205-1. Who defines the amount of the expert remuneration?**

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
Defined by the court/judge	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
Freely agreed between expert and the parties	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
Other	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

Comments - If other, please specify:

**206. Are there binding provisions for judicial experts regarding:**

	Yes	No
Deadlines to provide expertise	( X )	( )
Quality of expertise	( )	( X )
Other	( )	( X )

[ ] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: The public authority will discuss with the expert in advance the assignment of the expert opinion and the deadline for submitting the expert opinion. This period can be extended exceptionally in justified cases at the request of the expert; the deadline can be extended repeatedly for reasons worthy of special consideration.

Except in justified cases, the expert opinion must be prepared in accordance with generally accepted procedures and standards of the given field and industry. In accordance with generally accepted procedures and standards, the conclusion of the assessment contains clear answers to the questions asked; if the sources or the method do not allow the expert to express a clear conclusion, the expert shall state the facts reducing the accuracy of the conclusion.

**207-1. Does the judge or another body control the progress of the expertise?**

( X ) Yes

( ) No

If yes, please specify:

## 207-2. Are judicial experts' associations involved in:

- Selection processes  
 Initial or continuous training  
 Disciplinary procedures  
 NAP

Comments

## K1. Please indicate the sources for answering the questions in this part

Sources: Act No. 254/2019 Coll., on experts, expert offices and expert institutes

## 11.Reforms in judiciary

### 11.1.Foreseen reforms

#### 11.1.1Reforms

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

### 208-1. (Comprehensive) reform plans

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

Comments - If yes, please specify: 1) Recodification of the Czech Criminal Procedure Code

The new Criminal Procedure Code should replace the current Criminal Procedure Code enacted in 1961, which underwent a lot of amendments adjusting it not only to the change of political regime but also to the development of technologies and modern procedural requirements and has thereby become relatively complicated. Main objectives pursued can be summarised as follows:

- speeding up criminal proceedings, - strengthening the adversarial nature of proceedings, - strengthening the opportunistic elements, - strengthening the rights of the victim, - reducing the administrative burden on criminal justice authorities and simplifying proceedings, - streamlining the enforcement of decisions on criminal sanctions, - modernisation of the CPC in the light of technological developments.

Despite the advanced state of work on the recodification, the completion necessitates further time. 2) New legal framework for preventive restructuring In cooperation with an external expert working group, the Czech Ministry of Justice has been 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. Preventive restructuring is intended to help businesses avoid bankruptcy.

At this point, there is no informal or an out-of-court preventive restructuring procedure in the legal system of the Czech Republic. Preventive restructuring offers entrepreneurs a flexible tool to avert imminent bankruptcy early and save viable business plants. The proposal builds on seeking the broadest possible consensus between the entrepreneur and the creditors on the restructuring measures forming the restructuring plan. This is optimally done in private negotiations which, in non-conflicting scenarios, even dispense with the intervention of the restructuring court. The objective of preventive restructuring is therefore to effectively avert the imminent bankruptcy



of the entrepreneur while maintaining or restoring the normal operation of its business.

The draft law introducing the preventive restructuring for entrepreneurs in financial difficulties was approved by the Government on 18th January 2023, and subsequently referred to the Chamber of Deputies of the Parliament of the Czech Republic. The proposal will soon be discussed by the Chamber of Deputies in the third reading. It will then be referred to the Senate of the Parliament of the Czech Republic. The amendment is expected to be enacted in the second half of 2023.

3) New Act regulating 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. Unfortunately, this proposal was not approved by the legislator during the 8th term of the Chamber of Deputies of the Parliament of the Czech Republic between years 2017-2021, therefore it became non-negotiable after the end of the term.

