

## Evaluation of the judicial systems (2020 - 2022)



Denmark

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

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

### **Objective :**

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

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

### **Instruction :**

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

- User manual
- Explanatory note

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

## **1.General and financial information**

### **1.1.Demographic and economic data**

#### **1.1.1Inhabitants and economic general information**



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

[ 5 840 045 ]

Comments

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

	Amount
State or federal level	112 252 288 953 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The total of annual public expenditure are higher than the previous campaign mainly because of much higher expenses amongst others because of COVID-19.

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

[ 53 470 ]

Comments

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

[ 40 872 ]

NA

Comments

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

[ 7.4379 ]

Allow decimals : 5

NAP

Comments

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

Sources: Statistics Denmark (dst.dk) and Danmarks Nationalbank (nationalbanken.dk)

**1.1.2 Budgetary data concerning judicial system**

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

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	272 240 821 [ ] NA [ ] NAP	271 410 426 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	167 601 070 [ ] NA [ ] NAP	163 382 459 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	23 078 930 [ ] NA [ ] NAP	26 144 312 [ ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	6 616 107 [ ] NA [ ] NAP	9 506 708 [ ] NA [ ] NAP
<b>2.2 Maintenance of the IT equipment of courts</b>	16 462 823 [ ] NA [ ] NAP	16 637 604 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	13 673 214 [ ] NA [ ] NAP	13 728 870 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	57 134 115 [ ] NA [ ] NAP	57 134 115 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>6. Annual public budget allocated to training</b>	1 559 580 [ ] NA [ ] NAP	1 520 096 [ ] NA [ ] NAP
<b>7. Other (please specify)</b>	9 193 911 [ ] NA [ ] NAP	9 500 574 [ ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: 1) The approved and implemented budget for 5) Investments in new court buildings are included under 4) Court buildings.

2) The category "other" includes the courts expenses in connection to case handling, including postage costs, purchases of goods and services and any extraordinary expenses not directly attributable to other items.

3) The increase in 2. Annual public budget allocated to computerisation (2.1 + 2.2) (implemented budget) compared to 2018 is due to increasing depreciation and write-downs on ongoing and completed IT projects.

4) The decrease in 6. Annual public budget allocated to training (approved and implemented budget) compared to 2018 is due to COVID-19. Many planned courses with physical attendance were canceled.

5) The decrease in 7. Other (implemented budget) compared to 2018 is due to COVID-19.

**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

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:**

- In civil cases you must pay a basic amount of DKK 500. If the value of the case exceeds DKK 50.000, you must pay another DKK 250 and 1.2 percent of the value exceeding DKK 50.000. The value of the case is determined according to the claim in the application. The total legal fee (including the basic amount of DKK 500) can't exceed DKK 75.000. When the court has completed the preparation of the case and it is necessary to convene a court hearing (or written procedure replacing this), you will pay additional court fee if the value of the case exceeds DKK 50.000. This additionally fee is calculated in the same way as the court fee payable on completion of the case.

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

[ 54 ]

NA

NAP

Comments In inforcementcases (fogedsager) the basic fee is DKK 300. If the claim exceeds DKK 3.000, another ½ percent has to be paid of the excess amount.

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

[ 57 405 219 ]

[ ] 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>	140 846 207 [ ] NA [ ] NAP	70 947 445 [ ] NA [ ] NAP	69 898 762 [ ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	140 846 207 [ ] NA [ ] NAP	70 947 445 [ ] NA [ ] NAP	69 898 762 [ ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments The amount listed also includes expenses for non-litigious cases or cases not brought to court. It is not currently possible to separate these amounts.

**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>	134 643 295 [ ] NA [ ] NAP	60 944 621 [ ] NA [ ] NAP	73 698 674 [ ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	134 643 295 [ ] NA [ ] NAP	60 944 621 [ ] NA [ ] NAP	73 698 674 [ ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The increasing expenses compared to previous years are partly due to an increased effort to reduce case processing times and case stocks in the criminal case chain. In 2019, further expenses were incurred in connection with the implementation of several commissions of in-inquiry set up by the government.

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**012-2. Does legal aid include:**

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

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

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

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

Comments

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	121 432 125 [ ] NA [ ] NAP	133 276 866 [ ] NA [ ] NAP
13.1. Annual public budget allocated to training of public prosecution services	[ X ] NA [ ] NAP	[ X ] 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: The increasing expenses compared to previous years are partly due to an increased effort to reduce case processing times and case stocks in the criminal case chain. In 2019, further expenses were incurred in connection with the implementation of several commissions of inquiry set up by the government

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

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

<b>Other ministry</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Parliament</b>	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Supreme Court</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>High Judicial Council</b>	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP
<b>Courts</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Inspection body</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Other</b>	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP	(X) Yes ( ) No [ ] NAP

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

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

	<b>Criteria used</b>	<b>Main criteria</b>
<b>Previous years' budget costs</b>	[ X ]	[ X ]
<b>Special needs assessment</b>	[ X ]	[ ]
<b>Number of judges/non judges' staff</b>	[ X ]	[ X ]
<b>Number of incoming cases</b>	[ X ]	[ X ]
<b>Number of pending cases</b>	[ ]	[ ]
<b>Number of resolved cases</b>	[ ]	[ ]
<b>Other</b>	[ X ]	[ ]

[ ] NAP

Comments - If "Other", please specify

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

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

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

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

Sources: Different sources including own calculations, Central Government Accounts and annual reports.

### 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>	2 364 664 758 [ ] NA [ ] NAP	2 287 289 423 [ ] 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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
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Comments

### 015-3. Other budgetary elements

	<b>Included</b>
<b>Prison system</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Probation services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>High Judicial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>High Prosecutorial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Constitutional court</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Judicial management body</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>State advocacy</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Enforcement services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Notariat</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Forensic services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Judicial protection of juveniles</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Functioning of the Ministry of Justice</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Refugees and asylum seekers services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Immigration Service</b>	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

If "Other", please specify: The category "other" refers to the Danish Court Administration.

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

Sources: Ministry of Finance (fm.dk)

## 1.2. Organisation and management of courts and public prosecution services

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

- The top management of the individual courts is the court president. The court president is responsible for the appropriations and administrative matters assigned to the office. Among this the president must ensure proper operation of the office and take the necessary initiatives to ensure this. After negotiation with the remaining judges of the court the president makes decision on distribution of the cases among the judges and on administrative proceedings. This is according to §§ 10 and 12 of The Danish Administration of Justice Act.

The court president is assisted by a Chief Administrative Officer. The Chief Administrative Officer has e.g. the overall responsibility regarding the salary and operating budget, finances, HR and IT at the court. The Chief Administrative Officer is recruited by the court president by public advertisement. The choice is based on qualifications and previous experience. No specific education is required but typically the candidate will have a master's degree in the field of social science.

At first instance (district courts) the court units are furthermore managed by functional managers (funktionschefer) and department managers (afdelingsledere) who are recruited by public advertisement.

The functional manager leads a court unit in cooperation with the department manager. The functional manager has the overall responsibility for ensuring that the case work and case procedures at the court unit are organized in accordance with the prescribed objects. The functional manager also participates in the legal work and therefore it is required that the functional manager has a master's degree in law. The department manager is in charge of the personnel management at the court unit e.g. organization of the work, ensuring appropriate manning and ensuring a good work environment. The department manager also handles specific case processing. The department manager will typically have a background in administrative and clerical training.

Max characters value : 10 000

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

- The Danish Prosecution Service is placed under the Ministry of Justice, which monitors the public prosecutors. The Prosecution

Service consists of The Director of Public Prosecutions, three state prosecutor's offices with associated police districts, and two police districts for Greenland and the Faroe Islands. The Director of Public Prosecutions is superior to the other prosecutors and supervises them. The Director of Public Prosecutions conducts cases before the Supreme Court and the Special Court of Indictment and Revisions. The office also handles the prosecution service's responsibilities in relation to the Ministry of Justice, the Parliament, and other senior authorities, and collaborates with other bodies internationally. The Director of Public Prosecutions has in his office in Copenhagen approximately 120 employees, including lawyers, economists and other specialists. The two regional state prosecutors in Viborg and Copenhagen handle appeals in the Danish High Court and are competent to prosecute in all jury cases. The State Prosecutors also supervise the police districts' processing of criminal cases and deal with complaints against police commissioner decisions to criminally prosecute such cases. Finally, the State Prosecutors deal with cases regarding compensation following criminal prosecution and supervise the length of penalty measures. The office of the State Prosecutor of Viborg has approximately 65 staff members, among them legal consultants, administrative employees, and students. The State Prosecutor of Copenhagen has around 60 staff members, 35 of whom are legal consultants and 25 are administrative employees. The State Prosecutor for Serious Economic and International Crime handles cases concerned with serious economic crime and international criminal proceedings, primarily concerned with genocide, crimes against humanity, war crimes and other serious crimes committed abroad. In addition to actual criminal cases, the State Prosecutor is involved in pre-legislative and international work. The staff at the State Prosecutor for Serious Economic and International Crime comprises legal consultants, police officers, analysts, administrative employees, and specialist consultants with a background in finance.

Denmark has 14 police districts, including the Greenland Police and the Faroe Island Police. The districts are supervised by the State Prosecutor in either Viborg or Copenhagen. Every police district has a police director. The police directors are – among others – responsible for the police district investigation and the activities of the local prosecution.

Max characters value : 10 000

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1 Scope of legal aid

016. Does legal aid apply to:

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

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

- The courts grant legal aid in cases covered by section 327 of the Administration of Justice Act. These are, for example, cases in the

first instance concerning marriage, division of matrimonial property and custody. In other cases the Department of Civil Affairs, grant legal aid under section 328 or 329 of the Administration of Justice Act. Legal aid covers court fees, legal fees and other necessary expenses related to the proceedings. It is up to the court to decide which expenses the legal aid covers. Pursuant to the Administration of Justice Act section 331, the legal aid covers the entire case in the relevant court and enforcement of the decision. Normally, legal aid also includes the measures taken before the granting of legal aid.

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

- Yes
- No
- NAP

If yes, please specify:

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

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

Comments - If yes, please specify:

**2.1.2 Information on legal aid**

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

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	3 694 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In criminal cases</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>In other than criminal cases</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 - Please specify when appropriate:

**020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the**

**duration from the initial legal aid request to the final approval of the legal aid request:**

	Time in days
<b>Maximum duration prescribed in law/regulation</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Actual average duration</b>	<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: The Ministry of Justice Civil Affairs Department has provided information that there is no binding legislation on the maximum duration in cases of granting legal aid. The average processing time in cases of legal aid requests was 60 days in 2020.

