



**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.

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## 1.General and financial information

### 1.1.Demographic and economic data

#### 1.1.1.Inhabitants and economic general information



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

[ 10 649 800 ]

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	84 080 645 000 [ ] NA [ ] NAP
Regional / federal entity level (total for all regions / federal entities)	20 397 571 000 [ ] NA [ ] NAP

Comments

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

[ 19 489 ]

Comments

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

[ 14 365 ]

[ ] NA

Comments

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

[ 25.73 ]

Allow decimals : 5

[ ] NAP

Comments

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

Sources: Czech Statistical Office  
Czech National Bank

**1.1.2. Budgetary data concerning judicial system**



**006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the 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 €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	479 287 567 [ ] NA [ ] NAP	491 049 368 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	402 952 834 [ ] NA [ ] NAP	397 477 383 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation</b>	4 530 156 [ ] NA [ ] NAP	7 392 401 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	[ X ] NA [ ] NAP	18 041 042 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	4 820 801 [ ] NA [ ] NAP	3 895 788 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	4 678 944 [ ] NA [ ] NAP	3 449 000 [ ] NA [ ] NAP
<b>6. Annual public budget allocated to training</b>	120 898 [ ] NA [ ] NAP	111 303 [ ] NA [ ] NAP
<b>7. Other (please specify)</b>	62 183 934 [ ] NA [ ] NAP	60 682 451 [ ] 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: There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

**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 €)
<b>Total annual public budget allocated to all courts and the public prosecution services together</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Total annual public budget allocated to all courts and legal aid together</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Total annual public budget allocated to all courts, public prosecution services and legal aid together</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] 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:

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

	<b>Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?</b>
<b>for criminal cases</b>	( ) Yes ( X ) No
<b>for other than criminal cases</b>	( 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 court fee is CZK 1000 if the monetary performance is lower than CZK 20 000 and it represents 5% of the respective amount of money if the monetary performance is higher than CZK 20000. In non-monetary performance the court fee is CZK 2000.

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

[ 150 ]

[ ] NA

[ ] NAP

Comments

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

[ 44 810 915 ]

[ ] NA

[ ] NAP

Comments

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

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

Comments

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

<b>TOTAL</b>	<b>Criminal cases</b>	<b>Other than criminal cases</b>
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<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	21 045 390 [ ] NA [ ] NAP	15 616 515 [ ] NA [ ] NAP	5 428 875 [ ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	21 045 390 [ ] NA [ ] NAP	15 616 515 [ ] NA [ ] NAP	5 428 875 [ ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	115 530 744 [ ] NA [ ] NAP	116 129 722 [ ] NA [ ] NAP
<b>13.1. Annual public budget allocated to training of public prosecution services</b>	33 852 [ ] NA [ ] NAP	14 864 [ ] 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:

### 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
<b>Ministry of Justice</b>	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Other ministry</b>	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Parliament</b>	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Supreme Court</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>High Judicial Council</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP
<b>Courts</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

<b>Inspection body</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Other</b>	( ) 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:

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

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

Comments - If "other", please specify:

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

Sources: Ministry of Justice

**1.1.3. Budgetary data concerning the whole justice system**

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

	<b>Approved budget (in €)</b>	<b>Implemented budget (in €)</b>
<b>Total annual public budget allocated to the whole justice system in €</b>	664 008 255 [ ] NA [ ] NAP	676 223 556 [ ] 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 )	( )	( )

### 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:

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

Sources: Ministry of Justice

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	( 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.

- If the participants fulfill the conditions for waiving of court fees, he/she can ask the court for appointment of a lawyer - it could apply also before the action is filed.

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

( X ) Yes

( ) 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)?

( X ) Yes

( ) No

[ ] NAP

If yes, please specify:

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

Criminal cases	Other than criminal cases



<b>Legal aid granted for other costs</b>	( 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
<b>TOTAL</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In other than criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please specify when appropriate:

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

	Assisted by a free of charge lawyer
<b>Accused individuals</b>	( X ) Yes ( ) No
<b>Victims</b>	( 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
<b>Accused individuals</b>	( X ) Yes ( ) No [ ] NAP
<b>Victims</b>	( 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 type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input 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
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

in other than criminal cases

Yes

No

Comments

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

Sources: Ministry of Justice

### 2.2. Court users and victims

#### 2.2.1. Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, 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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> www.mvcr.cz
case-law of the higher court/s	<input type="checkbox"/>	<input checked="" type="checkbox"/> www.nsoud.cz
other documents (e.g. downloadable forms, online registration)	<input type="checkbox"/>	<input checked="" type="checkbox"/> www.justice.cz

Please specify what documents and information are included in "other documents": Forms for electronic payment order and for insolvency proceedings, practical guide for solving life situation, including topic like „I need to file a motion“, „I received the judicial summons“, „I want to make a complaint for the court proceedings“, „I want to make a complaint for the court decision“.

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

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?

Yes

No

Comments - If yes, please specify: There is a specific section at the Ministry of Justice website - www.justice.cz.

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

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

Comments - If "other vulnerable person" and/or "other special arrangements", please specify: from April 2017 also "person who is a ripe old age" belongs also to the category "especially vulnerable victims" and has e. g. right to legal aid.

### **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.):

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

( X ) Yes, please specify for which kind of offences: Compensation is granted to victims of crimes in cases where damage to health has been the cause of the action.

- ( ) No

Comments

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

- ( ) Yes  
( X ) No

Comments

### **033. If yes, does this compensation come from:**

- [ X ] 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:

**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 €)
<b>Total</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Excessive length of proceedings</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-execution of court decisions</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Wrongful arrest</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - 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 type="checkbox"/> Ad hoc	<input 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 type="checkbox"/> Ad hoc	<input 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 type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
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 type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: no surveys

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

Yes

No

Comments

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

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

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

Comments

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

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

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

### 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)	86 [ ] NA [ ] NAP
42.2 First instance specialised courts (legal entities)	[ ] NA [ X ] 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)	98 [ ] NA [ ] NAP

Comments

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

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

Comments - If "other specialised 1st instance courts", please specify:

**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:



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

	Number of courts
a debt collection for small claims	[ ] NA [ X ] NAP
an employment dismissal	[ ] NA [ X ] NAP
a robbery	[ ] NA [ X ] NAP
an insolvency case	[ ] NA [ X ] NAP

Comments

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

( ) Yes

( X ) No

Comments - If not, please give your definition for small claims: There is no definition of small claim but the appeal is not admitted when the litigious value is less than 10 000 CZK (about 389 EUR in 2018).