During the 9th term of the Chamber of Deputies, the Ministry of Justice subsequently drafted in cooperation with external experts in insolvency law a new amendment to the Insolvency Act in order to implement the Restructuring and Insolvency Directive in its part concerning personal insolvency law. On 21st June 2023, the draft amendment was approved by the Government, and subsequently referred to the Chamber of Deputies. The new amendment reduces the period of discharge of debt proceedings to 3 years for all natural persons. The basis of the solution is the same as in the previous proposal. A similar resolution was chosen in Germany and Austria. The amendment will ensure that people unable to pay their debts will have a possibility to escape from the debt trap more quickly and return to the legal economy. At the same time, the proposal strengthens elements counteracting possible abuse of discharge of debt proceedings by a dishonest debtor and ensuring that the debtor satisfies his creditors to the highest realistically achievable extent. Simply put, in order to properly meet his obligations, during the course of the repayment plan the debtor must fully make use of his income potential and earn an adequate wage or other income, usually at least the guaranteed wage. The interests of creditors are satisfactorily protected.

Taking into account the current development of negotiations on the content of the amendment to the Insolvency Act and the expected length of the parliamentary legislative process, it is likely that the amendment will become effective after 1st January 2024.

#### 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.

First draft bill was approved the government in February 2020. Unfortunately, this proposal was not approved by the legislator during the 8th term of the Chamber of Deputies of the Parliament of the Czech Republic between years 2017-2021, therefore it became non-negotiable after the end of the term. In response, Ministry of Justice created a new draft bill, which is currently being assessed by the government. 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 to a qualified entity (consumer organization). The plaintiff may seek injunction, declaratory as well as redress measure. The collective procedure should be governed by an opt-in.

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) 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 2024).

6) Comprehensive system of state-funded legal aid came into force on 31 July 2018. Part of this new system creates, under Section 18c of the Act no. 85/1996 Coll. on the Legal Profession, as amended, 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.

Since 1 January 2024, access to legal aid under Section 18c of the Legal Profession Act, is to be granted also to clients who are not able to hire a lawyer for other reasons than income and property circumstances. However, legal aid provided to these clients will not be state-funded. Since these clients are not in financial need they will have to finance the legal aid from their own resources.

## 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 amendment of the Act no 283/1993 Coll., on Public Prosecutor's Office The newly appointed Government established in December 2021 stated in its Policy statement, which was adopted in January 2022, that by the end of 2022 the draft amendment of the Public Prosecutor's Office Act will be prepared. On 25 October 2022 an amendment to the Act on Public Prosecution has been submitted to the legislative process, namely into inter-ministerial consultation procedure. On 24 May 2023 the amendment was approved by the Government and subsequently it was submitted to the Chamber of the Deputies to continue the legislative process. The amendment responds to recommendations by GRECO as well as the 2022 Rule of Law Report on the Czech Republic. It brings all necessary changes, mainly the requirements for the person of chief public prosecutors, their term of office, conditions for their appointment and dismissal, including specification of the conditions for the dismissal of the Prosecutor General and the possibility to challenge such decision before the Supreme Administrative Court. The main aim of the reform is to eliminate the risk of impermissible political influence or pressure on the activities of the prosecutor's office and its functioning.

2) The amendment of the Decree No. 23/1994 Coll., on the rules of procedure of the public prosecutor's office, the establishment of branches of certain public prosecutor's offices and the details of acts performed by trainees.

On 29 March 2022 came into effect the amendment of decree No. 23/1994 Coll., which aim was to react on the current situation related to the invasion of Ukraine by the troops of the Russian Federation which also raised the question of possible sanctions for the commission of other crimes against peace and war crimes under the Czech Criminal Code. The competence of the High Public Prosecutor's Office has been expanded to include supervision of the maintenance of legality in pre-trial proceedings in cases of crimes against peace, war crime, genocide and crimes of attack against humanity. 3) An amendment of the Act on Courts and Judges was adopted in 2021. The amendment has established a transparent and uniform system of new judges' recruitment and selection of court presidents based on precise, objective and uniform criteria. 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 has come into force on 1 July 2022.

## 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. 130/2022 Coll., amending the Act No. 40/2009 Coll., Criminal Code, Act No. 45/2013 Coll, on Victims of Crime and some acts

The Act No. 130/2022 came into force on 28 June 2022. Part of this amendment related also to the Crime Victims' Act (45/2013 Coll.) which ensured that in this Act will be explicitly enshrines some of the rights of persons close to the victim to which they are entitled under the EU Directive 2012/29/EU, in particular the rights of persons (including legal aid) close to the victim to access victim support services, taking into account their special needs and the severity of the harm suffered as a result of the crime committed against the victim. Since this amendment the legal situation is in line with the de facto situation, because even before this amendment several victim service providers registered in the Register of Providers already provided specialist assistance to relative of victims who need it.