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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
<b>Accused individuals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Victims</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify: After section 119 in the Penal Enforcement Act the provisions on legal aid in chapter 31 of the Administration of Justice Act applies to criminal proceedings. The citizen can get legal aid pursuant to section 331 of the Administration of Justice Act if the concerned fulfills the conditions in section 327. By this section, the court decide what is covered by the process grant, including an appointed lawyer and other legal costs.

**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: The personal income including capital gain for applicants in 2021 must not exceed DKK 344.000 (EUR 46.259) for one person, or DKK 437.000 (EUR 58.765) for married couples or unmarried cohabitants. For each child, including step children and foster children, under the age of eighteen years living with the applicant or is primarily maintained by the applicant, DKK 60.000 (EUR 8.068) is added to the income limit.

Full legal aid in criminal cases is granted through the appointment of a defense or support attorney irregardless of income. Partial legal aid in criminal cases is only relevant if the victim or witness cannot have a support attorney appointed.

The personal income for partial legal aid in criminal cases is equivalent to the boundary in non-criminal cases.

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

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	46 259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	46 259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	46 259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid: If an individual fulfills the economic conditions, but the case is not within the scope of the Administration of Justice Act section 327, legal aid is still an opportunity provided that the individual fulfills the conditions under section 328 of the Administration of Justice Act section within reasonable cause. An application for legal aid is rejected by the court, if this finds that the individual does not have the requisite reasonable cause. The most important considerations in this measurement is the significance of the case for the applicant, hereby if the applicant is predominantly likely to succeed in the case, it speaks in the favor of granting free trial. Conversely, if the applicant has little prospect of success in the case, it speaks against giving free trial. Furthermore the prospect that the applicant will succeed in the case, the size of the case and the size of the expected costs. In addition, the possibility of having the case handled by the Danish Competition and Consumer Authority, an administrative board or a private dispute resolution body approved by the Minister of Trade and Industry must be examined.

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

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

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

( X ) Yes

( ) No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? In pursuance of section 325 of the Administration of Justice Act, legal aid is only provided for individuals who does not have a legal aid insurance or other insurance that covers the costs of the case.

## 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	( X ) Yes ( ) No
in other than criminal cases	( X ) Yes ( ) No

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

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

Sources: Question 20 and 20-1: The Ministry of Justice Civil Affairs department statistical system. Question 23: Danish Administration of Justice Act section 325  
Question 24: Danish Administration of Justice Act section 325, 327 and 328  
Question 25: Danish Administration of Justice Act section 327, 328 and 329  
Question 27: Danish Administration of Justice Act section chapter 30 and 91

## 2.2. Court users and victims

### 2.2.1 Rights of the users and victims

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

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	( X ) <a href="https://www.retsinformation.dk/">https://www.retsinformation.dk/</a>	( )
Case-law of the higher court/s	( X ) <a href="https://domstol.fe1.tangora.com">https://domstol.fe1.tangora.com</a>	( )
Information about the judicial system (organisation of courts, court proceedings, etc)	( X ) <a href="https://domstol.dk/om-os/organisation/">https://domstol.dk/om-os/organisation/</a>	( )
Other documents (e.g. forms, downloadable forms, online registration forms)	( X ) <a href="https://www.domstol.dk/selvbetjening/blanketter-og-vejledninger/">https://www.domstol.dk/selvbetjening/blanketter-og-vejledninger/</a>	( )

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 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 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 type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

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

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of terrorism	<input 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
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ethnic minorities	<input 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



<b>Persons with disabilities</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Juvenile offenders</b>	( ) Yes ( X ) No	( ) Yes ( X ) 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:

**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 Interrogations of children below the age of 13 years are typically conducted by a special trained police officer in specific child-friendly surroundings and they are audiovisually recorded and played in the court in order to protect the child (not necessarily the victim). Children below the age of 15 years can be interrogated under the same circumstances when the offence committed is a sexual offence or a murder. If special circumstances warrant it, persons of the age between 15 and 17 can also be interrogated under these circumstances.

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

	<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 checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP
<b>To be a witness</b>	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other). A 'plaintiff' is a person who initiates a civil legal action. As a rule in Denmark, this requires legal capacity, meaning

that minors are not allowed to be plaintiffs. In Denmark the minimum age for a plaintiff to have procedural capacity and bring a case to court is 18. However minors can have the status of being a plaintiff or a defendant in a civil proceeding but because minors lack legal capacity it will be the parents or guardians of the minor who exercises their rights as plaintiffs or defendants. To be a witness: Everyone, including minors, are obliged to testify during a trial if he or she is called as a witness by the court. Consent from a parent or a guardian is not required for the minors participation in the case as a witness.

In criminal proceedings: It is stated in the Danish Administration of Justice Act 730 that the person charged with a crime is entitled to choose legal representation. If the accused is under the age of 18 and has not entered into marriage, the choice belongs to the parents, who are entitled to act on behalf of the accused.

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

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

Comment A minor can be a party only in criminal proceedings. Individuals below the general age of majority (18 years) may be prosecuted if they are at least 15 years of age. Acts committed by children under 15 years of age are not punishable under the Danish Criminal Code. In criminal cases, children have the same rights to legal aid and a free of charge support attorney as others. The holders of custody over unmarried individuals below the general age of majority are entitled to choose a defence lawyer for the individual. In certain cases, a public defence lawyer must be appointed if a defence lawyer has not been chosen. The course of action would be for the lawyer to be contacted by parents, apply for appointment for the minor, and when the court has appointed the lawyer, the police will send the case files. The defense counsel will then hold a meeting with the accused, where the case will be reviewed.

### 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 A minor can be a party only in criminal proceedings. In Denmark, the minimum age of criminal responsibility is 15. This means that children under the age of 15 cannot be found guilty of a criminal offence. In the Danish Criminal Code the age of criminal responsibility is outlined in article 15. A minor can be a party only in criminal proceedings. Individuals below the general age of majority (18 years) may be prosecuted if they are at least 15 years of age. Acts committed by children under 15 years of age are not punishable under the Danish Criminal Code article 15. In criminal cases, children have the same rights to legal aid and a free of charge support attorney as others. The holders of custody over unmarried individuals below the general age of majority are entitled to choose a defence lawyer for the individual. Also, it is stated in the Administration of Justice act article 257 that people under a guardianship and people under the age of 18 who are not married may not freely dispose of their assets or enter into agreements whereby they surrender an asset or whereby they incur, transfer or cancel debt. A minor may not freely enter into a contract of employment.

Under the Administration of Justice Act, every person has a duty to give evidence in court as a witness. A child may also be heard as a

witness, if the child is capable of making a reasonable statement. If the child is under 15 years, it is for the court to decide in what manner and by whom the examination is to take place. In this connection, the court may call in a representative of the social authorities or any other appropriate person to assist during the examination.

### **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**

[ 15 ]

[ ] 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? Please note Q 031-3.

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

( ) Yes, but only if offender is unknown

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

( X ) Yes, always

( ) No

Comment

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

( ) For all types of offences

( X ) For some types of offences

[ ] NAP

Comment - Please specify:

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

( ) Yes

( X ) No

Comments

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

( ) For all types of offences

( X ) For some types of offences

[ ] NAP

Comment - Please specify:

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

( ) Yes

No

Comments

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

For all types of offences

For some types of offences

NAP

Comment - Please specify:

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

Yes

No

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comment - If yes, please specify:

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

Yes

No

NAP

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
<b>Total</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>Excessive length of proceedings</b>	93 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 673 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-execution of court decisions</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>Wrongful arrest</b>	125 <input type="checkbox"/> NA <input type="checkbox"/> NAP	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89 833 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 317 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	2 193 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 600 362 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): Data in the table (Q37) has been created outside the standard model. Specifically developed data models are tested, but there is a greater risk of unidentified errors than when using the standard model. Data in the table are thus associated with considerable uncertainty. All figures indicating condemnations of requests and total amount are the sum of cases and amounts fully or partially granted. In regards to the "Other" category, the figures given are total numbers minus the numbers in the three categories for which separate figures are given (excessive length of proceedings, wrongful arrest and wrongful conviction).

## 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
<b>Surveys for judges</b>	<input checked="" 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
<b>Surveys for court staff</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
<b>Surveys for public prosecutors</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
<b>Surveys for lawyers</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
<b>Surveys for other professionals</b>	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

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

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: 1) National level: This survey is performed annually by a private Communication company. It is a satisfaction survey aimed at different professions, amongst other judges. 1-8) Court level: a survey is performed ad hoc. Last time was in 2013. This survey was aimed at all court users. There have also been a number of satisfaction surveys regarding the perceived security in courts and the quality of interpreters and interpretation.

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

- Yes, please specify: .....
- No

Comment - If you have additional comments please specify: To be absolutely sure we can always refer to the right person in case two or more persons have the same name, a personal ID number is attached to the defendant in case he or she should be found guilty. Even numbers are females, uneven numbers are males.

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

- Yes
- No

Comments

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

	<b>Authority responsible for dealing with the complaint</b>	<b>Existence of a time limit to deal with the complaint for this authority</b>
<b>Court concerned</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Higher court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<b>Ministry of Justice</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>High Judicial Council</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other external bodies (e.g. Ombudsman)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments According to the Danish Administration of Justice Act § 48-48a complaints against judges can be submitted to the president of the court concerned or to the Special Court of Indictment and Revision (the option “other external bodies” refers to the Special Court of Indictment and Revision). The latter was founded in 1939 and is by law located and administrated at the Danish Supreme Court. It consists of 5 members - one Supreme Court judge acting as a chairman, one High Court judge, one county court judge, one professor of law and one lawyer. The members are recommended by the Minister of Justice and appointed by the Queen for a term of 10 years, whereupon they cannot be reappointed. The Special Court processes complaints against judges and deputy judges, applications for resumption of criminal cases, appeals regarding refusal of resumption of a judgment given in default and complaints about the courts exclusion of an appointed defense lawyer in criminal cases. It also acts as a disciplinary court in cases of suspension or removal of a judge from office. The Special Court cannot review a judge’s judicial decisions. In cases of complaints against judges, it can state criticism or issue a fine, if it is found that the judge has behaved improper or unseemly in his/her acts in office - the Special Court does not grant compensation. A complaint regarding improper or unseemly behavior of a judge or deputy judge has to be filed within 4 weeks after the incident has occurred or has been known to the complainant. A judgement in these cases can be appealed to the Supreme Court. An application for resumption of a criminal case can be filed to the Special Court when there is no possibility of appeal left. The decision of the Special Court cannot be appealed. An appeal regarding exclusion of an appointed defense lawyer from a criminal case has to be filed within one week and the decision of the Special Court cannot be appealed.