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

[ 389 ]

Comments see the explanation above

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

Sources: Ministry of Justice

**3.2. Court staff**

**3.2.1. Judges and non-judge staff**



**046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for 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)	3 029 [ ] NA [ ] NAP	1 195 [ ] NA [ ] NAP	1 834 [ ] NA [ ] NAP

<b>1. Number of first instance professional judges</b>	1 849 [ ] NA [ ] NAP	611 [ ] NA [ ] NAP	1 238 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) professional judges</b>	1 078 [ ] NA [ ] NAP	505 [ ] NA [ ] NAP	573 [ ] NA [ ] NAP
<b>3. Number of Supreme Court professional judges</b>	102 [ ] NA [ ] NAP	79 [ ] NA [ ] NAP	23 [ ] NA [ ] NAP

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

**047. Number of court presidents (professional judges).**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of court presidents (1 + 2 + 3)</b>	94 [ ] NA [ ] NAP	54 [ ] NA [ ] NAP	40 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	82 [ ] NA [ ] NAP	43 [ ] NA [ ] NAP	39 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	10 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	2 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments

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

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

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

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

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

Comments

**049. Number of non-professional judges who are not remunerated but who 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	5 391 [ ] NA [ ] NAP
In full time equivalent	5 391 [ ] NA [ ] 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)	( )	( )	( X )
criminal cases (misdemeanour and/or minor)	( )	( )	( X )
family law cases	( )	( X )	( )
labour law cases	( )	( )	( X )
social law cases	( )	( X )	( )
commercial law cases	( )	( X )	( )
insolvency cases	( )	( X )	( )
other civil cases	( )	( X )	( )

[ ] NAP

Comments - If “other”, please specify:

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

( ) Yes

( X ) No

Comments

**050-1. If yes, for which type 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

[X] 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
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	9 857 [ ] NA [ ] NAP	1 206 [ ] NA [ ] NAP	8 651 [ ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>	2 443 [ ] NA [ ] NAP	398 [ ] NA [ ] NAP	2 045 [ ] NA [ ] NAP
<b>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)</b>	4 616 [ ] NA [ ] NAP	196 [ ] NA [ ] NAP	4 420 [ ] NA [ ] NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	2 060 [ ] NA [ ] NAP	316 [ ] NA [ ] NAP	1 744 [ ] NA [ ] NAP
<b>4. Technical staff</b>	656 [ ] NA [ ] NAP	272 [ ] NA [ ] NAP	384 [ ] NA [ ] NAP
<b>5. Other non-judge staff</b>	82 [ ] NA [ ] NAP	24 [ ] NA [ ] NAP	58 [ ] NA [ ] NAP

Comments - If "other non-judge staff", please specify:

**052-1. Number of non-judge staff by instance (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)**

	Total	Males	Females
<b>Total non-judge staff working in courts (1+2+3)</b>	9 857 [ ] NA [ ] NAP	1 206 [ ] NA [ ] NAP	8 651 [ ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	6 539 [ ] NA [ ] NAP	614 [ ] NA [ ] NAP	5 925 [ ] NA [ ] NAP

<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	2 900 [ ] NA [ ] NAP	453 [ ] NA [ ] NAP	2 447 [ ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	418 [ ] NA [ ] NAP	139 [ ] NA [ ] NAP	279 [ ] 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: Senior judicial officers” (Rechtspfleger):

According to Act No. 121/2008 Coll. on senior judicial officers and senior officers of the public prosecutor’s offices, he/she can carry out individual acts in the following proceedings concerning:

- payment orders,
- care of court for minors,
- grant of permission to accept or hold a person in the medical or special treatment institution, -judicial enforcement of a decision.

He/she can also carry out the following acts of a court:

- writing an applications to court,
- elimination of defects in the filings,
- deciding on court fees,
- deciding on the appointment of a representative of the participant in proceeding,
- deciding on the appointment of an expert or interpreter, -deciding on the witness fee, expert’s fee and interpreter’s fee.

**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): .....

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

Sources: Ministry of Justice  
individual courts

**3.3. Public prosecution****3.3.1. Public prosecutors and staff**

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

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	1 238 [ ] NA [ ] NAP	567 [ ] NA [ ] NAP	671 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	827 [ ] NA [ ] NAP	337 [ ] NA [ ] NAP	490 [ ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	354 [ ] NA [ ] NAP	191 [ ] NA [ ] NAP	163 [ ] NA [ ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	57 [ ] NA [ ] NAP	39 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP

Please indicate any useful comment for interpreting the data above:

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

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	93 [ ] NA [ ] NAP	55 [ ] NA [ ] NAP	38 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	82 [ ] NA [ ] NAP	47 [ ] NA [ ] NAP	35 [ ] NA [ ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	10 [ ] NA [ ] NAP	7 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Please provide any useful comment for interpreting the data above:

**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	1 465 <input type="checkbox"/> NA	251 <input type="checkbox"/> NA	1 214 <input type="checkbox"/> NA

Comments

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

Sources: Ministry of Justice individual prosecution offices
---

**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?

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

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

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

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

(title, date, nature of the text)

[ X ] NAP

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

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

[ X ] NAP

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

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

[ X ] 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 )

<b>Replacement of absent persons</b>	( )	( X )
<b>Organisation of the hearings</b>	( )	( X )
<b>Other</b>	( )	( X )

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

NAP

**061-10. 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	( ) defined and coordinated at national level by one institution ( X ) defined and coordinated at national level by several institutions ( ) defined and coordinated at unit/stakeholder level ( ) other
IT Governance	( X ) governed on national level by one institution ( ) governed on national level by several institutions ( ) organised at unit/stakeholder level ( ) other