2) The amendment of the Act No. 218/2003 Coll., concerning Youth Responsibility for Unlawful Acts and Justiciary in Suits of Youth and Amendments to some acts (The Act on Justiciary in Suits of Youth)

The planned measure to amend the Act on Justiciary in Suits of Youth will bring that compulsory legal representation will be provided in proceedings concerning children under 15 years also in the period preceding the court proceedings and it shall be possible for proceedings to be concluded without the child under 15 being formally brought before court. The preparation of the amendment started in 2022. The legislative process is ongoing. 3) New Act regulating personal insolvency law

After making discharge of debt proceedings more accessible in 2020, the new Act aims to improve upon this and reduce the period of discharge of debt proceedings to 3 years for all natural persons. The basis of the solution is the same as in the previous proposal. A similar resolution was chosen in Germany and Austria. The amendment will ensure that people unable to pay their debts will have a possibility to escape from the debt trap more quickly and return to the legal economy. At the same time, the proposal strengthens elements counteracting possible abuse of discharge of debt proceedings by a dishonest debtor and ensuring that the debtor satisfies his creditors to the highest realistically achievable extent. Simply put, in order to properly meet his obligations, during the course of the repayment plan the debtor must fully make use of his income potential and earn an adequate wage or other income, usually at least the guaranteed wage. The interests of creditors are satisfactorily protected.

4) The Collective Procedure Act

As there is no complex regulation of the collective proceedings in the Czech Republic, certain groups of plaintiff have limited access to justice. These include especially consumers. 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.

5) Comprehensive system of state-funded legal aid came into force on 31 July 2018. Since 1 January 2024, access to legal aid under Section 18c of The Act on Legal Profession is to be granted also to clients who were not able to hire a lawyer for other reasons than income and property circumstances. However, legal aid provided to these clients will not be state-funded. Since these clients are not in financial need they will have to finance the legal aid from their own resources.

## **208-5. High Judicial Council (competent for judges and/or prosecutors)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **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: 1)The Ministry of Justice has submitted a proposal for changes to the legal regulation of disciplinary proceedings against judges, prosecutors and bailiffs. An inter-ministerial consultation procedure has been launched. In line with international recommendations, the amendment is intended to introduce the possibility of appeal against a decision of the disciplinary chamber. It also introduces some measures to increase the efficiency of disciplinary proceedings in the cases of judges, prosecutors and bailiffs. 2)The Ministry of Justice has submitted an amendment to the Advocacy Act. An inter-ministerial consultation procedure has been launched. The amendment shall, among other things, strengthen the protection of the confidentiality of the relationship between attorney and his client. 3)Amendment to decrees on remuneration of court experts and court interpreters and translators were adopted in 2022 and have come into force in January 2023. The amendments substantially, more than twice as much, increased the remuneration. Further, the new legislation expressly provides that the difficulty of preparation for interpreting or translating shall also be taken into account in the possible increase of the remuneration or provides for the increase of the remuneration for interpreting for deaf and deaf-blind persons.

## 208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

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

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The Act. No. 130/2022 Coll., amending the Act No. 40/2009 Coll., Criminal Code, Act No. 45/2013 Coll., on Victims of Crime and some other acts

The Act No. 130/2022 came into force on 28 June 2022. Main part of this amendment related to the implementation of the EU legal acts, namely the directive 2019/713, which stipulates that criminal law protection is also provided, in simplified terms, to virtual currencies (means of payment, which allow the transfer of virtual assets used in place of cash), the introduction of catalogue of rights for victims legal persons, consisting in particular in the provision of certain information in connection with a crime committed against them, and the introduction of special counselling to be provided to victims of identity theft. Other implementation regards the regulation 2019/826 and respective directive 2019/884 which ensures that EU Member States can connect to the ECRIS (European criminal records information system) regarding third country nationals and stateless persons. Part of the amendment relates to the enabling in wider scope to prosecute persons who participate in the activities of armed entities aimed at operating in an armed conflict taking place on the territory of another state. 2) Proposal for ratification of the CETS No. 210