Complaints and claims for damages caused by errors made by the courts can be submitted to the Danish Court Administration (High Judicial Council).

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

	<b>Number of complaints</b>	<b>Compensation amount granted</b>
<b>Court concerned</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Higher court</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Ministry of Justice</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>High Judicial Council</b>	9 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Other external bodies (e.g. Ombudsman)</b>	90 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: Data is not available is regards to the compensation amount granted. The High Judicial Council is the same institution as The Danish Court Administration which receives and handles variable numbers of complaints each year - this is why the number and the volume of compensation differ from year to year. The amount is in DKK. As mentioned above the option “other external bodies” refers to the Special Court of Indictment and Revision.

**3.Organisation of the court system**

### 3.1.Courts

#### 3.1.1 Number of courts

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

	Number of courts
Total number of all courts - legal entities (1 + 2)	29 [ ] NA [ ] NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	27 [ ] NA [ ] NAP
1.1 First instance courts of general jurisdiction - legal entities	24 [ ] NA [ ] NAP
1.2 Second instance courts of general jurisdiction - legal entities	2 [ ] NA [ ] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [ ] NA [ ] NAP
2 Total number of specialised courts - legal entities	2 [ ] NA [ ] NAP

Comments

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

	First instance	Higher instances
Total number of specialised courts - legal entities	2 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
Commercial courts (excluded insolvency courts)	1 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
Insolvency courts	1 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
Labour courts	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
Family courts	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
Rent and tenancies courts	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
Enforcement of criminal sanctions courts	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP



<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: Land Registration Court (see also general comments). The other specialized court is Maritime and Commercial Court. The latter do some degree deals with insolvency cases similar to district courts.

#### 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>	26 <input type="checkbox"/> NA <input 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>	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Included in first instance courts are district courts, Land Registration Court and the Maritime and Commercial Court.

=

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

	Number of courts
<b>A small claim</b>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>An employment dismissal</b>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>A robbery</b>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP

An insolvency case

25

NA

NAP

Comments Insolvency is special in that the 4 district courts in Greater Copenhagen do not deal with insolvency cases. Instead of the Maritime and Commercial Courts deal with insolvency cases in Greater Copenhagen. There are department of three district courts in totally 4 cities (Haderslev, Tønder, Thisted and Grenå). That gives a total of 28 geographic locations) and 24 district courts.

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

Yes

No

Comments - If not, please give your definition of a small claim: The value is maximum 50.000 Danish Kroner.

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

[ 6 721 ]

Comments A small claim will always be in Danish Kroner, so the value in Euro may vary.

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

Sources: www.domstol.dk

## 3.2. Court staff

### 3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	388 <input type="checkbox"/> NA <input type="checkbox"/> NAP	177 <input type="checkbox"/> NA <input type="checkbox"/> NAP	211 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance professional judges	264 <input type="checkbox"/> NA <input type="checkbox"/> NAP	107 <input type="checkbox"/> NA <input type="checkbox"/> NAP	157 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court professional judges	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

=

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

Yes

No

Comments

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

Child-care

Elderly care

For the purposes of early retirement

Other reason, please specify: .....

Without reason

Comments

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

	Total (%)	Male (%)	Females (%)
<b>Total (1 + 2 + 3) (%)</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. At first instance level (%)</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. At second instance (court of appeal) level (%)</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. At Supreme Court level (%)</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 We cannot answer this question concretely but the number is low as we estimate that totally between 5 and 10 judges have been working part time in the reference year.

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

Less than 50%

50 – 60%

60 - 80%

More than 80%

NA

NAP

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	701 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>First instance</b>	539 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Second instance</b>	130 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Supreme court</b>	32 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

If "Other", please explain which types of cases:

=

047. Number of court presidents (professional judges).

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	32 [ ] NA [ ] NAP	19 [ ] NA [ ] NAP	13 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	27 [ ] NA [ ] NAP	16 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	4 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments

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

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

Comments - If necessary, please provide comments to explain the answer provided: Retired judges can be hired for limited time periods

due to vacancies. We do not have the number of retired judges pr. 31 December 2020.

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

Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....

No

NAP

Comments

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

	Figure
Gross figure	12 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Family law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Labour law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Social law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commercial law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Insolvency cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other civil cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NAP

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

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

Yes

( ) No

Comments

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

Criminal cases

Other than criminal cases

Comments

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

12 000 ]

NA

NAP

Comments 12000 is the total amount of lay judges. It is not possible to say how many of these were involved in cases for the year of reference, but normally every lay judge is involved in a case 4-5 times per year.



=

**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>	1 816 <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. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>	338 <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>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)</b>	10 <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. 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>	1 375 <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>4. Technical staff</b>	84 <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>5. Other non-judge staff</b>	9 <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 - 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>	1 816 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	1 583 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	202 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	31 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments -

=

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

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

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

- IT services

Training of staff

Security

Archives

Cleaning

Other types of services (please specify): .....

Comments

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

Sources: Source for answering question 51: <https://www.domstol.dk/til-dig-der-er/laegdommer/>

## 3.3. Public prosecution

### 3.3.1 Public prosecutors and staff

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

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</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. Number of prosecutors at first instance level</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. Number of prosecutors at second instance (court of appeal) level</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. Number of prosecutors at Supreme Court level</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 any useful comment for interpreting the data above:

=

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

Yes

No

Comments

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



**replies possible):**

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

Comments

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

	Total (%)	Male (%)	Females (%)
<b>Total (1 + 2 + 3) (%)</b>	6 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP
<b>1. At first instance level (%)</b>	5 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>2. At second instance (court of appeal) level (%)</b>	2 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>3. At Supreme Court level (%)</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments The numbers in this table have been rounded, because it is not possible to enter decimal numbers. Since the numbers have been rounded, the consistency in the table cannot be secured completely. The figures with one decimal (which have also been rounded) are as follows:

Total: total 6,2 - male 0,4 - female 5,8  
 1. First instance level: total 4,8 - male 0,4 - female 4,4  
 2. Second instance level: total 1,5 - male 0 - female 1,5

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

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

Comments

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

Total	Males	Females

<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	19 [ ] NA [ ] NAP	13 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	15 [ ] NA [ ] NAP	10 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	3 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Please provide any useful comment for interpreting the data above: Please note that number 1 is counted as the director of the prosecution service in the 15 different police districts of Denmark. 2 is the heads of the 3 state prosecutors offices (Copenhagen, Viborg and State Prosecutor for Special Crime Unit) 3 is the Director of Public Prosecutions (Rigsadvokaten).

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

( ) Yes

( X ) No

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

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

[            ]  
[ ] NA

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

( ) Yes

( ) No

[ ] NAP

Comments

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

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

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

Comments - If yes, please specify

=

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

	Total	Males	Females
<b>Number of staff (non-public prosecutors) attached to the public prosecution service</b>	1 670 <input type="checkbox"/> NA	510 <input type="checkbox"/> NA	1 160 <input type="checkbox"/> NA

Comments In 2020, lawyers and police personnel attached to the Prosecution Service are included in the figures.

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

Sources: "Polpai", which is The Public Prosecution Service's registration system for e.g. titles, salary and time registration.

### 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
<b>judges</b>	( X )	( )
<b>prosecutors</b>	( X )	( )
<b>non-judge staff</b>	( X )	( )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( X )	( )
<b>enforcement agents</b>	( X )	( )

NA

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

specify: The Danish Courts have a policy regarding equal treatment, which has the purpose to promote equal treatment of all employees within the Danish Courts. The policy states that there has to be made an active effort to ensure a versatile staff composition in all job functions and on all levels and that everyone regardless of age, gender, handicap, race, religion or ethnic affiliation etc., must be treated equally in regards to employment and promotion as well as be ensured equal access to professional and personal development. When recruiting this means that if there are several equally qualified applicants for a position, the applicant who represents a minority in the workplace compared to the surrounding society's composition should be chosen. In this case it can be necessary to facilitate the special needs of the applicant as part of the employment. ---

Furthermore the following laws promote gender equality in Denmark: The Consolidation Act on Gender Equality and The Consolidation Act on Equal Treatment of Men and Women as regards to Employment etc. The Act on Equal Treatment of Men and Women with regards to Employment etc. (Consolidated Act number 645, 2011-06-08 as later amended on Equal Treatment of Men and Women with regards to Employment etc. /Lovbekendtgørelse nr. 645 af 8. juni 2011 om ligebehandling af mænd og kvinder med hensyn til beskæftigelse m.v. med senere ændringer) ensures that men and women are treated equally in their working life. This means that an employer must treat men and women equally with regard to recruitment. In recruitment advertising, it is prohibited to state a preference for a specific gender and employers may not recruit an employee based on gender. Among other things, the act is about:

- Working conditions
- Hiring and dismissal
- Promotion and education

---

Regarding lawyers, the Danish authority handling the appointment of lawyers has stated that the authority does not make registrations of gender. Furthermore, the Danish Administration of Justice Act does not contain provisions regarding equal distribution between the sexes concerning the roles of the judicial system.

---

Prosecutors:

The Equality Act

The act ensures that men and women are treated equally in their working life. This means that an employer may not recruit an employee based on gender alone.

Among other things, the act is about:

- working conditions
- Hiring and dismissal
- Promotion and education

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

	Yes, please specify	No
<b>judges</b>	( X ) see Q 61-2	( )
<b>prosecutors</b>	( X )	( )
<b>non-judge staff</b>	( X ) see Q61-2	( )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( X ) See Q61-2	( )
<b>enforcement agents</b>	( X ) See Q61-2	( )

Comments - If the situation changed since the reference year or you have additional comments, please specify: The same policy and laws regarding gender equality apply regarding promotion. See Q61-2.

---  
Regarding lawyers, see Q61-2.

—  
The Equality Act – as stated under question 61-2

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

	Yes / No
<b>Court president</b>	( X ) Yes If “yes”, please specify:[Comment] ( ) No
<b>Head of prosecution services</b>	( X ) Yes If “yes”, please specify:[Comment]See question 61-2 ( ) 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?**

( X ) Yes

( ) 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
<b>The recruitment of judges</b>	( X )	( )
<b>The promotion of judges</b>	( X )	( )
<b>The recruitment of prosecutors</b>	( X )	( )
<b>The promotion of prosecutors</b>	( X )	( )
<b>The recruitment of non-judge staff</b>	( X )	( )
<b>The promotion of non-judge staff</b>	( X )	( )

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments: Denmark has a Minister of Equal Opportunities by the name of Mogens Jensen (2020). The minister is responsible for the Government's overall activities in the field of gender equality. The Department for gender equality functions as secretariat for the Minister

and is responsible for Government initiatives in the field of Gender equality through co-ordination, development and implementation of the Government policies. ---

The Board of Equal Treatment.

