



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

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

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

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

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[1 319 133]

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	10 301 069 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

[19 737]

Comments

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

[15 612]

NA

Comments There is no specific reason.

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

[]

Allow decimals : 5

NAP

Comments

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

Sources: <https://www.stat.ee/>

1.1.2. Budgetary data concerning judicial system



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

Approved budget (in €)	Implemented budget (in €)
------------------------	---------------------------

TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	47 491 983 [] NA [] NAP	47 082 944 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	36 765 094 [] NA [] NAP	36 346 458 [] NA [] NAP
2. Annual public budget allocated to computerisation	400 083 [] NA [] NAP	617 083 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	1 107 000 [] NA [] NAP	1 177 529 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	6 468 717 [] NA [] NAP	6 157 408 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	986 166 [] NA [] NAP	269 456 [] NA [] NAP
6. Annual public budget allocated to training	257 895 [] NA [] NAP	252 612 [] NA [] NAP
7. Other (please specify)	1 507 028 [] NA [] NAP	2 262 398 [] 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: 2. Implemented computerisation budget in 2018 was bigger than approved budget because the government financed the Project "Paperfree court" with extra 217 000 euros. 3. Expenses are different every year and they depend on concrete cases.

5. There was investment into a new court building in 2018.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

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

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

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

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

- There are exceptions to the rule to pay court fees (called State fee). The law refers to persons or institutions that are exempt of paying court fees and acts for which the State fee is not charged. For example, the Sate Fees Act exempts from payment of court fees, under certain conditions minors; pension or support claimants; natural persons in matters of elections; guardianship authority; tax authority in matters of bankruptcy or determination of tax; country government in matters of mortgage; bailiffs in matters of enforcement. Besides, an exemption of paying court fees is provided for by the Sate Fees Act, under certain conditions, with regard to numerous acts. The exemption regime covers the main legal fields, namely labour law (ex: disputes related to wages, reinstatement in employment, end of contracts), family law (ex: filiation, maintenance support for a child), criminal law (ex: initial issue of court documents related to a criminal matter), criminal procedural law (ex: claim for compensation for financial damage caused by unlawful conviction, unlawful prosecution, unlawful deprivation of liberty, unlawful imposition of punishment), civil procedural law (ex: appeals lodged against court rulings in matters of legal aid or exemption from notary fees), administrative law (ex: expropriation), trade law, even constitutional law (hearing of constitutional review cases). In addition, the State grants legal aid in the form of procedural assistance for bearing procedural expenses, including the State fee. In this respect, it is up to the court to decide whether a person should be released in part or in full from payment of court fees.

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

[275]

[] NA

[] NAP

Comments

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

[18 754 345]

[] NA

[] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	4 131 000 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

12.1 for cases brought to court (court fees and/or legal representation)	<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
12.2 for cases not brought to court (legal advice, ADR and other legal services)	<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

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	4 090 000 <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
12-1.1 for cases brought to court (court fees and/or legal representation)	<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
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<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

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 €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	12 936 652 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 936 652 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	65 300 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65 300 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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 courts
Ministry of Justice	<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 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
Other ministry	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Parliament	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Supreme Court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court administrative director	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Head of the court clerk office	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	149 097 860 [] NA [] NAP	140 192 635 [] 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)	()	()

N

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: N

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.

- State legal aid means that a person is provided with legal services at the expense of the state. State legal aid is provided by a lawyer. State legal aid is provided in pre-trial (civil, criminal and misdemeanor), judicial (civil, criminal, misdemeanor and administrative), enforcement, administrative, review, drafting or other legal advice or representation.

State legal aid means that the legal service is initially paid for by the state. This does not necessarily mean a completely free service. For example, when you are granted legal aid, you may be required to pay part of the cost or to reimburse all or part of the legal costs after the end of the litigation.

Law firms also provide free explanations on the possibilities of state legal aid.

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

Yes

No

NAP

If yes, please specify: Partial or full exemption from the court fees (depending on the financial situation of the person).

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

Yes

No

NAP

If yes, please specify: Partial or full coverage of the costs related to the enforcement of judicial decisions (incl. fees of an enforcement agent) depending on the financial situation of the claimant. The advance payment of enforcement costs shall not be demanded by the bailiff from the claimant who is a natural person and who has received legal aid for the payment of procedural costs (incl court fees) as well as in case of collection of compensation for damage caused by a criminal offence as well as in case of collection of maintenance support.