The proposal for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence has been repeatedly submitted to the Government for a decision. The Government approved the proposal on 21 June 2023 and now it awaits further discussions and decision in the Parliament of the Czech Republic. 3) The amendment of the Act No. 279/2003 Coll., on enforcement of seizure of assets and items in criminal proceedings

The objective of the amendment is to legislate the position of the Centre of Secured Assets of the Ministry of the Interior as the main administrator of the seized assets (the current legislation envisages a large number of administrators both state and non-state entities where most of these entities administering secured assets are engaged in a core activity other than the administration of the seized assets itself) and to limit certain fragmentation of administration at the level of state bodies, which will also lead to the professionalization of

administration. Another change will be to realign the financing of the costs of administration by state entities so as to remove unnecessary administrative burdens. In addition, some further changes which will lead to a more efficient administration are also included. The amendment is in the legislative process in the Chamber of Deputies of the Parliament of the Czech Republic.

4) The Act No. 422/2022 Coll., amending the Act No. 104/2013 Coll. on international judicial cooperation in criminal matters and some other acts

On 1 January 2023 came into effect the amendment of the Act No. 104/2013 Coll. which objective was to react to the approved revision of regulation on Eurojust (2018/1727) and the regulation (2018/1805) on the mutual recognition of freezing orders and confiscation orders. Moreover, adjustments were made in view of the CJEU judgment C-665/20 which stipulated that it is not compatible with EU law a legal provision of a Member State to provide for a particular ground for the refusal to carry out international judicial cooperation in criminal matters as obligatory if that ground is formulated as optional in the relevant EU legal act. Also, the amendment unified the procedure within the framework of international judicial cooperation in criminal matters and eliminated shortcomings identified in the evaluation of the existing application of the legal regulation contained in the Act No. 104/203 Coll., and it responded to shortcomings which prevented victims from effectively using property means arising from property penalties and the fact that until the new amendment it had not been possible to suspend the disposal of forfeited or confiscated property.

## **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. 130/2022 Coll., amending the Act No. 40/2009 Coll., Criminal Code, Act No. 45/2013 Coll, on Victims of Crime and some other acts

The above-mentioned Act No. 130/2022 came into force on 28 June 2022. Main part of this amendment related to the implementation of the EU legal acts, namely the directive 2019/713, which stipulates that criminal law protection is also provided, in simplified terms, to virtual currencies (means of payment, which allow the transfer of virtual assets used in place of cash), the introduction of catalogue of rights for victims legal persons, consisting in particular in the provision of certain information in connection with a crime committed against them, and the introduction of special counselling to be provided to victims of identity theft. Other implementation regards the

regulation 2019/826 and respective directive 2019/884 which ensures that EU Member States can connect to the ECRIS (European criminal records information system) regarding third country nationals and stateless persons. Part of the amendment relates to the enabling in wider scope to prosecute persons who participate in the activities of armed entities aimed at operating in an armed conflict taking place on the territory of another state. 2) The Act No. 240/2022 Coll., amending the Act No. 69/2006 Coll., on the implementation of international sanctions and other acts

The Act came into force on 1 September 2022. The amendment to the Act on the Implementation of International Sanctions, together with the accompanying amendments, one of which includes the Criminal Code, responds to the current situation (caused by the invasion of Ukraine) in the implementation of international sanctions resulting in particular from directly applicable EU legislation and related Czech legislation. The criminal offence of breach of international penalties reflected the requirement to be applicable in cases where international sanctions have been imposed purely on the basis of a decision of a domestic authority. 3) Amendment to the Act on Register of Beneficial Owners

Act No. 245/2022 Coll. amending Act No. 37/2021 Coll. on the registration of beneficial owners came into force on 1 October 2022. The amendment made several clarifications and improvements so that the legislation complies with the requirements of the AML Directive without any doubt. The amendment was a response to the initiation of infringement proceedings for incorrect transposition of the Directive (proceedings No. 2021/2162) under Article 258 TFEU. Substantively, the amendments consisted of (1) reforming the definition of beneficial owner along the lines of the AML Directive (Article 3(6)(a)(i) thereof) and (2) limiting the exemptions from the registration obligation to legal entities of public law. In practice, the amendment extended the obligation to register beneficial owners to more types of legal entities. With regard to the modification of the definition of beneficial owner, the range of persons who have newly become beneficial owners has been partially expanded. The data in the register has thus grown. Overall, the amendment has increased the already high level of transparency of legal persons and legal arrangements. The amendment removed any concerns that the European Commission had about the correctness of the transposition.