The board was established on January 1, 2009 and deals with complaints of discrimination related to discrimination based on gender, race, colour, religion or belief, political views, sexual orientation, age, disability or national, social or ethnic origin.. This means that as a citizen you can complain if you feel discriminated against in the labor market because of gender, race, color, religion, belief, political views, sexual orientation, age, disability, national origin, social origin or ethnic origin.

---

The Danish Institute of Human Rights.

The Danish Institute of Human Rights is established by law and is the designated national equality body. According to § 1, para 7, of the Act on the Board of Equal Treatment, the Danish Institute for Human Rights can bring complaints of discrimination before the Board of Equal Treatment if they are considered a matter of principle or of public interest. Further-more, according to § 2, para 2, of the Act on the Board of Equal Treatment, the Institute may counsel or represent individuals in the regards to their complaint before the Board.

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

(title, date, nature of the text) Consolidation Act number 1230, 2016-10-02 on the Board of Equal Treatment/Lovbekendtgørelse nr. 1230 af 2. oktober 2016 om Ligebehandlingsnævnet. ---  
Act number 553, 2012-06-18 on the Danish Institute for Human Rights – The National Human Rights Institution of Denmark/Lov nr. 553 af 18. juni 2012 om Institut for Menneskerettigheder – Danmarks Nationale Menneskerettighedsinstitution.

[ ] NAP

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

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) The Board of Equal Treatment and the Danish Institute for Human Rights are impartial and independent institutions set up by law.

[ ] NAP

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

(e.g. to block a decision or allow an appeal) The decisions of The Board of Equal Treatment concern whether the Danish laws concerning equal treatment have been violated in a given case. The Board of Equal Treatment can:

- Handle complaints of discrimination
- Make decisions about whether the national legislation has been violated
- Award compensation to victims of unlawful discrimination
- Bring a case before the courts if the decisions and settlements of the Board are not complied with and the Board is asked to do so by the complainant or the Danish Institute of Human Rights.

### 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: Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment.

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

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

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment. Because the distribution of male and female employees is fairly equal within the Danish Courts, we have not taken any further measures regarding gender equality.

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

have been already implemented (please specify) : -

are planned (please specify) : -

Comments - If the situation changed since reference year, please specify in the comments. Concerning the Danish Courts: Within the Danish Courts gender equality is ensured by the use of our local policy regarding equal treatment, the Danish legislation regarding gender equality and The Board of Equal Treatment. Because the distribution of male and female employees is fairly equal within the Danish Courts, we have not taken any further measures regarding gender equality.

[ ] NAP

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

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

[ X ] NAP

Comments - Please specify also the reference documents.

**3.5 Use of information technologies in courts**

**3.5.1 General policies in Information Technology in judicial systems**

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

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



<b>IT Governance</b>	<input type="checkbox"/> Governed at national level by one institution <input checked="" type="checkbox"/> Governed at national level by several institutions <input type="checkbox"/> Organised at unit/stakeholder level <input type="checkbox"/> Other
----------------------	--

Comments The governance mechanisms and it policies are defined by multiple institutions in Denmark.

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

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

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

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

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

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

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

- Yes
- No

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

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

Comments (please specify examples of the impact) Based on the responses from the field in the year 2019 we have been unable to find

any examples of systematically measuring the workloads following implementation of new systems. Based on a year by year approach, the answer has been correct. If we look further back in time we have earlier measured the change in workload.

### **3.5.2 Security of courts information system and personal data protection**

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

Yes

No

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

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

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) if there are authorities specifically responsible for protection of personal data; According to the Danish rules respectively implementing and supplementing the EU data protection legislation the Danish Court administration is the supervisory authority for the Danish courts in regard to the administrative matters and the security of processing. Regarding judicial matters the court in question acts as supervisory authority and supervises the compliance with the data protection legislation. The decisions of the court can be appealed to the superior court.

2)the extent of the rights granted to citizens in the specific framework of software used by courts; The rights of the citizens follows from the EU and Danish legislation. The rights have not been infringed or restricted in the designing or implementation of specific software used by courts in Denmark. The IT systems of the courts support the rights of the citizens.

3)if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) The sharing of databases is also regulated by the data protection legislation and there are to our knowledge no specific controls or limitations by law regarding the sharing of databases managed by courts. Please note that the legal bases to share databases managed by other administrations/public authorities generally do not encompass the courts.

### **3.5.3 Centralised databases for decision support**

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

Yes

Non

Comments We expect our national database of verdicts to go live in the beginning of 2022. Data will be pseudonymised will be freely available online and should be available as open data.

All 3 instances will be covered.

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

For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
----------------------------	----------------------------	----------------------------	-------------------------	-----------------	---	--

<b>Civil and/or commercial</b>	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No
<b>Criminal</b>	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No
<b>Administrative</b>	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes all judgements ( ) Yes some judgements ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No

Comments - if it exists in other matters please specify

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

Yes

No

Comments The National Danish Police administer the central criminal records register in Denmark. Information in the central criminal records is not registered unlimited. A persons criminal convictions in the register is deleted after a certain period of time, which depends on the character of the crime. However, information regarding persons, who has turned 80 years old, is deleted - with no regard to the character of the committed crime. If the information regarding a person hasn't been deleted earlier, it will be deleted two years after the time of death of the person at the latest. It is noted that the criminal records register system is from the seventies. The initial work related to the special file started in 2018. The special file is still in progress of being fully implemented. It is still not complete with all convictions, but new judgements are being put into the database continuously.

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

Linkage with other European records of the same nature

Content directly available through computerised means for judges and/or prosecutors

Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access The National Danish Police administer the central criminal records register in Denmark. Only the police and prosecutors can access the content in the database. However, disclosure of information from the central criminal records register is possible to certain authorities, just as a person can apply for a certificate of his/her criminal record (which some workplaces request to apply for a job). Judges do not have access to the central criminal records register. The police and the prosecution have access to a special digital file that consists of former criminal convictions, personal information, mental examination, and if there are statements from the local authority and the authority of immigration. Judges do not have access to the special file, but they have access to a similar non-digital file. Besides the police and prosecution, it is not possible for others to access a de-fendant's special file. It is noted that the criminal records register system is from the seventies. The initial work related to the special file started in 2018. The special file is still in progress of being fully implemented. It is still not complete with all convictions, but new judgements are being put into the database continuously.

### 3.5.4 Writing assistance tools



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

Yes

No

Comment – if it exists in other matters please specify For civil/commercial cases the availability rate slightly decreased as we simply went through the different areas of use and the different patterns of uses and found that there were certain areas where we were not covered.

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

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

## 062-8. Are there voice recording tools?

Yes

No

Comments We had some testing of the quality of voice recognition and found that the software was unreliable in regards to the Danish language. We are again moving forward with this initiative.

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

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

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

### Availability rate:

100% - accessible to everyone in judiciary

50-99% - accessible for most judges/prosecutors in all instances

10-49% - in some courts only

1-9% - in one court only

0% (NAP) - No access

NA

Comments The Courts of Denmark has an internal site which all personnel including judges have access to. Please note that prosecutors are not employees of the Courts of Denmark.

## 3.5.5 Technologies used for administration of the courts and case management

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

Yes

No

Comments - if it exists in other matters please specify

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

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

Comment - If it exists in other matters please specify:

**063-2. Computerised registries managed by courts**

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

Comment – if it exists in other matters please specify:

## Budgetary and financial monitoring

### 063-6. Budgetary and financial management systems of courts

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

Comments

## Other tools of courts management

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

Yes

No

Comments Judges above: Danish Court Administration has chosen 10-49 %. It might be higher. The point is that on district courts, all judges either fill out how time is spend on a daily basis, or - for appointed judges - on a half-yearly basis. At some courts, the court has decided that the judges despite Danish Court Administration does not demand it, anyway fill out this daily information. At a High Court and Supreme court level this is not done though. So it is not an absolute. Therefor 10-49 %. Data are used by Danish Court Administration. It is up to the individual court, how they use and how closely they monitor the staff (Judges). The same counts for non-judge staff. Danish Court Administration has no data re prosecutor staff. Overall, there has not been changes to the systems that help assess how the workload is for public prosecutors but due to ongoing interest in how the workload is distributed – not only for the single employee but also the districts between – it is estimated that there has been an increase in the percentage. The workload is monitored in more general terms centrally through the Attorney General’s office and locally the districts/local prosecution monitor their prosecutors and the workload more closely. The estimate of 50-99% is therefore not an absolute but an estimate since there has been an increase in the focus on monitoring the workload.

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

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

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

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

Yes

No

Comments

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



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

Comments - if it exist in other matters please specify

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

Yes

No

Comments The Ministry of Justice De-partment of Civil Affairs has informed that the department has established a mandatory self-service solution for applications of legal aid. The digital solution has been available since 20th of December 2019. It became mandatory to use the digital solution for application of legal aid the 1st of June 2020 by administrative order no. 724 of 28th of May 2020 about legal aid. The Department of Civil Affairs can refrain from rejecting applications of legal aid that are submitted outside of the digital solution (e.g. per e-mail or by physical mail). The Department can also in exceptional circumstances grant exemption from using the self-service solution by request or at the own initiative of the Department of Civil Affairs. 50-99 percent of the received applications are received through the digital solution. When the applicant submits the case via the digital solution it is automatically registered in the Department's case handling system.

The cases are subsequently processed manually. The Department of Civil Affairs' verdict is send electronically to the applicant, unless the applicant have been exempted from digital post. It is only the application process that is digital.

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

	Requesting legal aid electronically
<b>Availability rate</b>	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

<b>Formalisation of the request in paper form remains mandatory</b>	( ) Yes ( X ) No [ ] NA [ ] NAP
<b>Specific legislative framework regarding requests for legal aid by electronic means</b>	( ) Yes ( ) No [ ] NA [ X ] NAP
<b>Granting legal aid is also electronic</b>	( ) Yes ( ) No [ ] NA [ X ] NAP
<b>Information available in CMS</b>	( ) Yes ( ) No [ ] NA [ X ] NAP

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

( X ) Yes

( ) No

Comments

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

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

Comments

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

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

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

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

Comments

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

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

Comments

**064-9. Are there online processing systems of specialised litigation (small claim litigation,**

undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?