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

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

Comments - If yes, please specify:

2.1.2. Information on legal aid

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

	Total	Cases brought to court	Cases not brought to court
TOTAL	13 424 <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
In criminal cases	8 692 <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
In other than criminal cases	4 732 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify 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
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify: In criminal proceedings, a suspect or accused natural person who has not chosen a criminal defence counsel by agreement and in whose criminal case the participation of a criminal defence counsel is required by law (except in the events specified in § 441 and subsection 227 (5) of the Code of Criminal Procedure) or who applies for the participation of a criminal defence counsel will receive state legal aid regardless of their financial situation. In misdemeanour proceedings, a natural person subject to the proceedings who has not chosen a defence counsel by agreement and in whose misdemeanour case the participation of a defence counsel is required by law will receive state legal aid regardless of their financial situation.

In criminal proceedings, state legal aid is available to the injured party whose active legal capacity is limited, regardless of their economic situation, if:

- 1) based on the circumstances, it can be presumed that the interests of the legal representative of the injured party are in conflict with the interests of the injured party;
- 2) the minor injured party is separated from the family;
- 3) the injured party is an unaccompanied minor for the purposes of the Act on Granting International Protection to Aliens.

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

	free selection of lawyer
Accused individuals	() Yes (X) No <input type="checkbox"/> NAP
Victims	() Yes (X) No <input type="checkbox"/> NAP

Comments Based on an agreement of the advocate providing state legal aid and the receiver of such aid, it is possible for another advocate to start providing legal aid to the person in the same matter if the new advocate agrees with the transfer of obligation to provide state legal aid to the person. It is therefore possible to replace advocates based on an agreement of the receiver of legal aid, the current legal counsellor and the new advocate. If this trilateral agreement has been reached an application for the replacement of advocates should be submitted to the court, the prosecutor's office or the investigative body.

A recipient of state legal aid has the right to apply for the appointment of a new provider of state legal aid upon exclusion of the current advocate providing state legal aid from the Bar Association or their disbarment or upon suspension of the professional activities or long-term incapacity for work or the death of an advocate, and in other cases provided by law.

A recipient of state legal aid is also legally entitled to apply for the court to remove an advocate from the provision of state legal aid by a ruling if the advocate has demonstrated incompetence or negligence

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

- (X) 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: In civil proceedings state legal aid is granted in child support and other forms of family maintenance cases. In criminal proceedings the accused person, a suspect and injured party whose active legal capacity is limited is granted state legal aid (if

they don't have a lawyer).

When granting state legal aid it is obligatory to assess the financial situation of a person. There is no annual income value or annual assets value. The court that decides on granting state legal aid or an investigative body or prosecutor's office first analyzes whether a person has the right to apply for state legal aid. In cases where the provision of state legal aid depends on the economic status of a person, the economic status of the applicant, including his property and income and the assets and income of his family members living with him, the number of his dependents, reasonable expenses for housing and other matters of significance are assessed.

023. If yes, please specify in the table:

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

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

- Yes
 No

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

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

- the court
 an authority external to the court
 a mixed authority (court and external bodies)

Comments

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

- Yes
 No

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

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

Judicial decisions direct how legal costs will be shared

in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

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

Sources: Ministry of Justice, Estonian Bar Association

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"/> riigiteataja.ee
case-law of the higher court/s	<input type="checkbox"/>	<input checked="" type="checkbox"/> riigiteataja.ee
other documents (e.g. downloadable forms, online registration)	<input type="checkbox"/>	<input checked="" type="checkbox"/> e-toimik.ee, kohus.ee

Please specify what documents and information are included in "other documents":

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

Yes, always

No

Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: For example in criminal cases court shall plan the court hearings in cooperation with the parties to the court proceedings in such a manner which helps to avoid unnecessary loss of time, repeated summoning of persons to court and adjournment of a court session.

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:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the

following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of terrorism	<input 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
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ethnic minorities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Juvenile offenders	<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
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<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 “other vulnerable person” and/or “other special arrangements”, please specify:

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

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?

Yes, please specify for which kind of offences: A natural person who bears the expenses incurred due to damage caused to victim’s health and funeral expenses has the right to be compensated for these expenses.