## 208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The amendment of the Act No. 169/1999 Coll., on serving of imprisonment  
The legislative process on this amendment was initiated at the end of 2022. Currently the amendment is in the legislative process. The objective of the amendment is to unify the procedure for dealing with the income of convicts serving the imprisonment and inmates in custody. The new legislation will change the fact that all money delivered to the prison during a calendar month and the net remuneration to which the prisoner is entitled in that month will be deposited in an account in which the prison keeps the prisoners' money on the so-called special account. The existing rules treat differently the income from remuneration of the convicted person and the money which are sent to the prison to an account held by the prison from other sources (pension, retirement allowance, money received from relatives, etc.) and there are different procedures for each of these financial means.

## 208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1) The amendment of the Act No. 218/2003 Coll., concerning Youth Responsibility for Unlawful Acts and Justiciary in Suits of Youth and Amendments to some acts (The Act on Justiciary in Suits of Youth)

The planned measure to amend the Act on Justiciary in Suits of Youth will bring that compulsory legal representation will be provided in proceedings concerning children under 15 years also in the period preceding the court proceedings and it shall be possible for proceedings to be concluded without the child under 15 being formally brought before court. The preparation of the amendment started in 2022. The

legislative process is ongoing. 2) Further protection of children in civil proceedings

New amendment to Civil Procedure Code (Act No. 192/2021 Coll.) strengthened the role of children in civil proceedings. The courts now must serve the documents on children between age 15 and 18 personally even if they are represented by their parent or other person. Furthermore, the simplified procedures without any hearing such as enforcement order procedure cannot be used against children who have not acquired legal capacity (usually acquired by the age of 18).

## 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: 1) The Act. No. 130/2022 Coll., amending the Act No. 40/2009 Coll., Criminal Code, Act No. 45/2013 Coll, on Victims of Crime and some other acts

As mentioned above the Act No. 130/2022 came into force on 28 June 2022. Main part of this amendment related to the implementation of the EU legal acts, namely the directive 2019/713, which stipulates that criminal law protection is also provided, in simplified terms, to virtual currencies (means of payment, which allow the transfer of virtual assets used in place of cash). Other implementation regards the regulation 2019/826 and respective directive 2019/884 which ensures that EU Member States can connect to the ECRIS (European criminal records information system) regarding third country nationals and stateless persons. Part of the amendment relates to the enabling in wider scope to prosecute persons who participate in the activities of armed entities aimed at operating in an armed conflict taking place on the territory of another state.

2) e-Court-File and e-Insolvency-Register

The Ministry of Justice of the Czech Republic is working intensively on deeper digitalization and automation of court processes. This effort will continue with the introduction of new information systems, the e-Court-File and e-Insolvency-Register, which are scheduled to be launched in late 2023 or early 2024. These new systems will be used first in the insolvency proceedings, other types of proceedings are expected to follow in the future. The Ministry of Justice expects the new systems to speed up court proceedings.

## 208-16. Other

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

Comments - If yes, please specify: 1) The amendment of the Act No. 269/1994 Coll., on the criminal record

The legislative process started at the end of 2022. In January the amendment was approved by the Government and since then it awaits to be discussed in the Parliament of the Czech Republic. The objective of the amendment is to reflect the computerisation of the respective agenda, the need to have specialised Criminal Records Office has now been overcome. It is therefore proposed to abolish the Criminal

Records Register as a separate organisational unit of the State and to transfer the execution of its agenda to the Ministry of Justice.

2) The amendment of the regulation No. 454/2009 Coll.

On 1 January 2022 came into force amendment of the regulation of the Government which stipulates new rules to what is considered to be substances with anabolic and other hormonal effects and what are their larger quantities and what are considered for the purpose of the Criminal Code to be methods consisting in increasing the transfer of oxygen in the human body and other methods having a doping effect.