Yes

No

Comments – Please describe the system that exists. Cases go through Civilsystemet.

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

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

Yes

No

Comments

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

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

Comments

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

Yes

No

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

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

**064-12. Is electronic evidence admissible?**

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

Comments - Other devices of electronic communication between courts, professionals and/or users none

**3.6. Performance and evaluation**

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

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

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

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

Yes

No

Comments

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

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

Comments

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

Yes

No

Comments

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of prosecutors and prosecution staff

satisfaction of prosecution staff

satisfaction of users (regarding the services delivered by the public prosecutors)

costs of the judicial procedures

clearance rate

disposition time

percentage of convictions and acquittals

other (please specify):time between preliminary charge and indictment

Comments We do not have performance indicators that measure length of proceedings directly. However, we measure them indirectly, since we have performance measures on the time from a case is given to the public prosecution until the case is resolved. Earlier we have interpreted this as an indirect measure of time-frames, but we have come to the conclusion that it is more correct to say, that we do not measure timeframes.

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

Comments - If "Less frequent" or "More frequent", please specify: Monthly, quarterly, half yearly and yearly.

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

Yes

No



Comments

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

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

Comments Half yearly weighted cases and productivity figures are worked out. These data are used to allocate resources and to find which court should have the next free judge position.

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

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

Comments

=

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

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court



External audit body

Other (please specify):Danish Court Administration

Comments

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

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify): .....

Comments

### **3.6.3 Measuring courts' / public prosecution services activity**

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

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

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):Weighted cases and overall productivity

Comments We value independence high. Therefore Danish Court Administration does not evaluate the performance or productivity of individual judges. We follow overall productivity and case flow though as that is used to allocate resources and to find the court most in need of vacant judge positions.

#### **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 The methodology of replying changed in this question.

The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There is no direct measure of disposition time, but it can be read from this report. Therefore we find it more correct to check this option. Satisfaction of the prosecution staff has always been measured but not by the ministry of justice. Therefore it was not checked last time. However, it is measured, and we therefore find it correct to check this option. The prosecution makes an annual survey on the satisfaction of the prosecution staff.

**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 Danish Court Administration is not doing it as a general thing. If a specific court needs help, Danish Court Administration can work out list of pending cases and list them according to age to give the court a tool to locate cases that need attention.

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

	Yes (If yes, please specify)	No
<b>within the courts</b>	<input checked="" type="checkbox"/> The individual courts may work out list of pending cases or warning lists when to act on a case.	<input type="checkbox"/>
<b>within the public prosecution services</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments Danish Court Administration is typically not doing this. A responsible court follow their cases though.

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

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

- Yes (please indicate the name and the address of this institution):Danish Court Administration
- No

Comments

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

- Yes, on the internet
- No, only internally (on an intranet website)
- No

Comments

=

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

- Yes (please indicate the name and the address of this institution): Director of Public Prosecutions
- No

Comments

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

- Yes, on the internet
- No, only internally (on an intranet website)
- No

Comments

=

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

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): It contains statistics of the court, i.e. incoming, finalized and pending cases. Comments on activities and important occurrences during the year that has gone.

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments A yearly report

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

- Annual
- Less frequent
- More frequent

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

### 3.6.5 Courts administration

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

### 3.6.6 Performance and evaluation of judges and public prosecutors

**083. Are there quantitative performance targets defined for each judge (e.g. the number of**

**resolved cases in a month or year)?**

( ) Yes

( X ) No

Comments

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

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

[ ] Legislative power

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

[ ] President of the court

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

[ X ] NAP

Comments

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

( ) Yes

( X ) No

Comments

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

( ) Annual

( ) Less frequent

( ) More frequent

=

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

( ) Yes

( X ) No

Comments

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

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

[ ] Prosecutor General /State public prosecutor

[ ] Public Prosecutorial Council

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

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

[ X ] NAP

Comments

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

Yes

No

Comments Public prosecutors go through intensive education for the first three years of them being recruited and this evaluation is structured centrally with HR at the Attorney Generals office. During that period they are individually being assessed through exams and through working with mentors. Thus they are continuously being assessed both centrally through exams as well as locally through the daily work that the mentor sees. Later in the career the assessment is not structured in such a way but all through their career the prosecutors are evaluated through their daily work and how they perform in court.

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

Annual

Less frequent

More frequent

Comments See response to 120: More frequent during the first three years of their career. Less frequent after that.

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

Sources: .

## 4.Fair trial

### 4.1.Principles

#### 4.1.1Principles of fair trial

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

[            ]

NA

NAP

Comments - Please add methodology for calculation used.

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

Yes

No

Comments - Please could you briefly specify:

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

[ ]  
[ X ] NA

Comments Chapter 5 of the Administration of Justice Act includes rules regarding when the judge can be seen as impartial, what the time limits are for the party to state the judge's impartiality and how the court must handle the statement. The rules also apply to lay judges, expert judges ect. Data is not available.

## 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):

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

( X ) Yes

( ) No

[ ] NAP

Comments

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

Sources: The Danish Court Administration Act art. 977. Link: <https://www.retsinformation.dk/eli/lta/2020/1445>

## 4.2. Timeframe of proceedings

### 4.2.1 General information

## 087. Are there specific procedures for urgent matters regarding:

[ ] civil cases

[ X ] criminal cases

[ X ] administrative cases

[ ] There is no specific procedure for urgent matters

Comments - If yes, please specify: Please note the general comments.

## 088. Are there simplified procedures for:

[ X ] civil cases (small disputes)

[ X ] criminal cases (misdemeanour cases)



administrative cases

There is no simplified procedure

Comments - If yes, please specify: Please note the general comments.

**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: No.

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

Yes

No

Comments - If yes, please specify:

**4.2.2 Case flow management – first instance**



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	153 654 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 774 689 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 795 569 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 774 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	28 176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 458 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 646 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	94 970 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 557 380 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 573 426 <input type="checkbox"/> NA <input type="checkbox"/> NAP	78 924 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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>	77 017 [ ] NA [ ] NAP	296 786 [ ] NA [ ] NAP	312 743 [ ] NA [ ] NAP	61 060 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	15 105 [ ] NA [ ] NAP	2 255 423 [ ] NA [ ] NAP	2 255 800 [ ] NA [ ] NAP	14 728 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	3 173 [ ] NA [ ] NAP	2 238 608 [ ] NA [ ] NAP	2 239 046 [ ] NA [ ] NAP	2 735 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	11 932 [ ] NA [ ] NAP	16 815 [ ] NA [ ] NAP	16 754 [ ] NA [ ] NAP	11 993 [ ] 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>	2 848 [ ] NA [ ] NAP	5 171 [ ] NA [ ] NAP	4 883 [ ] NA [ ] NAP	3 136 [ ] NA [ ] NAP	[ X ] NA [ ] 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>	30 508 [ ] NA [ ] NAP	176 381 [ ] NA [ ] NAP	176 685 [ ] NA [ ] NAP	30 204 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases. It fluctuates a lot depending on interest rates, loan rescheduling etc.

2.1. General civil (and commercial) non-litigious cases: The courts have successfully reduced the number of pending cases.

As concerns "2.2.2. Non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. The courts received many extra backlogged cases from the Danish Commerce and Companies Agency reinforced closure of companies that were still backlogged in the early 2020. The courts were closed for 3 weeks except for vital cases and government assistant to companies helped them and reduced bankruptcies and closures of companies that would normally have happened.

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

. Paternity, adoption, guardianship and others in the same category; cases under inquisitorial procedures.

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

. Estate after a deceased person, notary, insolvency cases not included under 2.2.2. above.

**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>	19 143 [ ] NA [ ] NAP	162 899 [ ] NA [ ] NAP	155 064 [ ] NA [ ] NAP	26 978 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	9 781 [ ] NA [ ] NAP	26 889 [ ] NA [ ] NAP	22 648 [ ] NA [ ] NAP	14 022 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	9 362 [ ] NA [ ] NAP	136 010 [ ] NA [ ] NAP	132 416 [ ] NA [ ] NAP	12 956 [ ] 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 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.



**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>	2 466 [ ] NA [ ] NAP	5 271 [ ] NA [ ] NAP	5 177 [ ] NA [ ] NAP	2 560 [ ] 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>	2 466 [ ] NA [ ] NAP	5 271 [ ] NA [ ] NAP	5 177 [ ] NA [ ] NAP	2 560 [ ] 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>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "Other cases" please specify

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2+3)</b>	2 114 [ ] NA [ ] NAP	6 000 [ ] NA [ ] NAP	5 857 [ ] NA [ ] NAP	2 257 [ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	2 114 [ ] NA [ ] NAP	6 000 [ ] NA [ ] NAP	5 857 [ ] NA [ ] NAP	2 257 [ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>3. Other cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

#### 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>	156 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	197 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	207 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	146 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	156 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	197 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	207 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	146 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.3. Other registry cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2.3. Other non-litigious cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases", please specify

### 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 Manifest inadmissibility would be cases that:

- Denmark had no jurisdiction in the matter
- The part did not pay the fee to the court
- summary of the case was not given to the court in due time
- Appeals Permission Board had not granted permission for the case to be appealed
- The Supreme Court has not granted permission to appeal cases from the Maritime and Commercial Court. We are not able to extract the exact number at this time. This is due to a new system in the Supreme Court.

### 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>	35 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	62 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	35 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	62 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other criminal cases</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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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



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

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
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<b>Litigious divorce cases</b>	1 734 [ ] NA [ ] NAP	7 239 [ ] NA [ ] NAP	7 013 [ ] NA [ ] NAP	1 960 [ ] 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>	10 184 [ ] NA [ ] NAP	7 707 [ ] NA [ ] NAP	9 873 [ ] NA [ ] NAP	8 018 [ ] 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 Litigious divorce cases: The reason for the discrepancies is a new system to deal with Family cases from April 2019 that gave more cases in 2020.

Insolvency cases: There was a market increase in the number of bankruptcy cases at the Maritime and Commercial Court in 2020 compared to 2018 following a number of backlogged forced closures of companies in 2019 by the Danish Commerce and Companies Agency.

Employment dismissal cases, robbery cases and intentional homicide cases are not registered under these categories in the case registration system. Employment dismissal cases are just civil cases, and the two criminal cases are registered under criminal cases.

