



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 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. The user manual is accessible in the "Documentation" tab of the application.

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

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[7 000 039]

Comments

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	20 203 961 806 [] NA [] NAP
Regional / federal entity level (total for all regions / federal entities)	3 655 960 504 [] NA [] NAP

Comments The observed upward trends in spending at state level and especially in regional level for the period 2016-2018 are linked, on the one hand, to the increased expenditure for important priority areas in expenditure policies such as the area of education and the social sphere. In 2018, another step was taken in meeting the priority of the Government Program of the Government of the Republic of Bulgaria for the period 2017-2021 for the gradual increase of the salaries of the teaching staff in the secondary education system, which leads to an increase of 27% staff costs compared to 2016. The growth of the capital expenditures of the municipalities related to regional investments and projects, as well as the costs for reconstruction and repair of municipal road infrastructure was also reported. The acceleration in the absorption of EU programs and funds in 2018, compared to the previous two years, also contributes to the increase in expenditures.

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

[7 855]

Comments NSI data

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

[6 964]

[] NA

Comments NSI data

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

[1.95583]

Allow decimals : 5

[] NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: Question 1: Population as of 31.12.2018. Source: National Statistical Institute

Question 2: Ministry of finance

Question 3: Preliminary data. Source: NSI

Question 4: 2018 Preliminary data. Source: NSI, establishment survey on number of employees, wages and salaries and other labour costs

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 budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	177 509 413 [] NA [] NAP	175 844 368 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	144 980 332 [] NA [] NAP	145 241 016 [] NA [] NAP
2. Annual public budget allocated to computerisation	293 540 [] NA [] NAP	293 124 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	2 065 000 [] NA [] NAP	2 058 702 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	10 311 021 [] NA [] NAP	10 169 744 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	0 [] NA [] NAP	0 [] NA [] NAP
6. Annual public budget allocated to training	29 993 [] NA [] NAP	28 732 [] NA [] NAP
7. Other (please specify)	19 829 527 [] NA [] NAP	18 053 050 [] 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: In line “Annual public budget allocated to computerisation” the data in columns “Approved budget” and “Implemented budget” are significantly lower than the figures given when filling in the questionnaire in 2018, with reference year 2017, due to the fact that in 2017 369823 Euros were provided for and spent for the computerization of the new building for the needs of the Regional Court of Sofia and 691350 Euros – for the purchase of computer equipment for the needs of the courts, paid at the expense of the SJC’s budget. Computerization of a whole building in 2018 was not carried out, nor was a centralized delivery of computer equipment for the needs of the courts due to the replacement in 2017 of a significant part of the depreciated and obsolete equipment.

As can be seen from the figures mentioned above, the data regarding computerization in 2018, the Columns Approved Budget and Implemented Budget are almost the same with the data for the reference year 2017 when deducting the amounts for the Regional Court of Sofia (one-time cost) and the purchase of computers for the needs of the courts at the expense of the SJC.

In 2018 no investment costs (purchase or construction) were made in new court buildings. When completing the questionnaire in 2018 when the reference year was 2017 in the column Approved budget for new buildings is indicated the amount of EUR 443 290 - the sum is provided for the construction of a new building for the needs of the Administrative Court of Pazardzhik and has not been utilized. The procedures under the Spatial Development Act and the Public Procurement Act (PPA) have been suspended in 2018 and by 31 of December 2018 no funds have been approved for acquiring new buildings for the needs of the courts.

In “Other” are stated the amounts for compensations under the Labour Code (LC) and Judiciary System Act (JSA), costs for apparel, social and cultural services and payments for sickness absence that has been paid at the expense of the employer, as well as the amounts paid for major repairs of court buildings, respectively 2 064 625 Euros, that include 909800 Euro used for courts, at the expense of the

budget of the SJC in column Implemented Budget, and 2733032 Euros in column Approved Budget. In 2018 has been spent 1 573 384 BGN more (2064625 Euro - 491241 euro) for major repairs due to the completion of procedures under the PPA that started in 2017. The compensations paid under the LC and JSA in 2018 are by 802470 EUR less than in 2017 but on the other hand there is an increase in the amount of the funds used for major repairs.

The difference between the Approved and the Implemented Budget in the column “Other” is due to the under-execution of the planned major repairs due to unfinished procedures under the Public Procurement Act and the implementation of procedures and activities under the Spatial Development Act and other co-ordination procedures with competent authorities. This is also the reason why there is a significant difference between the TOTAL Approved and Implemented Annual Budget.

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 legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts and legal aid together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Consider the comments on Questions 6 and 13.

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

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

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

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

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

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

[120]

[] NA

[] NAP

Comments

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

[47 134 906]

[] NA

[] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	4 774 886 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	4 129 570 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The difference between the approved and implemented budget for legal aid is due to the control exercised by the National Legal Aid Bureau on the authorities providing such aid (as investigation authorities and courts) to comply with the statutory procedure for admission of legal aid with a view to the appropriate disposal of the budget funds for legal aid and, in this respect, the reduced number of cases for which legal aid is granted.

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)	117 132 394 [] NA [] NAP	116 412 630 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	11 000 [] NA [] NAP	10 480 [] 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 Implemented Budget of the Prosecution of the Republic of Bulgaria differs from the Approved budget due to unused funds for major repairs and current repairs related to unfinished procedures under the Public Procurement Act.

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other ministry	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

If any other Ministry and/or inspection body and/or other, please specify: Under “other Ministry”, we mean the Ministry of Finance.

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court administrative director	(X) Yes () No	(X) Yes () No	() Yes (X) No	(X) Yes () No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	() Yes (X) No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify: The presidents of the courts are also administrative heads, there is overlapping of the positions. Under others, we have considered the persons holding the positions of "judicial administrator" and "chief accountant".

A2. Please indicate the sources for answering questions 6 to 14:

<p>Sources: Supreme Judicial Council, National Legal Aid Bureau and Ministry of Justice</p> <p>In the answers to questions 6, 7, 9 and 13, we used data from the 2018 State Budget Law, Ministerial Council Regulations, Cash Accounts for Budget Implementation as of 31.12.2018.</p>
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1.1.3. Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	399 468 426 [] NA [] NAP	393 904 740 [] NA [] NAP

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 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()

Public prosecution services (see question 13 or 7)	(X)	()	()
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015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	(X)	()	()
Constitutional court	(X)	()	()
Judicial management body	()	()	(X)
State advocacy	()	()	(X)
Enforcement services	()	(X)	()
Notariat	()	()	(X)
Forensic services	()	(X)	()
Judicial protection of juveniles	()	()	(X)
Functioning of the Ministry of Justice	()	(X)	()
Refugees and asylum seekers services	()	()	(X)
Immigration Service	()	()	(X)
Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	(X)	()	()

If "other", please specify: "other" comprises- the National Institute of Justice and the Inspectorate to the Supreme Judicial Council.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Supreme Judicial Council, Ministry of Justice

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

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

- Legal aid for consultation and preparation of case files at the request of a citizen who qualifies for a grant is granted by a decision of the President of the National Legal Aid Bureau. Legal aid for procedural representation is provided by the court in all types of cases. Legal aid in criminal proceedings at a pre-trial stage is provided by investigation authorities. The appointment of an attorney to a case is done by the Bar Association in the relevant judicial area.

017. Does legal aid include the coverage of or the exemption from court fees?

() Yes

(X) No

[] NAP

If yes, please specify:

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

(X) 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
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Legal aid granted for other costs	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
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Comments - If yes, please specify:

2.1.2.Information on legal aid



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

	Total	Cases brought to court	Cases not brought to court
TOTAL		35 634	41
	[X] NA [] NAP	[] NA [] NAP	[] NA [] NAP
In criminal cases		31 855	
	[X] NA [] NAP	[] NA [] NAP	[] NA [X] NAP
In other than criminal cases		3 779	41
	[X] NA [] NAP	[] NA [] NAP	[] NA [] NAP

Comments - Please specify when appropriate: The number of other than criminal cases brought to court for which legal aid has been granted increased due to the broadening of the net of Regional Centres for consultation functioning in some Bar Councils. The consultations in the centres are predominantly of civil matters and in most of the cases there are grounds for bringing legal proceedings.

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

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

Comments - If yes, please specify:

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

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

Comments

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

aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

023. If yes, please specify in the table:

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

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

Yes

No

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

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

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

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

Yes

No

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

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

Judicial decisions direct how legal costs will be shared
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in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: National Legal Aid Bureau and Legal Aid Act

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, etc.) where general public may have free of charge access to the following:

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) http://dv.parliament.bg
case-law of the higher court/s	()	(X) http://www.sac.government.bg ; http://www.vks.bg
other documents (e.g. downloadable forms, online registration)	()	(X) www.compensation.bg

Please specify what documents and information are included in “other documents”: legal texts: <http://dv.parliament.bg>; case law of the higher courts: <http://www.sac.government.bg>; <http://www.vks.bg>
other documents: www.compensation.bg

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

- (X) Yes, always
- () No
- () Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: -

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

- (X) Yes
- () No

Comments - If yes, please specify:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	() Yes (X) No
Victims of terrorism	(X) Yes () No	(X) Yes () No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	() Yes (X) No
Ethnic minorities	(X) Yes () No	(X) Yes () No	() Yes (X) No
Disabled persons	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

- (X) Yes
() No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.): Civil, criminal, administrative. Minors may be represented by a special representative (lawyer) appointed by the court or by the Social Assistance Directorate in the cases provided for by law.