No

Comments

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

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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 €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input 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 - 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 checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" 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 checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" 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: A survey was conducted in 2017 using a combined method: nonprofessional participants in the proceeding (persons who were in court, at the hearing and received a court order) were collected data from telephone interviews and professional parties (lawyers, prosecutors) via electronic questioning, where each respondent was sent an email personalized questionnaire link. The survey will be arranged once in every 3 years.

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	(X) Yes () No	(X) Yes () No
Higher court	(X) Yes () No	(X) Yes () 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 External bodies - Ombudsman

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)	4 [] NA [] NAP
42.2 First instance specialised courts (legal entities)	2 [] NA [] 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)	21 [] NA [] NAP
---	-------------------------

Comments

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

	Number of courts
Total (must be the same as the data given under question 42.2)	2 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	2 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	[] NA [X] NAP
Other specialised 1st instance courts	[] NA [X] 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

(X) 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	17 [] NA [] NAP
an employment dismissal	16 [] NA [] NAP
a robbery	16 [] NA [] NAP
an insolvency case	16 [] NA [] NAP

Comments

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

(X) Yes

() No

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

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

[6 400]

Comments

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)	233 [] NA [] NAP	87 [] NA [] NAP	146 [] NA [] NAP
1. Number of first instance professional judges	169 [] NA [] NAP	52 [] NA [] NAP	117 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	45 [] NA [] NAP	20 [] NA [] NAP	25 [] NA [] NAP
3. Number of Supreme Court professional judges	19 [] NA [] NAP	15 [] NA [] NAP	4 [] NA [] NAP

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

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	9 [] NA [] NAP	5 [] NA [] NAP	4 [] NA [] NAP
1. Number of first instance court presidents	6 [] NA [] NAP	3 [] NA [] NAP	3 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	2 [] NA [] NAP	1 [] NA [] NAP	1 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

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

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

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

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

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

Comments

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

	Figure
Gross figure	502 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

	Yes	No	Echevinage
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

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

[]

[] NA

[X] NAP

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	819 [] NA [] NAP	122 [] NA [] NAP	697 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	51 [] NA [] NAP	5 [] NA [] NAP	46 [] NA [] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	583 [] NA [] NAP	43 [] NA [] NAP	540 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	77 [] NA [] NAP	21 [] NA [] NAP	56 [] NA [] NAP
4. Technical staff	73 [] NA [] NAP	51 [] NA [] NAP	22 [] NA [] NAP
5. Other non-judge staff	35 [] NA [] NAP	2 [] NA [] NAP	33 [] NA [] NAP

Comments - If "other non-judge staff", please specify: Court interpreters are in the category "other non-judge staff".

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

Total	Males	Females

Total non-judge staff working in courts (1+2+3)	819 [] NA [] NAP	122 [] NA [] NAP	697 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	642 [] NA [] NAP	76 [] NA [] NAP	566 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	88 [] NA [] NAP	13 [] NA [] NAP	75 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	89 [] NA [] NAP	33 [] NA [] NAP	56 [] NA [] NAP

Comments

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

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify): interpreters (in some courts and some languages)

Comments

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

Sources: Ministry of Justice, The Supreme Court

3.3. Public prosecution

3.3.1. Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	169 [] NA [] NAP	50 [] NA [] NAP	119 [] NA [] NAP
1. Number of prosecutors at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of prosecutors at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of prosecutors at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	5 [] NA [] NAP	1 [] NA [] NAP	4 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please provide any useful comment for interpreting the data above:

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

() Yes

(X) No

Comments - If yes, please specify their title and functions: We have assistant prosecutors who act under the guidance of the prosecutor.

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	89 <input type="checkbox"/> NA	18 <input type="checkbox"/> NA	61 <input type="checkbox"/> NA

Comments

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

Sources: Prosecutor's Office

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>
the promotion of judges	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>
the recruitment of prosecutors	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>
the promotion of prosecutors	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>
the recruitment of non-judge staff	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>
the promotion of non-judge staff	<input checked="" type="checkbox"/> The Gender Equality and Equal Treatment Commissioner	<input type="checkbox"/>

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) <https://www.riigiteataja.ee/akt/110012019019?leiaKehtiv>

[] NAP

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

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) The Gender Equality and Equal Treatment Commissioner is an independent and impartial

public official. The Commissioner provides advice and assistance for people who feel they have been discriminated against. Everyone who feels, that they have been discriminated against on the basis of their gender, nationality, ethnic origin, religion or other beliefs, age, disability, sexual orientation, domestic responsibilities, family-related duties, belonging to a trade union or duty to serve in defence forces can contact the Commissioner.