=

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

	<b>Pending cases on 1 Jan. ref. year</b>	<b>Incoming cases</b>	<b>Resolved cases</b>	<b>Pending cases on 31 Dec ref. year</b>	<b>Pending for more than 2 years</b>
<b>Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	596 [ ] NA [ ] NAP	615 [ ] NA [ ] NAP	755 [ ] NA [ ] NAP	293 [ ] NA [ ] NAP	12 [ ] NA [ ] NAP
<b>Non-court procedures relating to the right of entry and stay for aliens</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments Regarding question 1: Be aware that the numbers include reopened cases. This corresponds in Pending cases on 1. Jan. ref. year to 596 cases in which 19 of these are pending reopened asylum cases. In Incoming cases to 599 cases in which 77 of these are incoming reopened asylum cases (reopened from the decision of the refugee appeals board.) In Resolved cases to 906 in which 50 of these are resolved reopened asylum cases. And in Pending cases on 31. Dec. ref. year to 293 cases in which 30 of these are pending reopened asylum cases. Regarding question 2: The Danish Refugee Appeals Board does not issue decisions regarding these issues and therefore does not have the relevant data. Regarding question 3: The decisions of the Refugee Appeals Board in asylum cases according to

law are final, why the courts do not have the competence to review those decisions. Regarding question 5: See the comments above. The horizontal consistency in the table is not ensured because the system is a registration and case management system and not a statistical system, therefore the calculations obtained from the system are subject to uncertainty. Furthermore, the calculations are based on dynamic data.

### **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:**

1. General Description of the Asylum System (types of procedures and instances). The appeal system in asylum cases is two-tiered. The Immigration Service is the first instance responsible for assessing a claim for asylum and the Refugee Appeals Board is the second instance. If the Immigration Service rejects an application for asylum, the rejection occurs according to one of two different procedures. Most cases are decided according to the so-called normal procedure. This means that, if the asylum applicant is rejected, the case is automatically referred to the Refugee Appeals Board. A minority of cases are considered manifestly unfounded and decided in an accelerated procedure. This occurs when the Immigration Service assesses that the applicant clearly cannot be granted asylum in Denmark. If The Danish Refugee Council which is a private, independent humanitarian organisation (NGO) agrees with the Immigration Service, the application will be rejected without contest. The asylum applicant cannot appeal this decision. On the other hand, if the Danish Refugee Council disagrees, the Immigration Service will generally still reject the application, but will nevertheless refer the matter to the Refugee Appeals Board for a final decision. Regardless of the procedure, the asylum seeker has the right to remain in Denmark until the Refugee Appeals Board has determined the outcome of the case (suspensive effect). The asylum seeker is appointed an attorney when the case is pending before the Refugee Appeals Board. The lawyer's fee is subject to the rules applying when legal aid is granted.

2. Competences of the Authorities involved in review and appeal (as laid down in national legislation). The Refugee Appeals Board is a quasi-judicial body. The members of the Board are independent and may not accept or seek directions from anyone including the appointing or nominating authority or organisation. The Board is considered to be a court within the meaning of article 46 of Directive (2013/32/EU) of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection concerning the right for asylum seekers to have their case examined by court or tribunal. Asylum cases are heard by a board consisting of three members. The chairman must be an appointed judge. One member is appointed by the Ministry of Immigration and Integration, and one member is appointed upon nomination from the Council of the Danish Bar and Law Society. In the accelerated procedure the cases are as a main rule decided by the appointed judge only. When assessing an application for asylum the Board has the full competence in assessing the facts and the points of law. The competences of the Refugee Appeals Board comprise cases where the Immigration Service has refused an application for a residence permit for an alien who claims to fall within section 7 (1) (The Convention relating to the Status of Refugees of 28 July 1951) or section 7 (2) (subsidiary protection – risk of death penalty, torture or inhuman or degrading treatment or punishment) or 7 (3) (temporary protection). For the Refugee Appeals Board to consider the conditions for a residence permit under section 7(1) of the Aliens Act to be fulfilled, the general criterion is that it may be feared that the person in question will be subjected to specific and individual persecution of some severity or a risk thereof in case of return to his country of origin. The wording of section 7 (2) is close to the wording of Article 3 of the European Convention on Human Rights. It appears from the explanatory comments to section 7(2) that it is presupposed that the immigration authorities will comply with the case law of the European Court of Human Rights in the field when applying the provision and that Denmark in addition to the provisions of the European Convention on Human Rights has an obligation to respect a number of other conventions of relevance to the provision. Furthermore it appears from the comments that a residence permit under section 7(2) cannot be granted with reference alone to a generally chaotic situation or a state of civil war in the country of origin. According to its practice, the Refugee Board will generally consider the conditions for issuing a residence permit under section 7(2) to be fulfilled when there are specific and individual factors rendering it probable that the applicant will be exposed to a real risk of the death penalty or of being subjected to torture or inhuman or degrading treatment or punishment in case of return to his country of origin. Pursuant to section 7(3) of the Aliens Act, a residence permit can be issued in cases falling within section 7(2) of the Aliens Act if the alien's risk of the death penalty or of torture or inhuman or degrading treatment or punishment is based on a particularly serious situation in his or her country of origin characterized by arbitrary violent attacks and ill-treatment of civilians. The determination as to whether an alien falls within the scope of section 7(2) or within the scope of section 7(3) of the Aliens Act must be based on an assessment of whether the relevant



alien's personal circumstances give rise to protection under section 7(2), or whether the situation in his or her country of origin falls within the description given in section 7(3) and the alien is considered to be affected by that situation. As an overall rule, a general situation of violence and a mere risk of ill-treatment because of an unstable situation or a general situation of violence in an asylum-seeker's country of origin does not independently justify protection. Protection is justified only in the most extreme cases of general violence where there is a real risk of ill treatment simply by virtue of an individual being exposed to such violence on return. Pursuing to section 56 (8) of the Danish Aliens Act Board decisions are final, which means that Board decisions are not subject to judicial review. This has been established before the Supreme Court. The judgements in these cases have concluded that the Board is an expert board of a quasi-judicial nature and that deliberations of the courts are limited to points of law. 3. Brief description of the proceedings before the authorities involved in review and appeal. With exception of cases in the accelerated procedure proceedings at the Board hearings concerning applications for asylum are in general oral. The hearing is normally attended by the asylum-seeker, the attorney, an interpreter and a representative of the Immigration Service. During the hearing the asylum-seeker is normally questioned by the attorney at first and hereafter by the Immigration Service. The Refugee Appeals Board may also ask questions. Then the attorney and the representative of the Immigration Service have an opportunity to present their legal arguments and afterwards the asylum-seeker may make a final statement. After the deliberations of the Board, a written decision is drafted, reproducing the information available in the case and the decision of the Board with its grounds. Normally, the Board decision will be served on the asylum-seeker in direct continuation of the Board hearing, and at the same time the chairman will give a brief explanation of the decision made.

## 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>	69 [ ] NA [ ] NAP	134 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	88 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>Child pornography</b>	285 [ ] NA [ ] NAP	364 [ ] NA [ ] NAP	291 [ ] NA [ ] NAP	278 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Information about the number of pending cases on Jan 1st and Dec 31st is not available. Therefore, the numbers regarding pending cases on January 1st, are from January 4th 2020 instead. The numbers regarding pending cases on December 31st, are from January 2nd 2021. The statistics above relate to the numbers of cases. There may be more than one count of child sexual abuse and/or child pornography in a given case. The statistics regarding "Child sexual abuse" relate to the following violations of the Danish Criminal Code:

- Section 216 (2): A penalty for rape is imposed on any person who has sexual intercourse with a child under 12 years of age.
- Section 225, cf. section 216 (2): A penalty for rape is imposed on any person who has sexual activity other than sexual intercourse with a child under 12 years of age.
- Section 222: Sexual intercourse with a child under 15 years of age.
- Section 225, cf. section 222: Sexual activity other than sexual intercourse with a child under 15 years of age.

The statistics regarding "Child pornography" relate to violations of the Danish Criminal Code:

- Section 235 (1 & 2): Distribution and possession of pornographic photographs, films or other pornographic visual reproductions or similar recordings of persons under 18 years of age. The horizontal consistency in the table is not ensured because the system is a registration and case management system and not a statistical system, therefore the calculations obtained from the system are subject to uncertainty. Furthermore, the calculations are based on dynamic data.

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

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Max numeric value allowed : 100 9 [ ] NA [ ] NAP	235 [ ] NA [ ] NAP	193 [ ] NA [ ] NAP	183 [ ] NA [ ] NAP	253 [ ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Max numeric value allowed : 100 11 [ ] NA [ ] NAP	99 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	73 [ ] NA [ ] NAP	107 [ ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP
<b>Insolvency cases</b>	_____ Max numeric value allowed : 100 0 [ ] NA [ ] NAP	408 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	408 [ ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP
<b>Robbery cases</b>	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP
<b>Intentional homicide cases</b>	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100 [ X ] NA [ ] NAP

Comments The decrease of the average length of litigious divorce cases at all instances is due to the fact that there is a new procedure where many divorce cases are no longer dealt with by the court but are referred to an administrative set-up (Familiaretshuset) to deal with. The data concerning employment dismissal, robbery and intentional homicide cases are not available for the following reasons: Employment dismissal would be characterized as an ordinary civil case or maybe a minor case. There are some predefined subjects that can be marked for statistical reasons, but this does not include employment dismissal. The other two categories are criminal cases, robbery cases and intentional homicide. The way they are registered would be how the courts deal with them, i.e. a fine case, a jury case, but not what the case is all about. It is done this way to measure resources spent on the case. The National Police in Denmark might register it though.

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

. Short description on the divorce system: In Denmark, the handling of all matrimonial matters starts at the State Administration. Spouses wishing to separate or divorce must apply to the State Administration and pay a fee for the processing of the application. If the spouses disagree on the terms of the separation or divorce, they must attend a meeting to negotiate terms. An fee applies to such a meeting. The State Administration may refer a separation or divorce case to the courts if we believe that the separation or divorce and its terms are questionable. Further information in English can be found on the webpage of the State Administration:  
<https://www.statsforvaltningen.dk/site.aspx?p=6388>

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

. With regard to divorce cases, 1st instance is one weighted average figure from the district courts. Similarly is average length in 2nd instance the weighted average figure of the two high courts. The average total length is the weighted average figure of the district courts added with the weighted average figure of the two high courts multiplied with the percentage these cases is of the number of finished cases in the district courts. Insolvency cases are weighted between district courts and Maritime and Commercial High Court. Included are bankruptcy cases and reconstruction cases.

**4.2.6 Case flow management – public prosecution**



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

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

Comments

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify: No.