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

- (X) Yes, please specify for which kind of offences:
() No

Comments The Law on Assistance and Financial Compensation for Victims of Crime provides for financial compensation in respect of Bulgarian citizens who are victims of crime or nationals of Member States of the European Union as well as foreign citizens in the cases provided for in an international treaty to which the Republic of Bulgaria is a party when they have suffered from the following offenses:

1. terrorism; deliberate murder; attempt to kill; intentional grievous bodily injury; fornication; rape; trafficking in human beings;
2. crimes committed on commission or in pursuance of a decision of an organized criminal group;
3. Other serious intentional crimes that have resulted in death or serious bodily injury as a consequence.

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

- (X) Yes
() No

Comments Under civil law in Bulgaria, every person must redress the damage he/she has guiltily caused to another person. The Criminal

Procedure Code provides for ways for claims for compensation in respect of victims of crime in criminal proceedings. If the litigant cannot benefit of a claim for damages in the criminal process or believes that awards of compensation would not cover all damages, he/she is entitled to claim compensation under the provisions of the Law on Obligations and Contracts before a civil court and in compliance with the provisions of the Civil Procedure Code. In Bulgaria, the possibility for victims to receive compensation from the State is governed by the Law on Support and Financial Compensation to Victims of Crime. The latter provides financial compensation for the material damage suffered in relation with expressly specified crimes committed after June 30, 2005, namely: terrorism, intentional murder, intentional severe injury of health, adultery and rape resulting in severe injury of health, human trafficking, crimes committed by or through a decision of an organized criminal group, and other serious intentional crimes resulting in death or serious injury.

033. If yes, does this compensation come from:

- a public fund
- damages and interests to be paid by the person responsible
- a private fund

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: The Penal Procedure Code provides for an opportunity for the prosecutor to intervene in the proceedings for criminal offenses prosecuted following complaint of the victim (Art. 48); bringing the civil action to the benefit of the victim when, on account of being underage or of a physical or mental deficiency, is unable to defend his/her rights and legal interests (Art. 51). At the proposal of the prosecutor with consent of the victim or at the request of the victim, the competent first-instance court may prohibit the accused party from: directly approaching the victim; contacting the victim, in any form, including by phone, electronic or ordinary mail, and fax; entering certain localities, areas, or places where the protected person resides or visits (art. 67, para. 1 of the PPC).

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 answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

- Yes
- No
- NAP

Comments - 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 €)
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Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<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
Wrongful arrest	<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
Wrongful conviction	<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
Other	<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 - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

8. Other not mentioned	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
	<input type="checkbox"/> Other regular	<input checked="" type="checkbox"/> Other regular
	<input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: 1. The Supreme Judicial Council has no obligation to collect such information. Some courts publish surveys aimed at the court users on their Internet sites.

2. The Prosecutor's Office has given information on ad hoc surveys aimed at prosecutors and victims.

3. The Court of Appeal - Sofia has published in the beginning of 2018 on its website a questionnaire survey: <http://sofiaac.court-bg.org/index.php?im=110> , but no responses were received from respondents.

4. In the period 2017 - 2018 a questionnaire was put on the web site of the Gabrovo District Court with the question "In what direction could the administrative service in the Gabrovo District Court be improved?". The poll was targeted at all users of the site - parties, lawyers, other citizens.

Answers from 82 respondents were registered. The largest number of them - 32%, indicate the answer "Providing a wider range of e-services, regarding references on the cases"; 23% mentioned the answer "Providing clear / comprehensible oral information on court cases and procedures"; 17% indicate the response "Employees attitude towards the Citizens"; 12% report "Promptness of Service"; 9% - "Improving the working environment in which services are provided"; 7% - "Provide more extensive written information on court procedures (forms, information boards, brochures, etc.)".

At the moment, a new questionnaire is placed on the court's website, asking "What information from the Gabrovo District Court website is most useful to you?"

5. Judges from the area of Plovdiv Court of Appeals participated in a study published on the CEPEJ website:

<https://goo.gl/forms/wjEmhg5LThVYamHZ2> 6. On the website of the Sofia City Administrative Court there is a poll posted aimed at prosecutors, lawyers, parties, other court users and to categories of users, who are not mentioned:

<http://www.admincourtsfia.bg/Admin/%D0%90%D0%BD%D0%BA%D0%B5%D1%82%B0%B0.aspx>

7. The Varna Court of Appeals holds annual inquiries in connection with the annual reports on the work of the court. The attitude of judges and the court clerks on issues related to independence, efficiency, public confidence is examined. The results are reported in the Presentation of the Report and are presented to the Annual General Meeting of the Varna Court of Appeals: <https://www.appealcourt-varna.org/otchet2018.htm> l;<https://www.appealcourt-varna.org/otchet2017.html> and others at <https://www.appealcourt-varna.org/index.html> .

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

Yes

No

Comments

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

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

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

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

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: The answer NAP (concerning compensation amount granted) means that these institutions cannot grant material compensation to the applicants.

3. Organisation of the court system**3.1. Courts****3.1.1. Number of courts****042. Number of courts considered as legal entities (administrative structures) and geographic locations.**

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 42.1. District Court - 113

The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court.

Provincial/ regional courts- 28

The provincial courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of

cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts.

Military first instance courts- 3

Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other specialised 1st instance courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other specialised 1st instance courts”, please specify: The category “other” encompasses the Specialized Criminal Court of Republic of Bulgaria (see the general comment).

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - Please specify: Proposals for amendments to the Code of Administrative Procedure and Code of Civil Procedure to change the jurisdiction of the district and administrative courts with a view to regulating their workload. A model for the optimization of the judicial map at the level of district courts will be developed in implementation of a project under the Operational Program "Good Governance" 2014-2020.

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

	Number of courts
a debt collection for small claims	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an employment dismissal	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	144 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an insolvency case	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

045-1. Is your definition for small claims the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition for small claims:

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

[5 000]

Comments There is no national special procedure and respectively a definition for small claims. Thus, the Bulgarian authorities apply the Regulation (EC) No 861/2007 of the European Parliament and Council of 11 July 2007 establishing a European Small Claims Procedure. The Regulation (EC) No 2015 /2421 of the European Parliament and Council of 16 December 2015 amending the Regulation (EC) No 861/2007 increases the ceiling as regards the value of a small claim from EUR 2000 to EUR 5 000.

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Supreme Judicial Council and Ministry of justice

3.2. Court staff

3.2.1. Judges and non-judge staff



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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2 223 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of first instance professional judges	1 750 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of second instance (court of appeal) professional judges	289 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of Supreme Court professional judges	184 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	166 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of first instance court presidents	132 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of second instance (court of appeal) court presidents	32 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of Supreme Court presidents	2 [] NA [] NAP	[X] NA [] NAP	[X] 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
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

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

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

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

Comments

049. Number of non-professional judges who are not remunerated but who can possibly 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 in a jury):

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

Comments

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

	Yes	No	Echevinage
criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
commercial law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
insolvency cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
other civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “other”, 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 of case(s)?

Criminal cases

Other than criminal cases

Comments

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

[]

NA

NAP

Comments

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	6 262 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	4 656 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. 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)	1 006 <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
4. Technical staff	585 <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
5. Other non-judge staff	35 <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 permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	6 262 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	4 132 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	1 661 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	469 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do 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
- other cases not mentioned (please describe in comment)
- non-litigious cases
- 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): Repairs and others

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Supreme Judicial Council

3.3. Public prosecution

3.3.1. Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 526 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of prosecutors at first instance level	866 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	548 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of prosecutors at Supreme Court level	112 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	133 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of heads of prosecution offices at first instance level	100 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	32 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Please provide any useful comment for interpreting the data above:

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

() Yes

No

Comments - If yes, please specify their title 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 specially trained prosecutors in domestic violence and sexual violence ?

Yes

No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	2 907 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: The information is provided by the Supreme Judicial Council and the Administration of the Prosecutor General.

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

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

Yes, please specify	No
---------------------	----

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

[] NA

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

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

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

[] NA

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

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)

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

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

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

() Yes

(X) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? There is no such programme within judicial system but there is National action plan to promote equality between women and men on national level (for all systems and spheres of economic life).

http://saveti.government.bg/web/cc_19/1

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

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

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments There is a National Council for Equality between Women and Men as a consultative body/council to to the Council of Ministers but it's not specifically dealing with gender issues within judicial system as cited above.

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

(title, date, nature of the text) Decree 313 of the Council of Ministers of 17.11.2004 establishing a National Council for Equality between Women and Men

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) National Council for Equality between Women and Men is as a consultative body/council to the Council of Ministers

[] 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. block a decision or allow an appeal) information and consultative function

[] NAP

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 - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

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 in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)

Modalities of teleworking and presence in the work space	()	(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. The Supreme Judicial Council does not dispose with data whether there is feminisation of certain functions in the bodies of the judiciary.

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.

[X] NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify):

promotion procedures and access to the functions of responsibility (please specify) :

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

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	()	(X)

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

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

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

	Organisation
IT policies and strategies	<input type="checkbox"/> defined and coordinated at national level by one institution <input type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input checked="" type="checkbox"/> other
IT Governance	<input type="checkbox"/> governed on national level by one institution <input type="checkbox"/> governed on national level by several institutions <input checked="" type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

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

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

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

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

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

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	(X) Yes () No	(X) Yes () Non
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	() Yes (X) No	() Yes (X) Non
Other alternatives (external service provider only – specify in a comment)	() Yes (X) No	() Yes (X) Non

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

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

- () Yes
(X) No

Comments (please specify projects that have experienced national developments)

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

- () Yes
(X) No

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

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

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

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

- () Yes
(X) 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.) Commission for personal data protection at national level

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 <http://legalacts.justice.bg/>- This database includes all decisions, except those for which there are statutory restrictions to be published.

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

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

Comments - if it exists in other matters please specify

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

Yes

No

Comments

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

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

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

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

- Yes
- No

Comment – if it exists in other matters please specify

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

	Availability rate
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

- Yes
- No

Comments

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

Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature

Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

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

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

3.5.5 Technologies used for administration of the courts and case management

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

- Yes
- No

Comments - if it exists in other matters please specify

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

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input 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
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input 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
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" 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 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

063-2. Computerised registries managed by courts

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

Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Comment – if it exists in other matters please specify The Land register and the Business register are operated/managed by the Registry Agency, not by courts (they are data consolidated at national level, service available online and with a statistical module)

063-6. Budgetary and financial management systems of courts

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

Comments

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 By decision of the Supreme Judicial Council of Bulgaria (SJC) of 11.12.2014, as of 01.01.2015, Rules for measuring the workload of the prosecution offices and the individual workload of each prosecutor and investigator were adopted. By decision of the SJC of 16.12.2015, as of 01.04.2016, Rules for assessment of the workload of judges were adopted. The instruments do not refer to judicial officers, but only to judges, prosecutors and investigators within the prosecutor's offices and courts in the Republic of Bulgaria.

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

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

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

users

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

Yes

No

Comments

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

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

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - if it exist in other matters please specify

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

Yes

No

Comments

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

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

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

Yes

No

Comments

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

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

Comments

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)

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

(X) Yes

() No

Comments JUDICIAL SYSTEM ACT Chapter eighteen "a".CERTIFICATE STATEMENTS AND PROCEDURAL ACTIONS IN ELECTRONIC FORM

REGULATION No. 6 adopted by Supreme Judicial Council for carrying out procedural actions and supporting statements in electronic form

064-6-1. If yes, please specify the following information:

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

Civil and/or commercial	<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) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes
Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes
Administrative	<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) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments art.34 (REGULATION No. 6 adopted by Supreme Judicial Council for carrying out procedural actions and supporting statements in electronic form)

(1) Citizens and organizations access electronic statements and the electronic documents of the judicial authorities at the electronic address, allowing automated sending of electronic messages according to standard.

(2) Electronic address under para. 1 can be:

1. address of the programming interface approved in accordance with Art. 360b, para. 1 of the Law on the judiciary;
2. an address within the secure electronic service system under Art. 25;
3. part of the Single e-Justice Portal

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

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

Comments

064-9. Are there online processing devices of specialised litigation? (low value 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.

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

Yes

No

Comments

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

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

Comments

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

(X) Yes

() No

Comments

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

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

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

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

Comments JUDICIAL SYSTEM ACT Chapter eighteen "a".CERTIFICATE STATEMENTS AND PROCEDURAL ACTIONS IN ELECTRONIC FORM

REGULATION No. 5 adopted by Supreme Judicial Council on the organization and procedure for keeping, storing and accessing electronic files and the manner of storing evidence and means of proof in cases, as well as the internal circulation and storage of other information processed by the judicial administration

REGULATION No. 6 adopted by Supreme Judicial Council for carrying out procedural actions and supporting statements in electronic form

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

Yes

No

Comments

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

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

Yes

No

Comments

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

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

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):

Comments

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

Yes

No

Comments

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

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

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

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

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

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

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

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

Other (please specify):

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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 options possible) :

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments

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

Public prosecutorial Council

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

Comments

3.6.3. Measuring courts' / public prosecution services activity

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

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

Comments

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

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

percentage of convictions and acquittals

other (please specify):percentage of returned cases

Comments "Other": percentage of returned cases

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

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

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

Comments

3.6.4.Information regarding courts /public prosecution services activity



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

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

() No

Comments Supreme Judicial Council - 1000 Sofia, 12 Ekzarh Yosif Str.

080-1. Does this institution publish statistics on the functioning of each court:

(X) Yes, on internet

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

() No

Comments

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

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

() No

Comments

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

Yes, on internet

No, only internally (in an intranet website)

No

Comments

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): In accordance with Art. 138a, Para. 1 of the Judicial System Act, the Prosecutor General has to annually submit before 30 April an annual report on the application of the law and the activity of the Prosecutor's Office and the investigative bodies to the Plenum of the Supreme Judicial Council. The report is published on the website of the Prosecutor's Office. The Plenum of the Supreme Judicial Council examines and accepts the report of the Prosecutor General and submits it to the National Assembly for discussion with a hearing of the Prosecutor General (Art. 138a, Para. 1 and 5 of the Judicial System Act).

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

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

The Prosecutor General's report reflects the work of the Prosecutor's Office and the investigative bodies in the pre-trial and judicial phase, the international legal cooperation, the workload, the activity of the administrative judicial supervision and the legality supervision,

the enforcement of penalties and the priorities of the work of the Prosecutor's Office of the Republic of Bulgaria for the next year. Subject of the analysis are also the reasons for returning cases from the court for further investigative actions and for the acquittals entered into force.

Measures are proposed, including concrete proposals that can lead to legislative amendments (the prosecutor's office does not have a legislative initiative), for overcoming the identified difficulties at the law enforcement, taking into account the current legal provisions. Data is also being analyzed, presenting problems related to the cases of high public interest (for corruption offences and organized crime, crimes related to the infringement of the financial interests of the European Union and other serious offences – trafficking in human beings and drugs, tax and financial offences, crimes committed by juveniles and with victims who are minors and juveniles, etc.) by taking into account the findings of the European Commission's reports and the measures of jurisdiction of the Prosecutor's Office, resulting from the decision of the European Court of Human Rights.

In accordance with Art. 138, it. 11 of the Judicial System Act, the Prosecutor General submits every 6 months to the Prosecutor's College of the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council and the Minister of Justice a summarized information for the initiation, examination and decision of the files at the Prosecutor's Office.

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments

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

- Annual
- Less frequent
- More frequent

Comments

3.6.5 Courts administration

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public prosecutorial Council

Head of the organisational unit or hierarchical superior public prosecutor

Other (please specify):

Comments

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

Yes

() No

Comments

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

() Annual

(X) Less frequent

() More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

Sources: Supreme Judicial Council

General Prosecutor Office - The assessment is carried out in compliance with the Judicial System Act Ordinance No. 3/23.02.2017 on the Indicators and Methods for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors, Investigators, Administrative Heads and Their Deputies (adopted by a decision of the Plenum of the Supreme Judicial Council under Protocol No. 7/23.02.2017, promulgated in SG 21/10.03.2017). The Prosecutor's Office of the Republic of Bulgaria has established an order for its implementation and for the retrieval and provision of data on prosecutors and investigators in accordance with validated performance indicators.

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial

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

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

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

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

NA

Comments

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

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

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

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

Yes

No

NAP

Comments

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

Sources: Supreme Judicial Council/ Ministry of Justice/ Judicial System Act

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify: Summary proceedings under Part Three, Chapter twenty-fifth of the Civil Procedure Code; Summary proceedings under Part Five, chapter twenty-fourth of the Criminal Procedure Code.

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

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

civil cases

criminal cases

administrative cases

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

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

Yes

No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	82 931 <input type="checkbox"/> NA <input type="checkbox"/> NAP	378 948 <input type="checkbox"/> NA <input type="checkbox"/> NAP	369 915 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 964 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	9 426 <input type="checkbox"/> NA <input type="checkbox"/> NAP	31 146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	31 044 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 528 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The observed increase in the number of incoming administrative law cases and accordingly in the number of pending administrative law cases at the end of 2018, is a consequence of an increase characterizing the period 2016-2017. As explained in the comment accompanying 2017 data, there is no specific reason for the increase in the number of incoming administrative law cases between 2016 and 2017. During this period there was an increase in the number of cases before the administrative courts (mainly claims under the Administrative Procedure Code, Management of Resources from the European Structural and Investment Funds Act, Tax and Social Insurance Procedure Code, Competition Protection Act, etc.).

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

. Non-litigious civil and commercial cases are initiated mainly upon applications for issuing an order for execution of a pecuniary obligation (order for payment cases), and in safeguard proceedings (for example registration of political parties, religious denominations, claims for change in the name and other).