Moreover, the Commissioner actively advocates for equal opportunities and possibilities as well as monitors compliance with the Equal Treatment Act and the Gender Equality Act both in public and private sector.

Estonian Gender Equality and Equal Treatment Commissioner is Liisa Pakosta. The Commissioner is supported by the office of the Commissioner.

[] 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) Has a consultive function

[] NAP

3.4.3 At court/public prosecution services level

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

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

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

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

	Yes	No
Assignment in different positions	()	(X)

Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

[X] NAP

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

recruitment procedures (please specify):

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

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

[X] NAP

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

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

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

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

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

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

Comments All ministries have their own principles and models. Ministry of Economic Affairs and Communications coordinates at the national level.

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

administrative, technical and scientific staff only

mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff

other (please specify in a comment)

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

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

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

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

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

Yes

No

Comments (please specify projects that have experienced national developments)

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

Yes

No

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

Business processes

Workload

Human resources

Costs

Other, please specify

Comments (please specify examples of the impact) We have measured the impact of serving court documents electronically.

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security

policy regarding the information system of the judiciary ?

Yes

No

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

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

Yes

No

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

3.5.3 Centralised databases for decision support

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

Yes

Non

Comments

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

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

Comments - if it exists in other matters please specify

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

Yes

() No

Comments

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

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

Comments - Please specify who is the authority delivering the access

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 It's available for everyone, but not everyone uses it.

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

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

062-8. Are there voice recording tools?

- Yes
- No

Comments

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

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

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

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

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

Business registry	<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)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Justice expenses management	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" 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
-----------------------	--	---	----------------------------

For judges	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
For prosecutors	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
For non-judge/non-prosecutor staff	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] 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)

(X) Yes

() No

Comments

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

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

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

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

Yes

No

Comments

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

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

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

Yes

No

Comments

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

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

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

Yes

No

Communication between court and parties not represented by lawyer

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

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

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

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

Comments

064-9. Are there online processing 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. Payment order

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

Yes

No

Comments

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

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

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

Comments

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

Yes

No

Comments Video recording is also possible, but as it is not used, it must be requested first and is then set up

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

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

Admissibility of electronic evidence	Legislative framework
---	------------------------------

Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only

Comments

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

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

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

Yes

No

Comments

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

number of incoming cases

length of proceedings (timeframes)

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

Comments

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

- Yes
- No

Comments

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

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

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

Identifying to the causes of improved or deteriorated performance

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

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

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

Comments

079. Who is responsible for evaluating the performance of the courts (multiple 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
within the courts	<input checked="" type="checkbox"/> special marking in CMS	<input type="checkbox"/>
within the public prosecution services	<input checked="" type="checkbox"/> special marking in CMS	<input type="checkbox"/>

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, The Supreme Court

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):Ministry of Justice, Prosecutor'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 CMS

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

Annual

Less frequent

More frequent

Comments It can be more frequent if necessary.

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 CMS

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

Annual

Less frequent

More frequent

Comments

3.6.5 Courts administration

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public prosecutorial Council

Head of the organisational unit or hierarchical superior public prosecutor

Other (please specify):

Comments

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

Yes

(X) No

Comments

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

() Annual

() Less frequent

() More frequent

Comments

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

Sources: Ministry of Justice

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):

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

Yes

No

NAP

Comments

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

Sources: Ministry of Justice

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

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

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	26 056 <input type="checkbox"/> NA <input type="checkbox"/> NAP	297 825 <input type="checkbox"/> NA <input type="checkbox"/> NAP	299 371 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 225 <input type="checkbox"/> NA <input type="checkbox"/> NAP	392 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	6 280 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 382 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 473 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 069 <input type="checkbox"/> NA <input type="checkbox"/> NAP	318 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	18 884 <input type="checkbox"/> NA <input type="checkbox"/> NAP	279 965 <input type="checkbox"/> NA <input type="checkbox"/> NAP	281 421 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 349 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	9 294 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 177 <input type="checkbox"/> NA <input type="checkbox"/> NAP	46 060 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 328 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	9 590 <input type="checkbox"/> NA <input type="checkbox"/> NAP	231 788 <input type="checkbox"/> NA <input type="checkbox"/> NAP	235 361 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 021 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	4 775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 522 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112 715 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 660 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2.2.2 Non-litigious business registry cases	4 815 [] NA [] NAP	120 266 [] NA [] NAP	122 646 [] NA [] NAP	2 361 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	892 [] NA [] NAP	2 478 [] NA [] NAP	2 477 [] NA [] NAP	807 [] NA [] NAP	30 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments The variations in total and in the non litigious cases are due to the number of entrepreneurs that has grown every year, so the number of incoming case is also increasing. Furthermore, the number of real estate transactions has increased and the market is active. The number pending cases end of 2017 is different because the numbers are taken later and the data has been corrected.

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

. Payment order and other matters on petition.

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

. NAP

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	1 828 [] NA [] NAP	22 366 [] NA [] NAP	21 863 [] NA [] NAP	2 119 [] NA [] NAP	48 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

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: Increase of incoming misdemeanor and minor criminal 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
Total of other than criminal law cases (1+2+3+4)	1 135 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 221 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 237 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 116 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	559 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 874 <input type="checkbox"/> NA <input type="checkbox"/> NAP	612 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	989 <input type="checkbox"/> NA <input type="checkbox"/> NAP	916 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	989 <input type="checkbox"/> NA <input type="checkbox"/> NAP	916 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2.3. Other non-litigious cases	<input 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
3. Administrative law cases	467 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 304 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 447 <input type="checkbox"/> NA <input type="checkbox"/> NAP	322 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other cases" please specify

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	132 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 056 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 073 <input type="checkbox"/> NA <input type="checkbox"/> NAP	116 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

4.2.4. Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	108 <input type="checkbox"/> NA <input type="checkbox"/> NAP	238 <input type="checkbox"/> NA <input type="checkbox"/> NAP	231 <input type="checkbox"/> NA <input type="checkbox"/> NAP	71 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	62 <input type="checkbox"/> NA <input type="checkbox"/> NAP	158 <input type="checkbox"/> NA <input type="checkbox"/> NAP	155 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input 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
3. Administrative law cases	46 <input type="checkbox"/> NA <input type="checkbox"/> NAP	80 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other cases", please specify

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

(X) Yes

() No

Comments

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

cases received by the Highest court? [2 811]

cases closed by this procedure? [2 495]

Comments

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	30 [] NA [] NAP	65 [] NA [] NAP	59 [] NA [] NAP	11 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

4.2.5. Case flow management and timeframes – specific cases

101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	168 [] NA [] NAP	805 [] NA [] NAP	778 [] NA [] NAP	194 [] NA [] NAP
Employment dismissal cases	193 [] NA [] NAP	282 [] NA [] NAP	277 [] NA [] NAP	187 [] NA [] NAP
Insolvency	193 [] NA [] NAP	1 522 [] NA [] NAP	1 444 [] NA [] NAP	250 [] NA [] NAP
Robbery case	26 [] NA [] NAP	78 [] NA [] NAP	82 [] NA [] NAP	19 [] NA [] NAP
Intentional homicide	5 [] NA [] NAP	11 [] NA [] NAP	7 [] NA [] NAP	9 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	8 [] NA [] NAP	182 [] NA [] NAP	178 [] NA [] NAP	7 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	1 [] NA [] NAP	140 [] NA [] NAP	141 [] NA [] NAP	0 [] NA [] 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:

. <https://www.riigiteataja.ee/en/eli/516012017005/consolide>

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	2 [] NA [] NAP	99 [] NA [] NAP	100 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Litigious divorce case	1 [] NA [] NAP	87 [] NA [] NAP	69 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Employment dismissal case	28 [] NA [] NAP	241 [] NA [] NAP	150 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	6 [] NA [] NAP	61 [] NA [] NAP	59 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	28 [] NA [] NAP	73 [] NA [] NAP	48 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	56 [] NA [] NAP	255 [] NA [] NAP	61 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

. <https://www.riigiteataja.ee/en/eli/524072017001/consolide>

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

. We look at the length of the proceedings from the date of arrival of the matter until it is resolved in one instance, and then we find the arithmetic mean of these things.

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
Total number of first instance cases processed by the public prosecutor	27 125 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 708 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	6 294 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

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

	Number of guilty plea procedures
Total	3 258 [] NA [] NAP
Before the court case	[X] NA [] NAP
During the court case	[X] NA [] NAP

Comments The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

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

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	3 708 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	478 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP
4. Other	[] NA [X] NAP

Comments The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

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: Prosecutor's Office

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. How are judges recruited?

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

Comments

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

- an authority made up of judges only
- an authority made up of non-judges only
- an authority 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
- No

Comments

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

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

Comments - Please specify how the promotion 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)

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

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

5.1.2. 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...). Independent

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 The recruitment depends on the position of the prosecutor that we are looking for. Assistant prosecutors and district prosecutors are recruited through open competition and have to pass the exam.

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");

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:68
- 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):3
- 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:It depends on the position. Chief Prosecutors and the Prosecutor General are appointed specific term (five years) the others are appointed until retirement.
- 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 Assistant prosecutors have a probation period.

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)?

[5]

[] NA

[] NAP

Comments

126-1. Is it renewable?

(X) Yes

() No

[] NAP

Comments

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

Sources: Ministry of Justice, Prosecutor's Office

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges:

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

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

Comments

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

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

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

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	() Yes (X) No	(X) Yes () No	() Yes (X) No



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

Comments

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

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

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

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

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

One single institution for both judges and prosecutors	[]	[]	[]
---	-----	-----	-----

Comments Trainings are organised by the Supreme Court and Prosecutor's Office.

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

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

. The training for judges is organised by the Court Judicial Training Department of the Supreme Court. Therefore, there is no separate training institution in Estonia but the Court Judicial Training Department of the Supreme Court acts as an institutional whole. The training for prosecutors is organised by the Office of the Prosecutor General. There is no special training department as in the Supreme Court.

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

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	[X] NA [] NAP	[X] NA [] NAP
1. Only for judges	78 [] NA [] NAP	1 [] NA [] NAP
2. Only for prosecutors	81 [] NA [] NAP	52 [] NA [] NAP
3. Only for other non-judge staff	[X] NA [] NAP	1 [] NA [] NAP
4. Only for other non-prosecutor staff	81 [] NA [] NAP	52 [] NA [] NAP

5. Other common training	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments: Non-judge stuff (court lawyers) can also participate in judges' training courses.

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

Sources: .

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	44 388 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 224 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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)	58 044 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 760 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	24 384 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 888 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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).	58 041 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 760 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

133. Do judges and public prosecutors have additional benefits?

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

Other financial benefit	() Yes (X) No	() Yes (X) No
--------------------------------	-------------------	-------------------

Comments

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

[X] NAP

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

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

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

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

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

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

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

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

Yes

No

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

5.3.2 Body/institution of ethics

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

Yes

No

Comments

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

only by judges

by judges and other legal professionals

other, please specify:

Comments

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

Yes

No

[] NAP

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

[] NAP

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

Yes

No

Comments

138-4. If yes, how is this institution / body formed

only by prosecutors

by prosecutors and other legal professionals

other, please specify:

Comments

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

Yes

No

NAP

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

NAP

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):

This is not possible

Comments

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

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

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):Minister of Justice
- Other (please specify):

Comments

5.4.2.Number of disciplinary procedures and sanctions

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

Judges	Prosecutors
--------	-------------

Total number (1+2+3+4)	1 [] NA [] NAP	1 [] NA [] NAP
1. Breach of professional ethics	0 [] NA [] NAP	0 [] NA [] NAP
2. Professional inadequacy	1 [] NA [] NAP	1 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify:

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

	Judges	Prosecutors
Total number (total 1 to 10)	1 [] NA [] NAP	1 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	1 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP

10. Dismissal	0	0
	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

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

Sources: The Supreme Court, Prosecutor's Office

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	1 041 <input type="checkbox"/> NA	552 <input type="checkbox"/> NA	489 <input type="checkbox"/> NA

Comments

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

Yes ()

No (X)

Comments

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

[]

NA

NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[X]
Dismissal cases	[]	[]	[X]

Criminal cases – Defendant	<input type="checkbox"/>	<input 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 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	<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
Family member	<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
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Trade union	<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
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify. In addition, 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):bankruptcy 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: Estonian 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?

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

- the bar association
- the Parliament
- other (please specify):

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

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

Comments

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	46 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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: In general there is no mandatory informative sessions with a mediator. Only exception is Civil Procedure Code § 563 - in the event of a violation of a final court order governing the communication between the parent and the child, to eliminate the parent the petition was the subject of conciliation.

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

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

Comments

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

- Yes
 No
 NAP

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

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

	Total	Males	Females
Number of mediators	<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

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input 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
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

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

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

Comments

G1. Please indicate the source for answering question 166:

Source: Ministry of Justice

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	43 <input type="checkbox"/> NA	17 <input type="checkbox"/> NA	26 <input type="checkbox"/> NA

Comments

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 checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input 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 checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure of motorised vehicles	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Eviction measures	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Other	(X) Yes with monopoly () Yes without monopoly () No [] 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 immovable 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

Source: The Estonian Chamber of Bailiffs and Trustees in Bankruptcy

8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

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

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:

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: There are plans to change the current system, for example to give more power to the Tax Office.

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

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

Comments

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

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other	0 [] NA [] NAP
----------	------------------------

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	1 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	1 [] NA [] NAP
5. Other	0 [] NA [] NAP

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

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
TOTAL (1+2+3+4)	90 [] NA [] NAP	20 [] NA [] NAP	70 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	90 [] NA [] NAP	20 [] NA [] NAP	70 [] NA [] NAP
3. Public officials	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

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

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:63
- 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):marriage contracting

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

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: Ministry of Justice

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:

[]

[] NA

[X] NAP

Comments

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

() Yes

(X) No

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

201. Are the courts responsible for selecting court interpreters?

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

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

[] No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: Ministry of Justice

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts



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

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

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

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

[] Other (please specify):

Comments

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

Yes

No

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

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

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

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

Yes, for how long

No

Comments

203. Is the title of judicial experts protected?

Yes

No

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

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

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

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

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

Yes

No

Comments

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

Yes

No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	150 <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

205-1. Who sets the expert remuneration?

- The Estonian Forensic Institute

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

Yes

No

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

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

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

Comments

207. Are the courts responsible for selecting judicial experts?

- Yes, for recruitment and/or appointment for a specific term of office
- Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- No, please specify which authority selects judicial experts
The Estonian Forensic Institute

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: The Estonian Forensic Institute

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 -

2. Budget -

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) -

3.1. Access to justice and legal aid -

4. High Judicial Council -

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. As of 01.01.2020 the chairmen of county courts determine the on-call schedule of judges; the procedure for remuneration for these on-call duties and the number of judges who are obliged to receive this remuneration shall be established, with the approval of the Council for Administration of Courts, by a regulation of the minister responsible for the area (Minister of Justice).

Releasing judges from office: at the moment, based on a judge's request and for good reason, the Chief Justice of the Supreme Court can make a proposal to the President of the Republic or the parliament (Riigikogu) to release the judge from office earlier than six months after the submission of the request. From 01.01.2020 the Chief Justice of the Supreme Court can make a proposal (based on a judge's request and for good reason) to the President of the Republic or the Supreme Court en banc to release the judge from office earlier than six months after the submission of the request.

Similar changes are applied to justices of the Supreme Court: at the moment, justices of the Supreme Court shall be released from office by the Riigikogu on the proposal of the Chief Justice of the Supreme Court. 01.01.2020 onwards the justices of the Supreme Court shall be released from office by the Riigikogu on the proposal of the Chief Justice of the Supreme Court, except when provisions in § 99 subparagraph 1 or 2 appear (released from office at the request of the judge, due to age, due to health reasons which hinders work as a judge etc). When these exceptions appear, the justices of the Supreme Court are released from office by the Supreme Court en banc on the proposal of the Chief Justice of the Supreme Court.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities Revision of criminal procedure code. Digitization of the criminal procedure.

7. Enforcement of court decisions -

8. Mediation and other ADR -

9. Fight against crime -

9.1. Prison system -

9.2 Child friendly justice -

9.3. Violence against partners -

10. New information and communication technologies -

11. Other -