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

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	60 656 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Incoming/received cases</b>	223 459 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	420 204 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	207 165 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	769 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.4 Discontinued for other reasons</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	47 560 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.3.Cases closed by the public prosecutor for other reasons</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3.4.Cases brought to court</b>	165 479 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	61 014 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors. The data source used in points 1 and 4 (data that do not include post-registration of charges) are different from the data source used in points 2 and 3 (data that includes post-registration of charges). Hence, data does not fit the formula: (pending at the beginning of the year + incoming) – resolved = pending at the end of the year) due to post-registrations of further charges. The number of incoming charges has decreased considerably between

2018 and 2020. This is due to a change in the way we measure the number of incoming charges. The new way of measure incoming cases more correctly than the previous way of measuring as the new way contains all incoming charges and not all processed charges as the previous way did. The number of incoming cases in 2018 is 245.687 when using the new way of measuring.

**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>	28 468 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Before the main trial</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>During the main trial</b>	28 468 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments The discrepancy is due to the method of calculation. In 2018 the answer covers the number of complexes of cases, and the answer in 2020 covers the number of counts (measured by charges per person). In 2020 the number om number of complexes are 3.449.

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

( ) Yes

( X ) No

Comments

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

Sources: The above numbers are substracted from the casefile system of the Danish Police (POLSAS). Therefore, the numbers are encumbered with certain uncertainties.

**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?**

[ ] mainly through a competitive exam (open competition)

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

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

[ X ] other (please specify): See general comment.

Comments

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

**recruited and nominated by:**

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

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

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

	Total	Male	Female
<b>Members</b>	6	3	3
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

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

- Yes
- No

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

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

- Yes
- No

Comments

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

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

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

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

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

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

**5.1.2 Status, recruitment and promotion of prosecutors**



## 115. What is the status of public prosecution services?

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

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify. The Public Prosecution Services in Denmark is part of the executive power and in practice enjoys functional independence. According to the Administration of Justice Act, The Prosecution Services is under the authority of the Danish Ministry of Justice. The Minister of Justice may issue instructions to Prosecutors concerning individual cases. However, the Ministers of Justice have been very reluctant to issue instructions in accordance with this section and the provision was last used in the 1990s.

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - Please describe these exceptions:

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

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

Comments - If "Other", please specify: The Minister of Justice

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

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

Comments - If "Other", please specify:

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

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

Comments - If "Other", please specify:

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

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

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

- Yes
- No
- NAP

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

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

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

Comments Recruitment happens based on a competitive exam but for this cycle we have also focused more on recruiting people with more work experience. This partly due to the fact that we need more public prosecutors on a very competitive work market but also because we wish to attract people with work experience that can be beneficial to us.

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

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

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



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

	Total	Male	Female
<b>Members</b>	11	1	10
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

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

Yes

No

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

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

Yes

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

Comments Promotion can happen both centrally through HR at Attorney Generals office or locally within the districts.

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

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

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

**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):Only at the Supreme Court.
- 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:None.
- 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):3
- No

Comments They have to pass an exam after three years of employment and training.

There is no change to the cycle as the public prosecutors have to pass an exam after a period of time – it could well be that the interpretation of the question has changed as the process has not. If they don't pass they will have to redo the exam.

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

- [ ]
- NA
- NAP

Comments

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

- Yes
- No
- NAP

Comments

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

[ ]

[ ] NA

[X] 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: Regarding judges: The Administration of Justice Act and The Danish Constitution.

Regarding prosecutors: The Administration of Justice Act

## 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>	( ) Yes ( X ) 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>	( X ) Yes ( ) 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

Comments In general The Danish Court Administration offers on a yearly basis approx. 250 different sessions/seminars. Due to the Covid-19 pandemic the offer of training activities became strongly decreased however the initial training for our deputy judges were considered critical for the performance in the courts so these training activities continued as best as possible.

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

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

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

## 5.2.2 Training of prosecutors

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

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

<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
--	---------------------	---------------------	---------------------

Comments Regarding ethics and child friendly justice - These are incorporated in courses where relevant. Ethics is a special part of the initial training as well.

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

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

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

## 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>	[ ]	[ ]	[ X ]
<b>Institution(s) for prosecutors</b>	[ ]	[ ]	[ X ]
<b>Institution(s) for both judges and prosecutors</b>	[ ]	[ ]	[ ]

Comments

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

	Budget of the institution(s) for the reference year, in €
Institution(s) for judges	1 380 000 [ ] NA [ ] NAP
Institution(s) for prosecutors	950 000 [ ] NA [ ] NAP
Institution(s) for both judges and prosecutors	[ ] NA [X] NAP

Comments Regarding prosecutors: The budget for 2020 is approximately 950.000 euro (948.379 euro).

Regarding judges: The Danish Court Administration receives a budget of approx. 1.380.000 EURO per year for training. This budget is for training of all personnel groups at the Courts of Denmark. The latter employ approx. 2.300 staff including 380 appointed judges.

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

. All prosecutor trainees must attend an obligatory training programme of nine courses over a period of three years. In parallel with the courses there is a practical training in the local police district.

## 5.2.4 Number of trainings

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

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
Total	[X] NA [ ] NAP	[X] NA [ ] NAP	[X] NA [ ] NAP
1. For judges	14 [ ] NA [ ] NAP	36 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
2. For prosecutors	27 [ ] NA [ ] NAP	27 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
3. For other non-judge staff	26 [ ] NA [ ] NAP	46 [ ] NA [ ] NAP	33 [ ] NA [ ] NAP
4. For other non-prosecutor staff	6 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	[X] NA [ ] NAP

<b>5. Training for other professionals</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. In regards to prosecutors: Due to COVID-19 the number of training courses available was significantly lower in 2020 than surrounding years. The Danish Court Administration is responsible for the training of all personnel groups at the Danish Courts. In 2020, we planned 220 training activities and due to Covid-19 we only executed 74 different courses, seminars and online training. Initial training activities were prioritized during the pandemic. In total 1.836 participants attended the 74 different courses and seminars in 2020. Please note that we are not able to differ between judges and deputy judges in our data and to some extent it is possible that judges and deputy judges also participated in some of the training activities noted under 3. for other non-judge staff. Please note that we are also not able to differ between non-judges and other professionals, which is why we cannot apply data in regard to number 5.

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

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
<b>Total</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Judges</b>	296 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Prosecutors</b>	618 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-judge staff</b>	965 <input type="checkbox"/> NA <input type="checkbox"/> NAP	515 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-prosecutor staff</b>	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other professionals</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Please note that from the Danish Court Administration we are not able to differ between judges and deputy judges in our data and to some extent it is possible that a number of judges and deputy judges therefore also figures in some of the training activities noted under "3. for other non-judge staff".

Please note that we are also not able to differ between non-judges and other professionals, which is why we cannot apply data in regard to number 5.

## 5.3.Practice of the profession

### 5.3.1Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
<b>First instance professional judge at the beginning of his/her career</b>	122 545 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	911 501 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	236 387 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 758 256 <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	48 322 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	360 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	<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

### 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

NAP

=

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

	With remuneration	Without remuneration
Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



<b>Arbitrator</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Consultant</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Cultural function</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Political function</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Mediator</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other function</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

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

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: Assessed on a case-by-case basis.

### 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

( X ) No

Comments - If yes, please specify the conditions and if possible the amounts:

### 5.3.2 Body/institution of ethics

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

Yes

No

Comments There are no institutions/bodies dedicated to giving opinions on ethical questions of the conduct of judges. If a judge behaves improper or unseemly, the court president can issue a warning to the judge in question. The warning can be appealed to The Special Court of Indictment and Revision.

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

Only judges

Judges and other legal professionals

Other, please specify: .....

Comments

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

Yes

No

NAP

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

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

Yes

No

Comments

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: The Danish Parliamentary Ombudsman is a law graduate and is elected by the Danish Parliament to investigate complaints about the public ad-ministration. The Parliamentary Ombudsman employs about 100 staff members.

Comments

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

Yes

No

NAP

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

**5.4. Disciplinary procedures**

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



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

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

Comments

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

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

Comments For this cycle, the options selected are Head of the organisational unit, Prosecutor general and Independent Police Complaints Authority. A disciplinary case can be initiated by a local district contacting the central HR with Attorney General. In previous cycles, the question was understood in the way that it was about who could contact the Attorney General’s office to start the case. It is however only the Attorney General’s office that has the authority to deal with the proceedings of a disciplinary case. For the same reason, the option “other” was selected in the previous cycles.

**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 The Special Court of Indictment and Revision.

**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):Ministry of Justice

Comments

**5.4.2Number 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>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" 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>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Position downgrade</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>8. Resignation</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>9. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>10. Dismissal</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Sources: -
------------

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1Status of the profession of lawyers



**146. Total number of lawyers practising in your country:**

	Total	Male	Female
Number of lawyers	6 870 <input type="checkbox"/> NA	4 302 <input type="checkbox"/> NA	2 568 <input type="checkbox"/> NA

Comments

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

Yes ( )

No ( X )

Comments

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

[ ]

NA

NAP

Comments

=

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

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

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

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

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

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): The Ministry of Justice can allow that employees in certain civil society organisations can represent a client in the first instance in cases concerning work etc. According to the Danish Administration Act art. 260 (6) a civil society organisation is only allowed to represent a client in court in the first instance court. Forbrugerombudsmanden (the consumer ombudsman) can represent clients in certain cases in both the first and second instance. Family members and self-representation: Self-representation or representation by certain family members is always possible.

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

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

Comments

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

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

Comments

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

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

Comments

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

Yes

No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: The Danish Administration of Justice Act

**6.1.2 Practicing the profession**



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

Yes

No

Comments

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

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments



## 6.1.3 Quality standards and disciplinary procedures

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

Yes

No

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

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

the bar association

the Parliament

other (please specify): .....

Comments

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

the performance of lawyers

the amount of fees

Comments - Please specify:

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

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments The legal basis for handling disciplinary proceedings against lawyers is found in section 126 and 147 b (1) of the Administration of Justice Act. Hence, the Disciplinary Board shall decide complaints whether a lawyer, a professional corporation of lawyers or a co-owner of a professional corporation of lawyers has violated the rules of professional conduct. In complaints concerning conduct, The Disciplinary Board may provide the lawyer with a reprimand or a fine (sanction). The Disciplinary Board can also disbar a lawyer who has grossly or repeatedly disregarded his duties as a lawyer, where the behavior in question gives reason to believe that the lawyer will not practice law in a sound manner in the future. It's also possible to disbar temporary or conditionally. Please note that the form below does not apply to the structure of the case handling within the The Disciplinary Board. The total number of received disciplinary proceedings in 2020 can be divided into the following: 1) complaints on code of conduct 2) complaints regarding both code of conduct and legal fees and 3) cases concerning resumption.