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

. NA

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	20 427 [] NA [] NAP	152 308 [] NA [] NAP	151 267 [] NA [] NAP	21 468 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

4.2.3. Case flow management – second instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	12 512 [] NA [] NAP	57 281 [] NA [] NAP	56 180 [] NA [] NAP	13 613 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	2 526 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 705 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 819 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 412 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify NA

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	1 830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 842 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 905 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 767 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

4.2.4. Case flow management – Supreme Court



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	9 934 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 868 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 061 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	3 732 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 138 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 774 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 915 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	151 <input type="checkbox"/> NA <input type="checkbox"/> NAP	152 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

2.3. Other non-litigious cases	3 [] NA [] NAP	93 [] NA [] NAP	94 [] NA [] NAP	2 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	6 199 [] NA [] NAP	15 887 [] NA [] NAP	15 942 [] NA [] NAP	6 144 [] NA [] NAP	81 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other cases", please specify There are also some other non-litigious cases that are not included in the data. However their number is insignificant.

The number of pending administrative cases older than 2 years decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

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

(X) Yes

() No

Comments Supreme Court of Cassation has marked answer NO.

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [15 887]

cases closed by this procedure? [727]

Comments The answers are given by Supreme Administrative 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
Total of criminal law cases (1+2+3)	289 [] NA [] NAP	1 252 [] NA [] NAP	1 277 [] NA [] NAP	264 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	226 [] NA [] NAP	634 [] NA [] NAP	658 [] NA [] NAP	202 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	41 [] NA [] NAP	127 [] NA [] NAP	134 [] NA [] NAP	34 [] NA [] NAP	0 [] NA [] NAP
3. Other cases	22 [] NA [] NAP	491 [] NA [] NAP	485 [] NA [] NAP	28 [] NA [] NAP	0 [] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify The "Other cases" group are: cases where the punishment for a committed crime depends on the punishment for other crime, that is established in the main text of the Criminal Code – it could be an offence of more severe or lightly

punishment; cases on procedures related to the main case; cases on claims for re-establishment of criminal case; cases on jurisdiction disputes; cases on interpretation of a judicial act; cases on rehabilitation; cases that were instituted on a private appeal, etc. Some cases which were previously counted in misdemeanour/minor are now indicated under "other" which explains the decrease in the number of misdemeanour/minor criminal cases in respect of all categories – pending, incoming and resolved cases.



4.2.5. Case flow management and timeframes – specific cases

101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens 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
Litigious divorce cases	2 272 [] NA [] NAP	5 554 [] NA [] NAP	5 421 [] NA [] NAP	2 405 [] NA [] NAP
Employment dismissal cases	775 [] NA [] NAP	1 168 [] NA [] NAP	1 230 [] NA [] NAP	713 [] NA [] NAP
Insolvency	977 [] NA [] NAP	931 [] NA [] NAP	1 154 [] NA [] NAP	754 [] NA [] NAP
Robbery case	256 [] NA [] NAP	613 [] NA [] NAP	659 [] NA [] NAP	210 [] NA [] NAP
Intentional homicide	60 [] NA [] NAP	100 [] NA [] NAP	108 [] NA [] NAP	52 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	308 [] NA [] NAP	217 [] NA [] NAP	469 [] NA [] NAP	56 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	9 [] NA [] NAP	103 [] NA [] NAP	92 [] NA [] NAP	20 [] NA [] NAP

Comments The number of dismissal cases includes: "Claims for protection against unlawful dismissal and claims for annulment of the penalty imposed" note "and" warning of dismissal ".

There is no specific explanation as to why insolvency proceedings decreased during the reference 2018. There is also no specific explanation as to why the number of employment dismissal cases decreased.

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

. The procedures and protection granted by the Republic of Bulgaria to foreigners on the territory of the Republic of Bulgaria, as well as their rights and obligations, are regulated by the Asylum and Refugees Act and include asylum, international protection and temporary protection. The law defines the terms and conditions for granting protection to foreigners on the territory of the Republic of Bulgaria as well as their rights and obligations.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). 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 enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Litigious divorce case	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal case	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	124 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	94 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	108 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. The Family Code provides for two ways of divorce, namely, divorce due to breakdown of marriage and divorce by mutual consent (no fault divorce):

Divorce due to Breakdown of Marriage

Article 49. (1) Either spouse may request divorce in the case of deep and irremediable breakdown of marriage.

(2) The court shall guide spouses to reconcile through mediation or another voluntary dispute resolution mechanism.

(3) In its judgment on granting a divorce, the court shall rule also on the fault for the breakdown of marriage, where either spouse has requested this.

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

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

No Fault Divorce

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

Marital Agreement in No Fault Divorce

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

(2) The court shall approve the agreement under paragraph 1, having verified the protection of the interests of the children. The court

may request an opinion from the Social Welfare Directorate.

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

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

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

. NA

4.2.6. Case flow management – public prosecution



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

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

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

.....

- by taking actions for revoking all unlawful acts;

- by participating in civil and administrative proceedings under the cases provided by the law.

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

- conduct checks in person;

- if there are data on criminal offences or legally non-conforming instruments and actions, assign the respective authorities to conduct checks and audits within a time limit set by the prosecutor, submitting thereto conclusions and, upon request, the full set of materials as well;

- transmit the materials to the competent authority, where establishing that there are grounds to enforce liability or to apply coercive

administrative measures, which the prosecutor cannot implement in person;

- apply the measures provided for by the law if there are data that a publicly prosecutable offence or another breach of the law may be committed.

- within the competence thereof and in accordance with the law, a prosecutor may give binding written orders to the police authorities.

- the prosecutor shall appeal and motion for the reversal or modification of legally non-conforming instruments within the time limit and according to the procedure provided for by law. The prosecutor may stay the enforcement of an instrument until the appeal is examined by the authority concerned, if so provided for by law.

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

civil cases

administrative cases

insolvency cases

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

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

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	114 964 <input type="checkbox"/> NA <input type="checkbox"/> NAP	78 061 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	30 181 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 1) The number of the terminated pre-trial proceedings has been given under indicator ‘Received during the reference year’ (similar to previous questionnaires);

2) The number of the terminated pre-trial proceedings, including those on limitation has been given under indicator “Discontinued during the reference year (see Q108 below)”;

3) NAP has been indicated under indicator “Concluded by a penalty or a measure imposed or negotiated by the public prosecutor” (similar to previous questionnaires);

4) The number of the pre-trial proceedings that have been brought to court is given under indicator “Cases brought to court” (similar to previous questionnaires).

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	21 463 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	10 712 <input type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	10 751 <input type="checkbox"/> NA <input type="checkbox"/> NAP

- Comments 1) The total amount of the following two indicators is given under indicator “Total number of guilty plea procedures”;
- 2) The number of the agreements that were brought to court by a public prosecutor is given under indicator “Before the court case” (similar to previous questionnaires);
- 3) The indicated amount is sum of the number of the agreements under Art. 384 of the Criminal Procedure Code (with a person or for some offence) concluded by the prosecutors in the judicial phase (after an indictment), as well as the number of procedures under an expedited procedure by Art. 371, it. 2 of the Criminal Procedure Code (under Chapter Twenty Eight of the Criminal Procedure Code in accordance with Art. 373, Para. 3, in conjunction with Art. 372, Para. 4 and in conjunction with Art. 371, it. 2 of the Criminal Procedure Code) under which convictions and acquittals have been imposed, is given under indicator “During the court case”.

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	78 061 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	[] NA [X] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	78 061 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[] NA [X] NAP
4. Other	[] NA [X] NAP

Comments 1) The total amount of the following four indicators is given under indicator “total number of cases which were discontinued by the public prosecutor (1+2+3+4)”;

- 2) NAP has been indicated under indicator “1. Discontinued by the public prosecutor because the offender could not be identified” (in accordance with the clarifications which were given by the Prosecutor’s General Office of the Republic of Bulgaria in 2018 in regard to the previous two cycles – letter No. 13196/2017 of 18.05.2018 of the Supreme Prosecutor’s Office of Cassation in response to e-mail of the Ministry of Justice – International Legal Cooperation and European Affairs Directorate of 05.04.2018 – when the perpetrator is unknown, the pre-trial proceedings is not terminated, but suspended on the grounds of Art. 244, Para. 1, it. 2 of the Criminal Procedure Code. Termination shall not be given until the expiration of the limitation period for the respective offense if the offender has not been disclosed until expiration. However, in this case, the legal grounds for termination of the proceedings is the expired limitation period);
- 3) The number of the terminated pre-trial proceedings is given under indicator “2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation” (similar to previous questionnaires);
- 4) NAP has been indicated under indicator “3. Discontinued by the prosecutor for reasons of opportunity” (similar to previous questionnaires);
- 5) NAP has been indicated under indicator “4. Other” (new indicator).

109. Do the figures include traffic offence cases?

(X) Yes

() No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Q 105 to 109 - Statistical reporting of the Prosecutor's Office of the Republic of Bulgaria. The data were retrieved from the statistical reporting of the Prosecutor's Office of the Republic of Bulgaria under the indicators and by order approved by the Prosecutor General with the Direction of Organization of the Information Activities of the Prosecutor's Office of the Republic of Bulgaria.

Questions 91, 94, 97, 98, 101, 102 – Supreme Judicial Council – summary statistical tables for the activity of the courts, published at: <http://www.vss.justice.bg/page/view/1082>

Questions 99, 100- Supreme Administrative Court, Supreme Court of Cassation (Supreme Cassation Court)

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. How are judges recruited?

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

Comments Article 183 of the Judiciary System Act - five-member competition commissions consisting of judges and one professor of legal sciences on the relevant subject

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

- [] an authority made up of judges only
- [] an authority made up of non-judges only
- [X] an authority made up of judges and non-judges

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: Judges Chamber at Supreme Judicial Council

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

- (X) Yes
- () No

Comments

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

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

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

procedure based on documents, under Part II of Chapter 9 of Judiciary System Act .

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

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- 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”):
Art.192 of Judiciary System Act

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- statutory independent
- under the authority of the Minister of Justice or another central authority
- other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

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

- Yes
- No

Comments - If yes, please specify: According to Art. 10 of the Code of Criminal Procedure, prosecutors are independent in the performance of their functions and shall only obey the law.

116. How are public prosecutors recruited?

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

Comments

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

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

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: see General comment, please

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

Yes

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

Comments

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): see General comments, please

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

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"):

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Yes, release from office on disciplinary grounds, Art. 165 JSA

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

Comments

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

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

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Exceptions are possible in the case of resignation; a sentence, whereby a penal sanction of deprivation of liberty for an intentional criminal offence has been imposed, becomes enforceable; the person is continuously and actually unable to discharge the duties thereof for more than one year; a disciplinary sanction of release from office on disciplinary grounds has been imposed on the person; incompatibility with positions and activities under Article 195 (1); as well as a decision of the Prosecutors' college of the SJC, by which is denied the acquisition of the status of irremovability.

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

Yes, duration of the probation period (in years):5 (Art. 196, para. 2 of JSA for the purpose of acquiring tenure: upon completion of five years' service)

No

Comments

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

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

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

() No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: The Constitution of the Republic of Bulgaria and the Judicial System Act

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges:

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

Comments In-service training for specialised judicial functions- compulsory upon decision of the respective college of the Supreme Judicial Council

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

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

In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input 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 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: The continuous training of judges is organised on the basis of systematic and integrated approach taking into account their specific needs, competence and professional experience. Within the framework of the continuous training judges are granted the opportunity to take part in face-to-face, e-learning and blended courses, targeted at developing their professional knowledge, skills and attitudes. 3893 judges have attended 161 in-service training activities, organised by the Institute in 2018. EU law training is key for ensuring correct and unified application of the law of the European Union by all judges. In line with the set objectives, the National Institute of Justice has integrated training on EU law into the continuous training programs for judges, prosecutors and other justice professionals. In the recent years a new “horizontal approach” is being applied in terms of fundamental rights, as they have been incorporated as an integral part of the standard trainings on substantive law and procedure. Practitioners' soft skills such as ethics, deontology, resistance to stress, leadership, judgecraft are also addressed. Trainings focused on management and administration of justice compliment the wide array of activities. Although the training for administrative heads in the bodies of the judiciary is not mandatory, an organization is provided for the participation of all newly appointed administrative heads in this training.

Language proficiency in English/French is a key priority in the in-service training program of the NIJ. In 2018 a comprehensive language training scheme in English and French has been launched, which provided opportunities for 322 judges to strengthen their linguistic skills. A series of projects in the framework of the Good Governance Operational Program, co-financed by the European Union through the European Social Fund have been implemented by the Institute, paving the way for innovative methods, solutions and formats in training. The elaboration of self-learning tools - handbooks, manuals and reference guides, easily accessible and available in digital, is crucial for the development of innovative and supportive learning environment. The self - learners are the new trainees, who upgrade knowledge, skills and competences using the NIJ e-tools. In 2018 the NIJ launched the development of 6 practical manuals, targetted at judges' day-to-day work:

- European Criminial Justice; •European Civil Justice; •EU Tax Law, Social Rights, Environmental Law, Asylum and Migration; Non-discrimination; •Handbook for the persons, designated as PRs

- Manual for newly appointed administrative heads in the judiciary •Procedures before the CJEU

648 judges are registered in the NIJ Virtual Library with a free access 24/7 to the NIJ online tools.

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	(X) Yes () No	() Yes (X) No

In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments In-service training for specialised functions - compulsory upon decision of the respective college of the Supreme Judicial Council

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

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input 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 type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The continuous training of prosecutors is organised on the basis of systematic and integrated approach taking into account their specific needs, competence and professional experience. Within the framework of the continuous training prosecutors are granted the opportunity to take part in face-to-face, e-learning and blended courses, targeted at developing their professional knowledge, skills and attitudes. The process of planning training needs is conducted in cooperation with the Prosecutor's Office of the Republic of Bulgaria. The in-house training programme offered by the Prosecutor's Office supplements the National Institute of Justice (NIJ) annual training programme, thus ensuring additional training opportunities provided to prosecutors. In 2018 a total of 940 prosecutors were trained in 35 face-to-face trainings, 34 online courses and linguistic training courses in English and French. Highlights in the training programs are ethics, integrity and anti-corruption, effective investigation of criminal cases in the context of the European Court of Human Rights judgements, the application of the General Data Protection Regulation (GDPR), judicial cooperation in criminal matters, practical issues in implementation of the European Investigation Order, evidence in criminal proceedings; application of special investigation techniques. In 2018, a pilot training program was set up for newly appointed administrative heads and their deputies in the prosecution offices of the Republic of Bulgaria. The pilot training was attended by 35 prosecutors - 25 administrative heads at appellate, district and regional levels, as well as 10 deputies of administrative heads at district and regional level. Although the training for administrative heads in the bodies of the judiciary is not mandatory, an organization is provided for the participation of all newly appointed administrative heads in this training.

Language proficiency in English/French is a key priority in the in-service training program of the NIJ. In 2018 a comprehensive language

training scheme in English and French has been launched, which provided opportunities for 203 prosecutors and 27 investigating magistrates to strengthen their linguistic skills.

The elaboration of self-learning tools - handbooks, manuals and reference guides, easily accessible and available in digital for all justice professionals, is crucial for the development of innovative and supportive learning environment. In 2018 the NIJ launched the development of 5 practical manuals, targetted at prosecutors' day-to-day work: •European Criminal Justice; •EU Tax Law, Social Rights, Environmental Law, Asylum and Migration; Non-discrimination; •Handbook for the persons, designated as PRs
•Manual for newly appointed heads in the judiciary •Procedures before the CJEU

255 prosecutors are registered in the NIJ Virtual Library with a free access 24/7 to the NIJ online tools.

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

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	[]	[]	[]
One institution for prosecutors	[]	[]	[]
One single institution for both judges and prosecutors	[]	[]	[X]

Comments

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

	Budget of the institution for the reference year, in €
One institution for judges	[] NA [X] NAP
One institution for prosecutors	[] NA [X] NAP
One single institution for both judges and prosecutors	3 411 932 [] NA [] NAP

Comments 2 171 699 (National Institute of Justice (NIJ) state budget for 2018)

1 240 233 (NIJ funding from projects under the European Social Fund in 2018)

Total: 3 411 932

For 2016 budget (1 854 199 Euros), only the State budget was communicated, excluding funding from EU projects, which explains the important increase between the two years.

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

. NAP

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	324 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Only for judges	167 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Only for prosecutors	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Only for other non-judge staff	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Only for other non-prosecutor staff	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other common training	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments:

E2. Please indicate the sources for answering the questions in this chapter:

Sources: The regulatory framework of the National Institute of Justice (NIJ); available statistical data for NIJ training activities

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	19 941 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 946 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 100 <input 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)	36 097 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 487 <input type="checkbox"/> NA <input type="checkbox"/> NAP	70 600 <input type="checkbox"/> NA <input type="checkbox"/> NAP	63 540 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	19 941 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 946 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 100 <input 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).	36 097 [] NA [] NAP	32 487 [] NA [] NAP	70 600 [] NA [] NAP	63 540 [] NA [] NAP
--	-----------------------------	-----------------------------	-----------------------------	-----------------------------

Comments The sums shown do not include the amount of the social security contributions, in order to be made comparable to the data given in the previous assessment cycle when they were not included either in the amount of the gross salary for the relevant position. The source of the data was information summarized and analyzed in the “Financial planning and analysis” Department of Supreme Judicial Council of Bulgaria

133. Do judges and public prosecutors have additional benefits?

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

Comments

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

. Pursuant to art. 223 of the Judicial System Act, while in office, judges and prosecutors may use housing of the departmental housing stock of the judicial authorities.

Pursuant to art. 224 of the Judicial System Act, the compulsory social and health insurance of judges, prosecutors and investigating magistrates shall be covered by the Judiciary budget.

[] NAP

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No

Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

137. Can public prosecutors combine their work with any of the following other 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
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

Yes

No

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

5.3.2 Body/institution of ethics

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

Yes

No

Comments

138-1. If yes, how is this institution / body formed

only by judges

by 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. Pursuant to the provisions of Art. 37, para. 9 of the Judicial System Act the commissions on professional ethics with the corresponding colleges of the Supreme Judicial Council shall conduct enquiries, shall collect the requisite information and shall draw up an opinion regarding the moral integrity possessed by the candidates in the competitions for occupation of a position in the judicial authorities, as well as of the candidates for administrative heads and of the candidates for deputy administrative heads. Commissions on professional ethics shall be elected in the judicial authorities. Pursuant to art.39b, para.4 the commissions on professional ethics at the courts, prosecution offices and at the National Investigation Service shall assist the relevant Commission on Professional Ethics in the exercise of the powers thereof under Article 37 (9) by giving an opinion on the moral integrity of the judges, prosecutors and investigating magistrates of the respective court, prosecution office, investigation department or the National Investigation Service. Art.39b provides for that the commissions on professional ethics shall perform their activity in implementing the Code of Ethical Behaviour of Bulgarian Magistrates (CEBBM) in compliance with the rules of organisation and operation thereof adopted by the corresponding college of the Supreme Judicial Council. In cases where the professional ethics committees of the judicial authorities find that a relevant magistrate has committed a breach of the principles regulated by the CEBBM, the opinion is sent by the committee of professional ethics to the relevant college of the SJC to the bodies under Article 312 of the Judicial System Act to take appropriate action to impose disciplinary sanctions.

The Minutes of the meetings of the Commission on Professional Ethics to the Judges' College of the SJC are published on the website of the Supreme Judicial Council. They contain information about the opinions received on the moral qualities of candidates in the competitions for positions in the bodies of the judiciary as well as candidates for administrative heads and deputy administrative heads. It also contains information about the opinions produced by the professional ethics committees in the courts.

NAP

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, how is this institution / body formed

only by prosecutors

- by prosecutors and other legal professionals
- other, please specify:

Comments

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

- Yes
- No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. Pursuant to the provisions of Art. 37, para. 9 of the Judicial System Act, the Committees for Professional Ethics of the respective college of the Supreme Judicial Council shall carry out surveys, collect the necessary information and prepare an opinion on the moral qualities of the candidates in the competitions for appointment in the bodies of the judiciary , as well as candidates for administrative heads and candidates for deputy administrative heads. In the bodies of the judiciary are elected commissions of professional ethics. Pursuant to Article 39b (4), the commissions of professional ethics in the courts, prosecution offices and the National Investigation Service shall assist the respective Commission on Professional Ethics in the exercise of its powers under Article 37, paragraph 9, by giving an opinion on the moral qualities of the judges, prosecutors and investigators from the relevant court, prosecutor's office, investigative department or the National Investigation Service.

The provision of Article 39b stipulates that professional ethics commissions carry out their work on the implementation of the Ethical Behaviour of Bulgarian Magistrates (CEBBM) in accordance with the rules of their organization and activity adopted by the respective college of the Supreme Judicial Council.

In cases where the professional ethics committees to the bodies of the judiciary find that a magistrate has committed a breach of the principles regulated by the CEBBM, the opinion is sent by the committee of professional ethics to the relevant college of the SJC to the bodies under Article 312 of the Judicial System Act to impose a disciplinary sanction.

The minutes of the meetings of the Commission for Professional Ethics of the Prosecutor's Office of the SJC are published on the website of the Supreme Judicial Council. They contain information on the opinions received on the moral merits of candidates in the competitions for positions in the judiciary bodies, as well as on candidates for administrative heads and candidates for deputy administrative heads. They also contain information about the opinions drawn up by the committees on professional ethics in the system of the Prosecutor's Office of the Republic of Bulgaria.

NAP

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 options possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments The institution of disciplinary proceedings for the imposition of a disciplinary sanction on a judge may be proposed by:

1. the respective administrative head;
2. a superior administrative head; /Other/
3. the Inspectorate with the Supreme Judicial Council; /Other/
4. the Minister of Justice./executive power/

141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options 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 or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments The institution of disciplinary proceedings for the imposition of a disciplinary sanction on a prosecutor may be proposed by:

1. the respective administrative head;
2. a superior administrative head; /Other/
3. the Inspectorate with the Supreme Judicial Council; /Other/
4. the Minister of Justice./executive power/

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

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments Disciplinary sanctions on a judge shall be imposed by: - Judges' College / Chamber of the Supreme Judicial Council;
- the respective administrative head /other/

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

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)

- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Other – „any systematic failure to keep the deadlines provided for in the procedural laws“; „any act or omission that unjustifiably delays the proceedings“; „any act or omission, which damages the prestige of the Judiciary“; „failure to discharge the official duties“

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

	Judges	Prosecutors
Total number (total 1 to 10)	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Transfer to another geographical (court) location- in our legal system there is no such sanction, but it's possible the position downgrade to lead to transfer to another geographical (court) location. For 2018 there are no such cases.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Internal Register on Disciplinary Proceedings of the SJC, Summary Reports of the "Disciplinary Activities and Interaction with the ISJC" Committees to the Judges' College and the Prosecutors' College of the SJC concerning the disciplinary proceedings against magistrates and disciplinary sanctions imposed for the period 01.01.2018 - 31.12.2018

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	13 640 <input type="checkbox"/> NA	6 503 <input type="checkbox"/> NA	7 137 <input type="checkbox"/> NA

Comments

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

Yes ()

No (X)

Comments

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

[]

[] NA

[X] NAP

Comments With a comment that legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client").

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[]
Dismissal cases	[]	[]	[]
Criminal cases – Defendant	[]	[]	[]
Criminal cases – Victim	[]	[]	[]
Administrative cases	[]	[]	[]

[X] NAP

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

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

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

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these

representation(s): Legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client").

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

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

Comments

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

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

Comments

150. Is the lawyer profession organised through:

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

Comments

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

- Yes
- No

Comments - If not, 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 questions 146 and 148:

Sources: ctivity report of the Supreme Bar Council for 2018

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 association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

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

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

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

- a judge
- Ministry of Justice
- a professional authority
- other (please specify):

Comments

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: According to the LAWYERS ACT (also known as Bar Act and Attorney Act) disciplinary offences (including mentioned above and Others) are as follows:

Article 132: A guilty failure to discharge obligations under this Act and Lawyers Code of Ethics, of the Ordinances and decisions of the Supreme Bar Council and of decisions of the Bar Councils and General Assemblies shall qualify as disciplinary offences, as well as:

1. the breach of attorney-at-law/lawyers secrecy;
2. any omissions which have caused infringement upon the rights and legal interests of clients;
3. the systemic negligence or manifest ignorance in the discharge of professional duties;
4. a personal direct advertisement of professional activities effected in violation of this Act;
5. the negotiation with clients of a remuneration below the threshold under the Ordinance of the Supreme Bar Council for the respective type of work, except in cases where this Act and said Ordinance make allowances to this effect;
6. (amended, SG No. 79/2005) the act of assuming and implementing legal aid in breach of the procedure established by this Act;
7. (amended, SG No. 97/2012) the concealment of important circumstances at the time of admission as attorney-at-law/lawyer or at the time of registration in the register of foreign attorneys-at-law/lawyer;
8. the systemic failure to discharge obligations as a member of a managing, control or disciplinary body of the bar;
9. (amended, SG No. 97/2012) violations of professional ethical rules, morals and collegiality in relation to other attorneys-at-law/lawyers, European Union lawyers, or law firms;
10. the act of undermining the prestige and dignity of the profession and of violating the rules of professional ethics and morals.

162. Sanctions pronounced against lawyers.

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

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. According to the LAWYERS ACT (also known as Bar Act and Attorney Act) disciplinary Sanctions (including mentioned above and Others) are as follows:

Article 133. (1) (Supplemented, SG No. 97/2012) The following sanctions shall be imposed on attorneys-at-law/lawyer or European Union lawyers for disciplinary offences:

1. censure;
2. fine between one and eight minimum salaries;
3. deprivation of the right to hold elected office in bodies of the bar for a period between one and three years;
4. deprivation of the right to pursue the profession of lawyer for a period of 3 to 18 months;
5. deprivation of the right to pursue the profession of lawyer for a period of up to 5 years in the event of repeated offence.

(2) Sanctions under Paragraph 1, Items 1 and 2 may be imposed together with another sanction. Fines shall be collected to the benefit of the Bar Association.

(3) Disciplinary sanctions shall be imposed after taking into consideration the form of guilt, the interests infringed upon, the causes and surrounding circumstances which have resulted in the commission of the offence, the motivation and other circumstances attenuating or aggravating guilt.

(4) (Amended, SG No. 97/2012) In negligible incidences of breach the Chairperson of the Disciplinary Tribunal may address a personal warning to the faulty attorney-at-law or European Union lawyer.

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 Yes, in the Republic of Bulgaria judges may refer parties to a mediator, to a settlement of a dispute through a mediation procedure if they believe that more satisfactory results can be achieved for both parties.

But it's important to underline that according to Art. 4 of the the Mediation Act (promulgated SG No. 110 of 2004), persons exercising

judicial functions in the judicial system cannot carry out mediation activities.

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: The Bulgarian legal system does not provide for mandatory mediation procedures. The Bulgarian Code of Civil Procedure (CCP) includes provisions on access to mediation. The court may direct/refer the parties to mediation or other means of voluntary settlement of the dispute in accordance with the common procedure for dealing with cases (Article 140, paragraph 3 of the CCP). In connection with matrimonial proceedings (Article 321), the court is obliged to direct/refer the parties to mediation or other means of voluntary settlement of the dispute. If the parties agree to initiate mediation or other means of voluntary settlement of the dispute, the case shall be stayed. Either party may request a reopening of the case within 6 months. If no such request is made, the case shall be terminated. When an agreement is reached, depending on its content, the case is either terminated or goes forward to a divorce proceeding by mutual agreement. If the parties do not agree on a mediation procedure or other means of voluntarily settling the dispute, the case will continue to be considered. In commercial dispute proceedings (Article 374), the court may direct them to mediation or other means of voluntary settlement of the dispute. According to Art. 49, para. 2 of the Family Code, in matrimonial proceedings in divorce proceedings, the court is required by law to direct the parties to conciliation through mediation or other means of voluntarily settling the dispute.

The Bulgarian legislator has provided for the possibility of settling a dispute through mediation or another way of alternative dispute resolution in the subpoena. However, the use of mediation is not mandatory and is not subject to incentives or sanctions, whether before or after legal proceedings.

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: There are no mandatory information sessions with a mediator. In matrimonial proceedings, although the court is obliged to direct the parties to mediation through mediation or other means of voluntarily settling the dispute, they are not obliged to hold a compulsory information session with a mediator.

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

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

Criminal cases	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP
Consumer cases	(X) Yes () No <input type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP

Comments

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

- () Yes
(X) No
 NAP

Comments - If yes, please specify (only one or both options):: No legal assistance is provided for the judicial mediation procedure. At present, the Law on Legal Aid (promulgated, SG No. 79/2005) provides in Art. 21 the following legal aid forms:

1. consultation with a view to reaching an agreement before the commencement of court proceedings or for the bringing of a case, including consultation under Chapter Five "a";
2. preparation of documents for bringing a case;
3. procedural representation;

According to Art. 34 of Ordinance No. 2 of March 15, 2007, on the conditions and procedure for approval/recognition of organizations training mediators, on the requirements for training mediators, on the procedure for entering, delisting and deletion of mediators from the Unified Register of Mediators and for procedural and ethical rules for the conduct of the mediator (promulgated SG, issue 26 / 27.03.2007, effective 27.04.2007) the mediator does not initiate a mediation procedure before the conditions regarding his/her remuneration are accepted by all interested parties. This rule is further developed because the mediator is unable to determine his or her salary dependent on condition or to tie it to the outcome of the dispute. Some of the organizations and centers providing mediation services adopt their own tariff for mediation fees and then publish the latter on their official websites.

It should be noted that there are mediation programs that allow, within the mediation centers built to the relevant court, the mediators to offer their services to the parties free of charge because they are funded under programs.

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

	Total	Males	Females
Number of mediators	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The information about the number of registered court-related mediators is not available (NA). As of May 2019 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2311 (for 2018 the number of newly registered is 250).

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): See General Comments

Comments The Mediation Act provides for the possibility of mediation outside the judicial process.

According to Art. 19, para. 1 and para. 2 of the Code of Civil Procedure, the parties to a property dispute may arrange for it to be resolved by an arbitral tribunal, unless the dispute is subject to real rights or possession over real estate, maintenance or employment rights or is a dispute in which one of the parties is consumer within the meaning of § 13, item 1 of the additional provisions of the Consumer Protection Act. Arbitration may be domiciled abroad if one of the parties has its habitual residence, its registered office or the place of its actual domicile abroad.

The Bulgarian legislation provides for the possibility of arbitration as an out-of-court method for resolving collective labor disputes, as well as for resolving civil property disputes arising from foreign trade relations, as well as disputes for filling gaps in a contract or adapting it to new circumstances, if the domicile or seat of at least one of the parties is not in the Republic of Bulgaria (Article 1, paragraph 2 of the Law on International Commercial Arbitration- LICA). The legal framework for arbitration as a way of resolving collective labor disputes is the Law on the Settlement of Collective Labor Disputes (LSCLD) - Art. 4-8, The Rules on the Structure and Activity of the National Institute for Conciliation and Arbitration and the Rules for Mediation and Arbitration for the settlement of collective labor disputes by the National Institute for Conciliation and Arbitration. It may be voluntary arbitration, carried out with the assistance of trade unions and employers' organizations or of the National Institute for Conciliation and Arbitration under the procedure of Articles 4-8 of the LSCLD and compulsory arbitration only in a specific hypothesis. The International Commercial Arbitration Act (ICAA) applies to international commercial arbitration based on an arbitration agreement where the place of arbitration is on the territory of the Republic of Bulgaria. An arbitration agreement is a written agreement whereby the parties agree to entrust arbitration to resolve all or some of the disputes that may arise or have arisen between them regarding a particular contractual or non-contractual relationship. It may be an arbitration clause in another contract or separate agreement. Pursuant to § 3 of the LICA, the law also applies to arbitration between parties domiciled or seats in the Republic of Bulgaria, with the exception of Art. 1, para. 2, Art. 10, Art. 11, para. 2 (except when the party to the dispute is a company/enterprise with predominantly foreign participation), Art. 26 and the words "in accordance with the law chosen by the parties, and failing such choice" of art. 47, para. 1, Vol. 2.

G1. Please indicate the source for answering question 166:

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	405 [] NA	[X] NA	[X] NA

Comments Information only for private enforcement agents: Total number- 195; male- 96; female- 99.

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

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

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure of immovable properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments Other: service of judicial papers and private civil law documents

171-3. Apart of 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 sale of moveable or immoveable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments Some special / additional functions are also provided to the private enforcement agents/bailiffs. According to Art. 18, Para 2 - 4 of the Private Enforcement Agents Act: upon the assignment by the debtor and / or the creditor, the private enforcement agent may, in connection with the enforcement proceedings, be the guardian of the collateral property; mediate to reach an agreement between them; has the rights and obligations of a depositary, in cases when it concerns pledged property under the Special Pledges Act (PPA); to serve any invitations, communications and answers in relation to civil relations, and upon court order - communications and summons under civil cases; to assign to private enforcement agent from another region carrying out activities under the same conditions.

172. Is there a specific initial training or exam to become an enforcement agent?

Yes

No

Comments

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

Yes

No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments Bailiffs' fees are statutory. For private enforcement agents they are in the "Tariff for Fees and Costs of the Private Enforcement Agents Act". For state bailiffs, they are in Section II - Fees for Court Enforcement, collected by the state bailiffs in the "Tariff for State Fees, which are collected by the courts under the Code of Civil Procedure".

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

8.1.2. 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

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? Code of Ethics for Private Enforcement Agents, adopted by the General Assembly of the Chamber of Private Enforcement Agents.

180. If yes, who is responsible for establishing these quality standards?

professional body

judge

Ministry of Justice

other (please specify):

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

Yes

No

Comments - If yes, please specify:

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

Comments

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

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: In 2018. at the initiative of the Ministry of Justice there is a request for the formation of 15 pcs. disciplinary proceedings under the Private Enforcement Agents Act and 1 pc. according to the JSA.

Since the beginning of 2019. at the initiative of the Ministry of Justice there is a request for the formation of 9 pcs. disciplinary proceedings under the Private Enforcement Agents Act (PEAA).

There is no information from financial inspectors.

It has to be noted that the Council of the Chamber of Private Enforcement Agents can also initiate disciplinary proceedings against enforcement agents.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

sanctions exists, please indicate the reasons: other- "warning of suspension"

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: the Inspectorate of the Minister of Justice under the JSA;
Annual report of the Bulgarian Chamber of Private Enforcement Agents for 2018;
Report for the activity of Disciplinary commission at Bulgarian Chamber of Private Enforcement Agents for 2018.

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 options possible)

- Judge
 Public prosecutor
 Prison and Probation Services
 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 and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

Total	Male	Female

TOTAL (1+2+3+4)	783 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	783 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Public officials	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other", please specify the status: According to the Bulgarian legislation in force, notaries carry out activities that are explicitly assigned to them through a statutory delegation by the state. According to art.2 para 1 of the Notaries and Notarial Activity/Practice Act "A notary is a person, to whom the state assigns the notary activities stipulated by the law."

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

- diploma
- professional experience/professional training
- exam
- appointment procedure by the State
- other (please specify):Please, see General comments

Comments Exam- competitive examination which is conducted by a commission composed of a chairperson, representing the Ministry of Justice, designated by the Minister of Justice, and four members: a Supreme Court of Cassation judge, designated by the President of the Supreme Court of Cassation, two notaries, designated by the Board of Notaries, and an academic degree holder teaching civil law sciences, designated by the Minister of Justice. Appointment procedure by the State- The terms and procedure for conduct of a competitive examination is established by an ordinance issued by the Minister of Justice after consultation with the Board of Notaries.

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:NAP
- no, please specify the duration of the appointment:

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

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

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):see comments

194-1. Do notaries have the exclusive rights when exercising their profession:

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with:

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
- Other

Comments Other areas include commercial law, civil law and inheritance law

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

- In establishing authentic instruments
- In recording authentic instruments (archives)
- Other activity (please specify):

Comments

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

- Yes
- No

Comments

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

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

Comments

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

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: The Notaries and Notarial Practice/Activity Act and the information published on the site of the Notary Chamber

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

[X] NA

[] NAP

Comments

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

Yes

No

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

201. Are the courts responsible for selecting court interpreters?

[X] 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 question 199

Sources: -

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 be requested to participate in judicial procedures (multiple choices possible):

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of registered judicial experts?

Yes

No

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

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

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

Yes, for how long

No

Comments

203. Is the title of judicial experts protected?

Yes

No

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

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

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

205-1. Who sets the expert remuneration?

- The terms and conditions for determining and paying the remuneration of experts are set forth in Chapter Four of ORDINANCE No 2 of 29 June 2015 on the Registration, Qualification and Remuneration of Expert Witnesses issued by the Minister of Justice.
--

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

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

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

Comments

207. Are the courts responsible for selecting judicial experts?

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 judicial experts

Comments

207-1. Does the judge control the progress of the expertise?

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: ORDINANCE No 2 of 29 June 2015 on the Registration, Qualification and Remuneration of Expert Witnesses issued by the Minister of Justice.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans NAP

2. Budget NAP

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) Legislative changes have been initiated, aiming at a uniform distribution of the workload between the different courts; reform in the military justice; a proposal to amend the boundaries of judicial districts. Under the project "Creation of a Model for the Optimization of the Judicial Map of the Bulgarian Courts and Prosecutor's Offices and Development of a Unified Information System of the Courts" under the Operational Program "Good Governance" the following results are envisaged: preparation of an analysis of the state of the courts of regional, an appellate level in terms of their effectiveness and efficiency, and the selection of pilot structures; proposals for merging judicial structures (district/ regional courts); drawing up a roadmap for the reorganization of judicial structures at the regional and appellate levels.

In connection with the optimization of the structure of the District/ Regional Prosecutor's offices, by decision of the SJC's Plenum, 11 district/ regional Prosecutors' Offices were closed with effect from 1 January 2019 and in their place territorial units were opened. As of May 2019, a draft proposal on the continuation of the process of optimizing the structure of the District/ Regional Prosecutors' Offices was drafted.

New construction and major repairs of the existing building stock in 2018

1. In 2018 the following sites are completed and put into operation:

Administrative Court - Vidin - Construction and extension of a hot connection between the detached parts on the first floor, internal reconstruction and repair of part of an existing building for the needs of the Administrative Court - Vidin. Its value amounts to about BGN 1 582 636.

"Extension of the Palace of Justice II Stage" – town of Yambol ". - Issued certificate of putting into operation VVE-130 / 17.12.2018

"Overhaul of a building, located on 24 Pozitano Str., Sofia. Construction and assembly works carried out for the reconstruction of a building for the needs of military prosecution offices. Its value amounts to about BGN 240 000.

"Court Palace Targovishte" - Overhaul of the heating system of the Court of Justice of Targovishte. Its value amounts to about BGN 630 000.

"Palace of Justice in the town of Razgrad" - Construction and repair works for strengthening of supporting columns at the entrance of the Razgrad Courthouse, a staircase in front of an entrance door and an entrance door. The cost of the repair is about 85 000 BGN.

2. Buildings included in the investment policy of the Supreme Judicial Council, the implementation of which started in 2018:

"Reconstruction and repair of the damaged building and the main building of the Courthouse, 4," Dimitar Sabev "Str., town of

Karlovo. Repair value of about 1 478 000 BGN.

"Carrying out a major overhaul and reconstruction of a building for the needs of the Administrative Court of Veliko Tarnovo," Ivan Vazov 1 "Str. Repair value of about BGN 1 960 000.

Construction works related to the construction of Slivnitsa Courthouse. Value of construction works for the construction of a new court building - BGN 3,100,000.

Current repairs to the existing building stock in 2018

Given the impressive building stock available to the judiciary - more than 300 buildings, the necessary actions to secure financial resources and to carry out the necessary ongoing repairs of the existing building stock are taken to meet the needs for the maintenance of the building stock.

3.1. Access to justice and legal aid NAP

4. High Judicial Council NAP

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. The draft Law amending and supplementing the Judicial System Act (JSA), which was adopted in 2018 (promulgated SG No. 48 of 2018), provides for amendments to the new functions of the Inspectorate to the Supreme Judicial Council (ISJC) on the verification of declarations of property and interests of magistrates, leading to a change in the current legislative model for declaring and inspection before bodies outside the judiciary. The actual receipt by the Inspectorate of information from the information system of the Bulgarian National Bank for the bank account numbers, their holders and the persons authorized to dispose of the accounts, as well as for the persons, tenants of safe deposit boxes in banks and their proxies is explicitly regulated. In this way, the ISJC will be obliged to request disclosure of bank secrecy only for persons who have not declared their consent in writing to access the data necessary for verifying their property declarations, some of which are bank secrecy. The gap in the current legal framework, according to which an administrative punishment for not submitting a declaration of property and interests is not imposed on judges, prosecutors and investigators who have left the judiciary, is filling in. Under the new regulation, sanctions are also imposed on persons who have lost the status of judges, prosecutors or investigators but remain required to file declarations.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities The draft Law to amend the Criminal Code, adopted in 2019 (promulgated SG, No. 7 of 2019), relates to the need to ensure adequate and comprehensive criminal protection against all acts of violence against women, including domestic violence. The amendments proposed by it aim at improving the Bulgarian legal framework with a view to preventing and counteracting these forms of criminal behavior. The measures proposed in the draft are timely and necessary to deal with the identified socially dangerous phenomenon. Insofar as it concerns the attack on the most important basic human goods - the life and health of the individual, it is proposed to criminalize all forms of violence, incl. mental abuse and persecution, respectively impact on their perpetrators through the most severe form of state coercion, such as punishment. Qualified murder and personal injury under Criminal Code are being supplemented to

criminalize all forms of domestic violence that escalate to harming the lives or health of individuals. They are introduced as qualifying elements of committing the relevant acts in the context of domestic violence, which should lead to a change in the understanding of the society that domestic and mental violence is a personal issue and that the state is not responsible for its prevention.

7. Enforcement of court decisions NAP

8. Mediation and other ADR NAP

9. Fight against crime NAP

9.1. Prison system NAP

9.2 Child friendly justice A draft Law on Educational Measures against Underage Persons Who Have Committed a Crime or Administrative Offense has been prepared. The bill aims to promote the lawful behavior of Juveniles who are criminals and administrative offenders by supporting and stimulating their integration into society through appropriate educational measures. The project is in implementation of the Governance Programme of the Government of the Republic of Bulgaria for the period 2017-2021 and the Updated Strategy for Continuing the Reform in the Judiciary (approved by Decree No. 825 on December 18, 2014 and Decision of the National Assembly, prom. , SG No. 7 of 27 January 2015).

In addition, it was made an analysis of the concluding observations and the recommendations of the UN Committee on the Rights of the Child in relation to the second periodic report on Bulgaria (2008) and the consolidated third, fourth and fifth periodic reports on Bulgaria (2016). The following legal acts were taken into consideration:

The UN and Council of Europe standards in the area of the treatment of children in conflict with the law set out in the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), the Minimum Standard Rules for the Administration of Justice for minors (the Beijing Rules) and the European Rules on Juvenile Offenders subject to sanctions and measures . Changes in the Code of Criminal Procedure and the Criminal Code are also envisaged, they are related to the implementation of Directive 2016/800 (EU) of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspected or accused and are in criminal proceedings.

9.3. Violence against partners The draft Law to amend the Criminal Code, adopted in 2019 (promulgated SG, No. 7 of 2019), relates to the need to ensure adequate and comprehensive criminal protection against all acts of violence against women, including domestic violence. The amendments proposed by it aim at improving the Bulgarian legal framework with a view to preventing and counteracting these forms of criminal behavior. The measures proposed in the draft are timely and necessary to deal with the identified socially dangerous phenomenon.

Insofar as it concerns the attack on the most important basic human goods - the life and health of the individual, it is proposed to criminalize all forms of violence, incl. mental abuse and persecution, respectively impact on their perpetrators through the most severe form of state coercion, such as punishment. Qualified murder and personal injury under Criminal Code are being supplemented to criminalize all forms of domestic violence that escalate to harming the lives or health of individuals. They are introduced as qualifying elements of committing the relevant acts in the context of domestic violence, which should lead to a change in the understanding of the society that domestic and mental violence is a personal issue and that the state is not responsible for its prevention.

10. New information and communication technologies A project for the establishment of the Unified Information System of the courts (without the administrative courts) is currently being implemented.

11. Other NAP