Comments

**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
- ( X ) 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?**

- ( X ) Yes  
( ) 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?**

- ( X ) Yes  
( ) No

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

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

Comments (please specify examples of the impact) optimizing administrative processes

### 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 ?**

- ( X ) Yes  
( ) No

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

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

Yes

No

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

**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

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

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

### 3.5.4 Writing assistance tools

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

Yes

No

Comment – if it exists in other matters please specify

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

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

**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
--	---	---------------------------

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

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

**Availability rate:**

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

NA

Comments

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

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

- Yes
- No

Comments - if it exists in other matters please specify

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



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

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

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

<b>Business registry</b>	<input checked="" type="checkbox"/> 100%	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> 10-49%			
	<input type="checkbox"/> 1-9%			
	<input type="checkbox"/> 0% (NAP)			
	<input type="checkbox"/> NA			

Comment – if it exists in other matters please specify

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

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

#### 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
-----------------------	--	---	----------------------------

<b>For judges</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For prosecutors</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For non-judge/non-prosecutor staff</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input 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:**

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

<b>Administrative</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
-----------------------	---	---	---	---

Comments - if it exist in other matters please specify not connected with CMS but with national eDelivery

### 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
<b>Availability rate</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
<b>Formalisation of the request in paper form remains mandatory</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Specific legislative framework regarding requests for legal aid by electronic means</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Granting legal aid is also electronic</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Information available in CMS</b>	<input type="checkbox"/> Yes <input checked="" 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
<b>Civil and/or commercial</b>	[ X ]	[ ]	[ ]	[ ] SMS [ ] E-mail [ X ] Specific computer application [ ] Other	[ X ]
<b>Criminal</b>	[ X ]	[ ]	[ ]	[ ] SMS [ ] E-mail [ X ] Specific computer application [ ] Other	[ X ]
<b>Administrative</b>	[ X ]	[ ]	[ ]	[ ] SMS [ ] E-mail [ X ] Specific computer application [ ] Other	[ X ]

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

**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

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

Comments

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

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

<b>Notaries (as defined in Q192 and following)</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
<b>Experts (as defined in Q202 and following)</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
<b>Judicial police services</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments

**064-9. Are there online processing 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. electronic payment order for claims up to 1000000 CZK.

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

Yes

No

Comments

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

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
<b>Civil and/or commercial</b>	<input 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 checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<b>Criminal</b>	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

Yes

No

Comments

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

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

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

<b>Admissibility of electronic evidence</b>	<b>Legislative framework</b>
---	------------------------------



<b>Civil and/or commercial</b>	( X ) Yes ( ) No	( X ) General law only ( ) General and specialised law ( ) Specialised law only
<b>Criminal</b>	( X ) Yes ( ) No	( X ) General law only ( ) General and specialised law ( ) Specialised law only
<b>Administrative</b>	( X ) Yes ( ) No	( X ) General law only ( ) General and specialised law ( ) Specialised law only

Comments

### 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

( X ) No

Comments - If yes, please specify:

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

	Yes / No
<b>within the courts</b>	( ) Yes ( X ) No
<b>within the public prosecution services</b>	( ) Yes ( X ) 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?**

( X ) Yes

( ) No

Comments

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

[ X ] number of incoming cases

[ X ] length of proceedings (timeframes)

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

Comments

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

- Yes
- No

Comments

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

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

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify): .....

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

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

Comments

**079. Who is responsible for evaluating the performance of the courts (multiple 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): .....

Comments

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

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

Comments

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

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

Comments

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



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

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

No

Comments

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

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?**

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

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):

**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 Quantitative performance targets exist but they are not strictly binding.

**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 The individual assessment of the public prosecutors' work take place at least once every two years.

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

Sources: Ministry of Justice  
Prosecutor General's Office

**4.Fair trial**

**4.1.Principles**

**4.1.1.Principles of fair trial**

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

[ ]

[ X ] NA

[ ] NAP

Comments - Please add methodology for calculation used.

**085. Is there a procedure to effectively challenge a judge, 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):**

[ ]

[ X ] NA

Comments

**086. Is there in your country a monitoring system for the violations related to Article 6 of the**

## European Convention on Human Rights?

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

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

Yes

No

NAP

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

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

Sources: Ministry of Justice

## 4.2. Timeframe of proceedings

### 4.2.1. General information

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

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

#### 088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

#### 088-1. For these simplified procedures, may judges deliver an oral judgement with a written order

**and without the full reasoning of the judgement ?**

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

**4.2.2. Case flow management – first instance**



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	446 370 <input type="checkbox"/> NA <input type="checkbox"/> NAP	936 757 <input type="checkbox"/> NA <input type="checkbox"/> NAP	958 742 <input type="checkbox"/> NA <input type="checkbox"/> NAP	424 385 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	148 655 <input type="checkbox"/> NA <input type="checkbox"/> NAP	346 240 <input type="checkbox"/> NA <input type="checkbox"/> NAP	351 743 <input type="checkbox"/> NA <input type="checkbox"/> NAP	143 152 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	162 410 <input type="checkbox"/> NA <input type="checkbox"/> NAP	553 409 <input type="checkbox"/> NA <input type="checkbox"/> NAP	562 658 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 161 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	153 009 <input type="checkbox"/> NA <input type="checkbox"/> NAP	440 015 <input type="checkbox"/> NA <input type="checkbox"/> NAP	446 312 <input type="checkbox"/> NA <input type="checkbox"/> NAP	146 712 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	7 459 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 788 <input type="checkbox"/> NA <input type="checkbox"/> NAP	114 206 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 041 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2.2.1. Non litigious land registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	7 459 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 788 <input type="checkbox"/> NA <input type="checkbox"/> NAP	114 206 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 041 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	1 942 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 606 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 140 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 408 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</b>	10 377 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 865 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 797 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	124 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 243 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 896 <input type="checkbox"/> NA <input type="checkbox"/> NAP	116 275 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases.

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

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

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

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

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	13 951 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74 115 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74 683 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 383 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 115 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2. Misdemeanour and / or minor criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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: We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

#### 4.2.3. Case flow management – second instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	14 187 <input type="checkbox"/> NA <input type="checkbox"/> NAP	63 819 <input type="checkbox"/> NA <input type="checkbox"/> NAP	64 792 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 214 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	13 254 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 029 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 003 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 280 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	<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
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	<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
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>2.2.3. Other registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Administrative law cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other cases</b>	933 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 790 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 789 <input type="checkbox"/> NA <input type="checkbox"/> NAP	934 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify In "Other cases" category, insolvency cases are reported.

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

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2+3)</b>	1 895 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 492 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 612 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

#### 4.2.4. Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	5 142 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 418 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 274 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	2 884 [ ] NA [ ] NAP	4 784 [ ] NA [ ] NAP	5 264 [ ] NA [ ] NAP	2 404 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	37 [ ] NA [ ] NAP	182 [ ] NA [ ] NAP	184 [ ] NA [ ] NAP	35 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	37 [ ] NA [ ] NAP	182 [ ] NA [ ] NAP	184 [ ] NA [ ] NAP	35 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	1 883 [ ] NA [ ] NAP	4 109 [ ] NA [ ] NAP	3 489 [ ] NA [ ] NAP	2 503 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	338 [ ] NA [ ] NAP	343 [ ] NA [ ] NAP	349 [ ] NA [ ] NAP	332 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If "Other cases", please specify The category "other" includes appeals in last (third) instance of insolvency cases and incidence disputes.

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

( X ) Yes

( ) No

Comments

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

cases received by the Highest court? [ 9 418 ]

cases closed by this procedure? [ 0 ]

Comments The number of cases closed by the procedure od manifest inadmissibility is not monitored but is is about 60-70%.

### 100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	174 [ ] NA [ ] NAP	1 630 [ ] NA [ ] NAP	1 608 [ ] NA [ ] NAP	196 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other 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
<b>Litigious divorce cases</b>	9 419 [ ] NA [ ] NAP	26 894 [ ] NA [ ] NAP	27 337 [ ] NA [ ] NAP	8 976 [ ] NA [ ] NAP
<b>Employment dismissal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Insolvency</b>	117 766 [ ] NA [ ] NAP	21 211 [ ] NA [ ] NAP	28 436 [ ] NA [ ] NAP	110 541 [ ] NA [ ] NAP
<b>Robbery case</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Intentional homicide</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP



<b>Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Cases relating to the right of entry and stay for aliens</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**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:**

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

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

It is possible to file an action against the ministry's decision with the applicable regional court.

**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
<b>Civil and commercial litigious cases</b>	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	218 <input type="checkbox"/> NA <input type="checkbox"/> NAP	147 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	269 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Litigious divorce case</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Employment dismissal case</b>	34 [ ] NA [ ] NAP	631 [ ] NA [ ] NAP	116 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	770 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Insolvency</b>	[ X ] NA [ ] NAP	75 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Robbery case</b>	43 [ ] NA [ ] NAP	208 [ ] NA [ ] NAP	52 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	103 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Intentional homicide</b>	83 [ ] NA [ ] NAP	95 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	185 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments For insolvency cases, there was a small change in methodology for calculation of the average length. In previous years, the whole length of the insolvency was reported, and now, only the length of the procedure until the decision of the court is being reported. It reflects the court performance much better since the court has very little influence on the insolvency case after the decision.

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

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

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

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

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

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

3. Robbery cases and Intentional homicide – methodology for average length is the same as for employment dismissal cases. We are not able to exclude attempts. Robbery cases include Robbery (Section 173 of Czech Penal code). Intentional homicide cases include

Murder, Manslaughter and Murder of a New-born Child by its Mother (Sections 140,141 and 142 of Czech Penal code).  
 4.Civil and commercial litigious cases – the methodology is the same as for Employment dismissal cases, but applied to all cases in the civil and commercial cases data.

#### 4.2.6. Case flow management – public prosecution



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

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

Comments

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

### 107. 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
<b>Total number of first instance cases processed by the public prosecutor</b>	212 836	110 987	3 056	63 149
	<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

Comments This year, we have changed the methodology of reporting for CEPEJ, thus some number strongly differs from previous data. Also, there are many other ways how the prosecutor can deal with the case. Thus sum of discontinued during the reference year + Concluded by a penalty or a measure imposed or negotiated by the public prosecutor + cases brought to court is smaller than number of cases received during the year.

**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
<b>Total</b>	119 [ ] NA [ ] NAP
<b>Before the court case</b>	[ X ] NA [ ] NAP
<b>During the court case</b>	[ X ] NA [ ] NAP

Comments

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

	Number of cases
<b>Total number of cases which were discontinued by the public prosecutor (1+2+3+4)</b>	110 987 [ ] NA [ ] NAP
<b>1. Discontinued by the public prosecutor because the offender could not be identified</b>	[ X ] NA [ ] NAP
<b>2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	[ X ] NA [ ] NAP
<b>3. Discontinued by the public prosecutor for reasons of opportunity</b>	[ X ] NA [ ] NAP
<b>4. Other</b>	[ X ] NA [ ] NAP

Comments

**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: Ministry of Justice

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## 5. Career of judges and public prosecutors

### 5.1. Recruitment and promotion

#### 5.1.1. Recruitment and promotion of judges

##### 110. How are judges recruited?

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

Comments

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

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

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

- ( ) Yes
- ( X ) No

Comments

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

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

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

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

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



## 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:

### **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:

### **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):

**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"): It should be noted that there is no special procedure for promotion and the criteria are not formalised.

**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:70
- No

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

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

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards): .....
- No

Comments

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

- Yes, duration of the probation period (in years): .....
- No

Comments

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

- Yes, please indicate the compulsory retirement age:70
- No

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

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

- Yes, duration of the probation period (in years): .....
- No

Comments

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

[            ]

[ ] NA

[ X ] NAP

Comments

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

( ) Yes

( ) No

[ X ] NAP

Comments

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

[            ]

[ ] NA

[ X ] NAP

Comments

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

( ) Yes

( ) No

[ X ] NAP

Comments

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

Sources: Ministry of Justice

## 5.2. Training

### 5.2.1. Training of judges

**127. Types of different trainings offered to judges:**

	Compulsory	Optional	No training proposed
<b>Initial training (e.g. attend a judicial school, traineeship in the court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No



<b>General in-service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments

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

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

Comments - Please indicate any information on the periodicity of the continuous training of judges: The training is organized regularly by the Judicial Academy (every year), but the participation of judges is optional.

### 5.2.2. Training of prosecutors



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

	Compulsory	Optional	No training proposed
<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

<b>General in-service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The training is organized regularly by the Judicial Academy (every year), but the participation of judges is optional.

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

	Initial training only	Continuous training only	Initial and continuous training
<b>One institution for judges</b>	[ ]	[ ]	[ ]
<b>One institution for prosecutors</b>	[ ]	[ ]	[ ]

One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------

Comments

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

	Budget of the institution for the reference year, in €
One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	2 657 234 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. compulsory initial training
-------------------------------

**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)
<b>Total</b>	1 761 <input type="checkbox"/> NA <input type="checkbox"/> NAP	376 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Only for judges</b>	1 224 <input type="checkbox"/> NA <input type="checkbox"/> NAP	202 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Only for prosecutors</b>	1 224 <input type="checkbox"/> NA <input type="checkbox"/> NAP	202 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Only for other non-judge staff</b>	537 <input type="checkbox"/> NA <input type="checkbox"/> NAP	94 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Only for other non-prosecutor staff</b>	537 <input type="checkbox"/> NA <input type="checkbox"/> NAP	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other common training</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments: Training events are opened for registration both for judges and prosecutors.

Training events are opened for registration both for non-judge staff and non-prosecutor staff.

E-learning modules are available to judges and prosecutors in on-line e-learning platform. Judges and prosecutors can use these e-learning modules for self-study. The calculation of training days is done by on-line registration system of the Judicial Academy. The Czech Judicial Academy provides training events in several places and often runs several courses in a day, therefore the number of training days is high. Also number of e-learning modules that are now available to justice practitioners in the Judicial Academy on-line educational platform is relatively high, all e-learning modules are self-study courses.

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

Sources: Ministry of Justice  
Judicial Academy

### 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	34 578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	889 512 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	78 296 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 014 176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	31 121 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	800 556 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	67 176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 728 096 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

#### 133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Special pension</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Housing</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other financial benefit</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office.

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

. Other benefits for judges are expenses for representation and expenses for specialist law books in the amount of 5,5% of the salary.

[ ] NAP

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Consultant only in advisory bodies of the ministry, government and Parliament.

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

	<b>With remuneration</b>	<b>Without remuneration</b>
<b>Teaching</b>	( X ) Yes ( ) No	( ) Yes ( X ) No

<b>Research and publication</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Arbitrator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Consultant</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Cultural function</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify: Consultant only in advisory bodies of the ministry, government and Parliament.

**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 Although there is no High Judicial Council, there is "Judicial Union", non-political and voluntary association which represents more than 50% of judges.

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

- Yes  
 No

[ ] NAP

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

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): minister of justice

Other (please specify): President of the Republic

This is not possible

Comments

**141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple 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):minister of justice
- Other (please specify): .....
- This is not possible

Comments

**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

**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 There is a special disciplinary panel within the Supreme Administrative Court composed of 6 members. In disciplinary proceedings against judges there are 3 judges (the judge from the Supreme Administrative Court is the presiding judge), 1 public prosecutor, 1 lawyer-member of the Bar, and 1 lawyer practising a different legal profession. In disciplinary proceedings against public prosecutors there are 2 judges (the judge from the Supreme Administrative Court is the presiding judge and the judge from the Supreme Court), 2 public prosecutors and 2 lawyers practising a different legal profession.

**5.4.2.Number of disciplinary procedures and sanctions**





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

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

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

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Fine</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Position downgrade</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>8. Resignation</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>9. Other</b>	4 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>10. Dismissal</b>	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

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

Judges:

1 acquittal of disciplinary charges

2 discontinuance of disciplinary proceeding

1 dismissal of a motion for a new trial

2 proceedings are not finished.

Prosecutors: 1 acquittal of disciplinary charges

1 discontinuance of disciplinary proceeding

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

Sources: Ministry of Justice

## 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	11 180 [ ] NA	7 176 [ ] NA	4 704 [ ] NA

Comments Data to: 31.12. 2018

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

Yes ( )

No ( X )

Comments

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

[ ]

NA

NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dismissal cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal cases – Defendant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Criminal cases – Victim	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Administrative cases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Family member	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Self-representation	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Trade union	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Other	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

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

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

Notarial activity

Arbitration / mediation

Proxy / representation

Property manager

Real estate agent

Other law activities (please specify):Insolvency administrator

Comments

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

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

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

a national bar association

a regional bar association

a local bar association

Comments

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

Yes

No

Comments - 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: Czech Bar Association

**6.1.2. Practicing the profession**

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

Yes

No

Comments

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

Yes

No

Comments

**156. Do laws or bar 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? Professional regulations adopted by the Assembly and the Board of Directors of the Czech Bar Association regulate quality standards in general, quality criteria are not specially expressed.

**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
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	157 [ ] NA [ ] NAP
<b>1. Breach of professional ethics</b>	[ X ] NA [ ] NAP
<b>2. Professional inadequacy</b>	[ X ] NA [ ] NAP
<b>3. Criminal offence</b>	[ X ] NA [ ] NAP
<b>4. Other</b>	[ X ] NA [ ] NAP

Comments - If "other", please specify:

## 162. Sanctions pronounced against lawyers.

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	72 [ ] NA [ ] NAP
<b>1. Reprimand</b>	15 [ ] NA [ ] NAP
<b>2. Suspension</b>	3 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	37 [ ] NA [ ] NAP
<b>5. Other</b>	2 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Disbarment - 2

Thee Lawyer was found guilty in the disciplinary proceeding but no sanction was pronounced against him/her - 15

Suspension - 3 (temporarym suspension)

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1 Court related mediation

## 7.1.1 Details on court related mediation

### 163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

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

Before/instead of going to court

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

No mandatory mediation

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

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

Yes

No

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

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

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

Comments For criminal cases, the Probation and Mediation Service is the public authority other than the court.

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

Yes

No

NAP

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

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

	Total	Males	Females
Number of mediators	657 <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 From the above mentioned number of mediators there are 429 probate and mediation officials and 228 mediators in non criminal cases. The number of mediators is increasing since the Ministry of Justice supports broader use of other criminal sanctions which are alternatives to imprisonment such as house arrest.

### 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	681 <input type="checkbox"/> NA <input type="checkbox"/> NAP	681 <input type="checkbox"/> NA <input type="checkbox"/> NAP	602 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: There could be three types of outcomes: 1. settlement agreement - 602

2. partly settlement agreement (e.g. with one victim and not with the other one) - 48

3. non-agreement - 31

Source: Probation and Mediation Service

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

Mediation other than court-related mediation

Arbitration



Conciliation (if different from mediation)

Other ADR (please specify): .....

Comments

**G1. Please indicate the source for answering question 166:**

Source: Probation and Mediation Service
---

**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	276 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments 156 private executors and 120 employees of the courts

**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

### 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

**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

**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 State supervision over private executors is carried out by the Ministry of Justice. The Chamber of Executors supervises activities of private executors and their management of private's offices. A bailiff (an employee of the court) is governed by the judge in his activities.

**179. Have quality standards been determined for enforcement agents?**

Yes

No

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

**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:

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

Yes

No

Comments - If yes, please specify: State supervision, supervision of the Chamber.

**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 type="checkbox"/> Yes <input checked="" 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
<b>Total number of initiated disciplinary proceedings (1+2+3+4)</b>	10 [ ] NA [ ] NAP
<b>1. For breach of professional ethics</b>	0 [ ] NA [ ] NAP
<b>2. For professional inadequacy</b>	8 [ ] NA [ ] NAP
<b>3. For criminal offence</b>	0 [ ] NA [ ] NAP
<b>4. Other</b>	2 [ ] NA [ ] NAP

Comments - If “other”, please specify: other: motion for re-opening of the disciplinary proceedings.

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

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	8 [ ] NA [ ] NAP
<b>1. Reprimand</b>	1 [ ] NA [ ] NAP
<b>2. Suspension</b>	[ ] NA [X] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [X] NAP
<b>4. Fine</b>	2 [ ] NA [ ] NAP
<b>5. Other</b>	5 [ ] NA [ ] NAP

Comments - If “other”, please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: other: 4 acquittal of disciplinary charges, 1 dismissal of a motion for a new trial; 2 proceedings are not finished.

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

Source: Ministry of Justice
-----------------------------

## 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
<b>TOTAL (1+2+3+4)</b>	447 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Private professionals (without control from public authorities)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>2. Professionals appointed by the State</b>	447 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Public officials</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If "other", please specify the status:

**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): .....

Comments

**192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- yes, please indicate the age of retirement: until 70 years
- no, please specify the duration of the appointment: .....

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

**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): .....

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

**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 no

**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

**11. Please indicate the sources for answering question 192:**

Sources: Notary Chamber

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## 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:

3 227 ]

NA

NAP

Comments

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

Yes

No

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

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

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

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: Ministry of Justice
------------------------------

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## 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?): Ministry of Justice and presidents of regional courts decide of the registration, the registration is unlimited in time, the experts take the oath.

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

Continuous training

Yes

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	8 381		
	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments

**205-1. Who sets the expert remuneration?**

- the court

**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
<b>Total (1+2+3+4)</b>	[ X ] NA [ ] NAP
<b>1.Civil and commercial litigious cases</b>	[ X ] NA [ ] NAP
<b>2.Administrative cases</b>	[ X ] NA [ ] NAP
<b>3.Criminal cases</b>	[ X ] NA [ ] NAP
<b>4.Other cases</b>	[ X ] NA [ ] 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: Ministry 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 1) Committee on recodification of the criminal procedure law consisting of reputable judges, public prosecutors, attorneys and ministry officials is convened regularly in order to prepare a comprehensive reform of the Czech criminal procedure law. The new Criminal Procedure Code should replace the current Criminal Procedure Code enacted in 1961, which underwent very many amendments adjusting it not only to the change of political regime but also to the development of technologies etc. and has thereby become relatively complicated. Main aim of the efforts is simplifying and streamlining of the criminal proceedings as well as decreasing of the administrative burden while preserving all rights of the person against whom the proceeding is conducted. Although the works on recodification are intensive, the finalization and subsequent adoption of the new Criminal Procedure Code still requires due time and may not be expected within the next couple of years. 2) A. The new Civil Procedure Code

As a result of an ongoing debate among legal experts who call for comprehensive legal reform of civil procedure, the Ministry of Justice of the Czech Republic has established a Committee of Experts to work on the new Civil Procedure Code. The Committee has prepared a Draft Civil Procedure Code which was presented to the Ministry at the end of July 2017. Year 2018 was devoted to the public discussion:

- the Draft Paper was published on the website “crs.justice.cz” where anyone can add their comments and suggestions; - there were three big conferences held last year (in May, June and September 2018). Their main goal was to introduce the new bill to the general public and allow legal experts to express their opinion on the suggested concept;

- it was also possible to send written statements to the Ministry commenting on the Draft Civil Procedure Code comprehensively.

In October of last year, the first wide public discussion came to an end. The Committee subsequently went through all the comments, considered them one by one and reflected all the relevant ones in their Draft.

The Draft Code is based on the Austrian Zivilprozessordnung which was in effect in the Czech lands before 1950 - it thereby inclines to the social conception of civil procedure (as opposed to liberal conception). The leading principles of the new civil procedure are the principle of effectiveness, procedural economy and the principle of material truth. A significant emphasis is put on the swiftness of the procedure while safeguarding everyone's right to a fair trial. This is, among others, achieved by the wide usage of modern technologies.

In 2019, the relevant comments are being processed and reflected in the first version of the Draft.

### B. Rules on Court Jurisdiction

Parallel to preparations of Draft Civil Procedure Code, the Committee also prepares the new rules on court jurisdiction that will be included as part of new Civil Procedure Code. The works on the new rules began in spring 2018. It is thus too early to give any details regarding possible changes.

### C. The Collective Actions Act

Another relevant ongoing project in the Czech Republic is the introduction of the new Collective Actions Act. Currently, there is no complex regulation of the collective proceedings in the Czech legal system. It is thus not possible to file a collective action in any civil lawsuit (with the exception of injunction order in consumer and unfair competition matters). This causes deficiencies in mass harm situations enforcement.

The Ministry finished drafting the Collective Action Act which should allow the representative procedure in any civil case where a group of people was affected by the same illegal practise and the claims which arose from such a practise are of the same or similar nature.

The White Paper on Collective Actions was approved by the Government in April 2018. The draft Act was submitted to the Government in July 2019 and is now under discussion in the expert committees of the Government. Subject to the Parliament's approval it is expected to come into force in 2022.

As follows from the White Paper, the collective actions could take a form of group or representative actions. Both opt-out and opt-in regimes are put forward (opt-out for small claims up to 5.000 CZK - ca. 200 EUR, opt-in for larger claims). It will be possible to sue for injunction and redress measure including damages. The possibility to initiate the opt-out proceedings shall be given only to qualified entities (special persons accredited for this purpose by the Ministry of Justice) and in limited cases to NGOs. On the other hand, the opt-in proceedings can be initiated by one or more members of the group themselves, by NGO or by the qualified entity.

### D. The Act on the Service of Documents

The Ministry is currently drafting the White paper of the Act on the Service of Documents. The Act aims to unify the legal regulation of delivery services, which is currently fragmented. The Ministry is currently gathering relevant materials for the White paper, in particular relevant experience of courts and related statistic data.

## 2. Budget no

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) 1) The new complex legislation concerning the Public Prosecutor's office which has been submitted to the Parliament of the Czech Republic in the previous election period of the Chamber of Deputies has not been submitted repeatedly in its current election period. Nevertheless, the influence in the Public Prosecutor's office particularly from the part of the executive and its minimisation remained extremely topical also in 2018. Amendment of the Act No. 283/1993 Coll., on Public Prosecutor's Office, as amended, which would particularly regulate the appointment of the chief public prosecutors, restrict the possibility of their removal only to the disciplinary proceedings and establish fixed term of their office shall be prepared by the Ministry of Justice in 2019. 2) The Ministry of Justice has drawn up a bill amending the Act No. 283/1993 Coll., on Public Prosecutor's Office, as amended, the Criminal Procedure Code, the Criminal Procedure Code and other acts in order to adapt the Czech legal order to the Council regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office. This bill has been approved by the Government in November 2018 and submitted to the Parliament of the Czech Republic. 3) Apart from the above mentioned preparations of the Draft Act on Court Jurisdiction which is being written together with the new Civil Procedure Code and which should modify some of the rules on powers and organisation of the courts, two other project can be mentioned here:

### A. Automatic generator

„Automatic generator“ is a computer algorithm which should be used as a new method of assignment of cases to the court chambers. The computer algorithm should assign cases on the basis of chance and thus, it should be unpredictable to whom the case will be assigned next. This measure was adopted to prevent potential misuse of the assignment of cases. Rules governing the automatic generator were introduced into the Amendment to the Act on Courts and Judges adopted in September 2017 and shall come into force on 1 November 2019. For the time being the automatic generator was introduced for insolvency cases. B. Electronic Court file (the so-called „e-File“)

Most of the court files before the Czech courts are kept in paper form (electronic payment order being the only exception). This should start to change as the Ministry is now getting prepared for the introduction of the electronic file into the court proceedings. The technical concept of the electronic file (i.e. its functions and technical requirements) has already been taken up in July 2018.

In 2018, the public tender „Development and implementation of eISIR“ (eISIR is part of the eJustice project – information system for Insolvency registry) was cancelled due to the over limit quantity of questions put by the potential providers. e-File was part of this public tender. The public tender should be announced again in 2020.

The introduction of the e-File is supposed to be gradual - firstly, into the insolvency cases, subsequently, the e-File should be spread also to the civil proceedings, later to administrative court proceedings and finally to criminal proceedings. The Ministry submitted the draft act regulating these matters to the Government in July 2019. It aims to strengthen the use of modern technologies at courts. For example, new definition of e-File or the possibility of remote access to court documents is included.

3.1. Access to justice and legal aid 1) Act No. 178/2018 Coll. amended the Act No. 59/2017 Coll., on Use of Pecuniary Means from Property Criminal Sanctions imposed in the Criminal Proceedings and on amendment to certain Acts, with effect from 1 October 2018. It broadened the scope of the mentioned Act in such way that the mechanism of this Act is hereafter applicable also as regards property criminal sanctions imposed by a criminal order (hence not only in a trial or a public session). This enables more injured persons to request compensation by means of this Act. 2) The Collective Actions Act

The Collective Actions Act should improve the access to justice. Since it is not yet possible to file a collective action in a civil lawsuit in the Czech Republic, some claims are not enforced before a court at all (or rarely) for it is not economically rational. Most of those “unenforceable” rights stem from the law on consumer protection. It is expected that the introduction of the collective actions into the Czech legal system will have a significant positive impact on the access to justice of consumers and other groups of people who were victims of mass harms situations and suffered only a small loss.

3) An amendment to the Act No 182/2006 Coll. on bankruptcy and methods of its settlement An amendment to the Act No 182/2006 Coll. on bankruptcy and methods of its settlement (effective from 1 June 2019) has lowered the barriers for over indebted persons to discharge from their debts. Debtors are now allowed to enter discharge proceedings even though they are not able to repay mandatory minimum to their unsecured creditors (formerly 30 % in 5 years). Furthermore, accelerated discharge options were introduced to categories of vulnerable debtors (retired or disabled persons etc.). Also an initiative to expand these categories by juvenile debtors is currently under discussion in the Parliament.

#### 4. High Judicial Council no

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. A new act on judicial experts and interpreters is still under discussion in the Parliament. The new act should replace the Act n. 36/1967 Sb., on the experts and interpreters. The aim of the new act is to increase the quality of these services. In general, the criteria to become an expert or an interpreter will be clearly specified. There will be a legal claim to become a judicial expert and a court interpreter when fulfilling all the prescribed criteria. The Act no. 6/2002 Coll., on courts and judges is being amended primarily in order to establish a transparent and uniform system of new judges` recruitment and selection of court presidents. The amendment further contains some other minor changes, such as specification of certain rules concerning automatic generator of assignment of cases, exercise of secondary activities by judges and revision of lay judges. The amendment introduces a new institute “judicial candidacy” – a training position for aspiring future judges which they will take on after successfully passing professional exams. Judges shall be selected in a special selection process. The selection process shall be conducted for every vacant judge position in territory of regional courts. Applicants shall be consisted of judicial candidates and other law professionals with more than 10 years of a professional law experience. The amendment is awaiting Parliament approval and is planned to come into force on 1 January 2021. The Act no. 7/2002 Coll., on proceedings concerning judges, public prosecutors and bailiffs is being amended as well. The main goal of the amendment is to introduce a new system of appeal and allow for the possibility to challenge decisions of the disciplinary court (chamber) before a second instance. The amendment also aims to improve effectivity of disciplinary proceedings with various changes – a new option of plea-bargain, a conditional discontinuation of proceedings, strengthening disciplinary chamber's powers regarding acquisition of evidence. Disciplinary chambers shall be consisted mainly of judges. The amendment is awaiting Parliament approval and is planned to come into force on 1 January 2021.

Amendments to the Act no. 99/1963 Coll., civil procedure code and to the Act no. 120/2001 Coll., executory code aims to solve problems arising out of multiple executions. The amendment regulates also the situation of bailiff's bankruptcy and the process of transfer or handover of his office. In case of bailiff's bankruptcy his executory powers are suspended. A corresponding new administrative offence for failure to comply with the legal requirements during transfer or handover of bailiff's office is introduced. The amendment is currently in the first reading in the Chamber of Deputies of the Parliament.



The Act no. 358/1992 Coll., notary code was amended by the Act no. 7/2019 which entered into force on 4 April 2019. European Court of Justice ruled that previous condition of Czech citizenship to become a notary was discriminatory. The amendment reflects the ruling and now citizens from EU, EEA and Switzerland can apply to become a notary.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities 1) As for international conventions in the field of criminal law, the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) and its Additional Protocol (CETS No. 217) entered into force for the Czech Republic on 1 January 2018, Council of Europe Convention against Trafficking in Human Organs (CETS No. 216) on 1 March 2018 and Additional Protocol to the Criminal Law Convention on Corruption (ETS No. 173) on 1 January 2019. 2) As regards international judicial cooperation in criminal matters, the Act No. 178/2018 Coll. amended the Act No. 104/2013 Coll., on international judicial cooperation in criminal matters, as amended, with effect from 16 August 2018 in order to fully transpose the Directive 2014/41/EU of the European Parliament and of the Council regarding the European Investigation Order in criminal matters.

7. Enforcement of court decisions no

8. Mediation and other ADR no

9. Fight against crime 1) An amendment of the Criminal Code and the Criminal Procedure Code was adopted as Act No. 287/2018 Coll. in November 2018 with effect from 1 February 2019. This amendment aims particularly at aligning the Czech legislation with international requirements regarding countering money laundering by unification of criminal offences pertaining to this notion under a single criminal offence laundering of proceeds from crime, ensuring availability of data important for the criminal proceedings which are stored in a computer system as well as further refining of provisions on corruption and terrorist offences. 2) Draft Act on registration of beneficial owners

The Ministry of Justice in cooperation with the Ministry of Finance has prepared a Draft Act on registration of beneficial owners. The primary objective of this measure is to implement requirements arising from the new Directive (EU) 2018/843 of the European Parliament and of the Council amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU („5th Anti-Money Laundering Directive“) into Czech law. The 5th Anti-Money Laundering Directive requires inter alia public accessibility of some data on beneficial owners, introduction of mechanisms for verification of data kept in in the register and the establishment of effective sanctions. Given the number of new rules and the specificity of the institute of registration of beneficial owners, a new specific act is proposed.

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

### 9.1. Prison system no

9.2 Child friendly justice 1) An amendment of the Act No. 218/2003 Coll., Concerning Youth Responsibility for Unlawful Acts and Judiciary in Suits of Youth and Amendments to Some Acts, as amended and other related acts, aiming at full transposition of the Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings was approved by the Government in September 2018 and submitted to the Parliament of the Czech Republic. This amendment shall inter alia broaden the scope of information provided to a juvenile suspect or accused person and extend mandatory defence until such person turns 21 provided that the criminal proceedings was initiated before the person turned 18. 2) Better enforcement of maintenance obligations The Ministry of Justice has prepared a draft amendment of the Civil Code (and of some other acts) in order to enhance the enforceability of maintenance obligations and to support consensual forms of dealing with minors. In particular, the following specific measures are proposed: •introduction of the possibility of an agreement on maintenance and on the child's situation, for the period after divorce, concluded in the form of a notarial deed with an enforceability clause;

- promoting parent education in order to support the resolution of their child's situation after the divorce or separation;
- adapting court fees in order to support amicable and rapid ways of resolving child affairs;
- introduction of a security deposit to ensure compensation for harm as a means of preventing repeated frivolous or vexatious applications for interim relief, in particular in matters relating to the care of minors;
- allowing part of the maintenance to be kept in (judicial) custody for the purpose of preventing insolvency of a parent who, without his/her fault, has lost part of his/her income and seeks reduction of maintenance obligation;
- introduction of the possibility of assigning the maintenance claim in some situations.

#### 3) Preventing children's debts

The Ministry of Justice has prepared a draft amendment of the Civil Code and of the Code of Civil Procedure in order to prevent so called children's debts. As a result, people should not enter adulthood with debts.

### 9.3. Violence against partners no

### 10. New information and communication technologies no

11. Other The Ministry of Justice supports broader use of pecuniary penalties as well as other criminal sanctions which are alternatives to imprisonment and analyses possible steps leading to improving effectiveness of their enforcement. More frequent imposition of pecuniary penalties and better functioning of alternative sanctions in general should relieve the unfavourable situation related to insufficient capacity of prison facilities. Respective legislative proposals shall be introduced in 2019.