### 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>	754 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2. Professional inadequacy</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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>	179 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	134 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. It should be noted, that it is not possible to provide the exact number of cases concerning resumption which are only dealing with complaints on code of conduct. Hence, the number is put in parenthesis below.

The Disciplinary Board publishes statistics in a yearly report. The most recent report is from 2020.

7 disbarments (3 of them conditionally).

## 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Labour cases including employment dismissals</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Consumer cases</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments Please note the general comments.

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

Yes

No

NAP

Comments - If yes, please specify (only one or both options):: The rules on legal aid are to be found in chapter 31 of the Danish Administration of Justice Act. Legal aid is given to a specific claim in a specific civil case. Legal aid can be given both in already raised cases and before the case is raised before the courts. If there is mediation in the cases, the grant of legal aid will - in general terms - include the possible costs connected to the mediation. The courts will determine whether the costs are included in the granted legal aid.

=

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

	Total	Males	Females
Number of mediators	143 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments The number of registered attorneys who are appointed to serve as mediators in court mediation in 2020 is 53. The number of registered judges who serve as mediators in court mediation in 2020 is 90.

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

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total ( 1 + 2 + 3 + 4 + 5 + 6)	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
1. Civil and commercial cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
2. Family cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
3. Administrative cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
4. Labour cases including employment dismissal cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
5. Criminal cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
6. Consumer cases	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please indicate the source: Data is not available.

=

**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: The Danish Administration of Justice Act chapter 26 og 27 Link: <https://www.retsinformation.dk/eli/Ita/2020/1445>

## 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>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
<b>1. Private professionals under the authority (control) of public authorities</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. Enforcement agents working in a public institution (civil servants paid by state)</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. Judges</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. Other</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 - If other, please specify their status and competences: In Denmark there are 24 enforcement courts, however The Danish Court Administration does not have information regarding the total number of enforcements agents employed by the Danish Courts or the gender of the enforcement agents.

##### 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: It is stipulated in article 19(3) in the Danish Administration of Justice Act that the president of the court can decide that 'other people' can be competent of decision making in certain types of enforcement cases. Other people will usually be office-educated people without legal training. Office-educated people are limited to decision making in cases where no dispute is to be settled or any legal assesment is to be made. If the case requires legal assesment then the case will be handled by an assistant jugde, court assessor or legal enforcement agent.

##### 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: .....
- No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The enforcement agents in Denmark are not appointed to the courts. They are court employees. Enforcement agents can be either lawyers (jurists) or they can be court staff with a specific certification to handle certain types of enforcement cases. The enforcement agents are not appointed to office for an undetermined period of time. However, employed lawyers at the courts enjoy extended protection in the event of an unsolicited dismissal (Administration of Justice Act 54a). Cases of unsolicited dismissal will be handled by the Special Court of Appeal.

## 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	( ) Yes ( X ) No	( X ) Yes ( ) No
Cohabitant	( ) Yes ( X ) No	( X ) Yes ( ) No
Employer	( ) Yes ( X ) No	( X ) Yes ( ) No
Motor vehicle	( ) Yes ( X ) No	( X ) Yes ( ) No
Movable property	( ) Yes ( X ) No	( X ) Yes ( ) No
Immovable property	( ) Yes ( X ) No	( X ) Yes ( ) No
Bank account	( ) Yes ( X ) No	( X ) Yes ( ) No
Other enforcement proceedings underway	( X ) Yes ( ) No	( X ) Yes ( ) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	( X ) Yes ( ) No	( X ) Yes ( ) No
Other	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

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

Option

<b>Seizure of movable tangible 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 movable tangible 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>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 checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input 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 type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" 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 checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input 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 checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Sale of shares</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input 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 type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" 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: No.

### **8.1.4 Fees**

**174. Are enforcement fees easily established and transparent for parties?**

- Yes

No

Comments On October 1st 2021, a new regulation concerning court fees will enter into force. Currently the court fees are determined as a percentage of the value of the case. The new regulation will replace this with fixed court fees. The new regulation will secure transparency for both citizens and authorities.

**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 Please note the answer to question 175-2.

**H0. Please indicate the sources for answering the questions in this part**

Source: The Danish Administration of Justice Act chapter 30.

**8.1.5 Organisation of profession and efficiency of enforcement services**



**177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?**

Yes

No

Comments

**178. Which authority is responsible for supervising and monitoring enforcement agents?**

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

**181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?**

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

**183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.**

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify): .....

Comments

**185. Is there a system measuring the length of enforcement procedures:**

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

**186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):**

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify): .....

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>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. For breach of professional ethics</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. For professional inadequacy</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. For criminal offence</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify: The number of disciplinary proceedings initiated against enforcement agents is not available because it is not statistically registered as a database information.

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

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Source: Q 186: The estimation is carried out by a staff member of the Danish Court Administration who used to be judge at a court.

## 8.2. Execution of decisions in criminal matters

### 8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

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

- Yes
- No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	<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>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>	<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>3. Civil servants (paid by the State)</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. 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: .....
- no, please specify the duration of the appointment: .....

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

**9.1.2 Activities/scope of competences**

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

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

<b>Legalisation of signatures / Apostille</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Legality control of documents</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Taking of oaths</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<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 type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" 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 type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" 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 type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public auctions</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
---	--

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

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

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

Comments

**9.1.3 ICT, organisation of the profession and training**

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

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

Comments

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

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) .....
- None

Comments

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

- Yes
- No

Comments - If yes, please specify:

**194-6. In which computerised registries can notaries modify data (either directly or by submitting**



an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
<b>Land registry</b>	( X ) Yes ( ) No <input type="checkbox"/> NAP	( X ) Yes ( ) No <input type="checkbox"/> NAP
<b>Business registry</b>	( ) Yes ( X ) No <input type="checkbox"/> NAP	( ) Yes ( X ) No <input type="checkbox"/> NAP
<b>Civil status/ Population registry</b>	( ) Yes ( X ) No <input type="checkbox"/> NAP	( ) Yes ( X ) No <input type="checkbox"/> NAP
<b>Succession / Family law registry</b>	( X ) Yes ( ) No <input type="checkbox"/> NAP	( X ) Yes ( ) No <input type="checkbox"/> NAP
<b>Any other registry (please specify)</b>	( ) Yes ( X ) No <input type="checkbox"/> NAP	( ) Yes ( X ) No <input type="checkbox"/> NAP
<b>None</b>	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP

Comments It is possible for notaries to digitally modify and register data at the website [www.tinglysning.dk](http://www.tinglysning.dk). (land registry)  
Furthermore it is possible for notaries to register and modify a power of attorney at the website.

#### 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 <https://www.tinglysning.dk/m/>

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

- ( X ) Yes
- ( ) No

Comments

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

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify): .....

Comments

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

- Yes
- No

Comments

**196-2. Do notaries have training on:**

	Yes	No
European law	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Sources: -

**10. Court interpreters**

**10.1. Details on profession of court interpreter**

**10.1.1 Status of court interpreters**

**197. Is the title of court interpreters protected?**

- Yes
- No

Comments The title of interpreters is no longer a protected title.

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

- Yes

No

Comments

### 199. Number of registered court interpreters:

2 496 ]

NA

NAP

Comments The National Police maintains a list of interpreters. At present, the list contains 2496 interpreters. The courts are not obliged to use interpreters from the list of the National Police.

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

Yes

No

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

### 201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters .....

Comments

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

Sources: List of court interpreters: [https://intranet.domstolene.dk/sites/TolkeDB/SitePages/Startside.aspx#InplviewHashc04ea7e8-ce8a-4286-8f4d-73eb9415ec1c=Paged%3DTRUE-p\\_ID%3D13877-PageFirstRow%3D1111](https://intranet.domstolene.dk/sites/TolkeDB/SitePages/Startside.aspx#InplviewHashc04ea7e8-ce8a-4286-8f4d-73eb9415ec1c=Paged%3DTRUE-p_ID%3D13877-PageFirstRow%3D1111)

Danish Administration of Justice Act article 149

Link: <https://www.retsinformation.dk/eli/lta/2020/1445>

## 11. Judicial experts

### 11.1. Profession of judicial expert

#### 11.1.1 Status of judicial experts

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

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

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify Children's expert

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 <https://domstol.dk/selvbetjening/blanketter-og-vejledninger/sagkyndige/>

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

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

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

Yes, for how long 4 years

No

Comments

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

Yes

No

Comment - If yes, please specify in which cases:

## 203. Is the title of judicial experts protected?

Yes

No

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

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

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

**204. Is the function of judicial experts regulated by legal norms?**

- Yes
- No

Comments

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

- Yes
- No

Comments - If yes, please specify:

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

	Total	Male	Female
<b>Number of experts</b>	499 <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 The numbers include both the expert judges in regular cases and in cases regarding smaller claims and children's experts. Number of judicial experts divided by male and female cannot registered and collected.

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

	Number of cases
<b>Total (1+2+3+4)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments

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

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

Comments - If other, please specify: The Court Administration (the Administration of Justice Act article 93(7). The court sets the remuneration with regard to technical experts and the Court Administration sets the remuneration for children experts.

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

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

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: The Administration of Justice Act article 93 states that the ones appointed as judicial experts must have in-depth and practical knowledge of the relevant field.

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

Yes

No

If yes, please specify:

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

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments No.

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

Sources: Most of the information can be found on [www.domstol.dk](http://www.domstol.dk).

## 12.Reforms in judiciary

### 12.1.Foreseen reforms

#### 12.1.1Reforms

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

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

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

#### 208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The current budget for the Danish prison and probation service covers the period from 2018 to 2021.

**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:

**208-4. Access to justice and legal aid**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

**208-5. High Judicial Council**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

**208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

**208-7. Gender balance**



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

Comments - If yes, please specify:

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

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

Comments - If yes, please specify:

### **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:

## 208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The current budget for the Danish prison and probation service covers the period from 2018 to 2021. In the fall of 2021 the Danish parliament will negotiate a new multi-annual agreement regarding the budget and priorities of the Danish Prison and Probation Service for the period from 2022-2025.

## 208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## 208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## 208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Danish Ministry of Justice has an ongoing process of modernizing the IT systems to establish a more digital foundation of the general IT structure.

## 208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: