

Evaluation of the judicial systems (2018 - 2020)



Lithuania

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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)

[2 794 184]

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	9 560 309 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	2 782 861 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The state budget increased due to the growth of the economy.

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

[16 158]

Comments

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

[11 089]

☐ NA

Comments The state budget and salary increased due to the growth of the economy.

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: Official Statistics Portal, <https://osp.stat.gov.it>.

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)	78 227 674 [] NA [] NAP	78 108 072 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	68 840 496 [] NA [] NAP	68 905 559 [] NA [] NAP
2. Annual public budget allocated to computerisation	1 503 827 [] NA [] NAP	1 331 267 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	572 328 [] NA [] NAP	597 098 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	2 681 176 [] NA [] NAP	2 649 416 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	1 217 000 [] NA [] NAP	1 330 900 [] NA [] NAP
6. Annual public budget allocated to training	235 335 [] NA [] NAP	217 625 [] NA [] NAP
7. Other (please specify)	3 177 512 [] NA [] NAP	3 076 207 [] 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: Taxes related to the salaries (social insurance) paid by the employer are included in 1. Finances for 2 (computerisation), for 5 (investment in new buildings), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. "Other" includes other finances for expenses of the courts (telecommunications, post, transport, paper etc.).

Annual public budget for 2 (computerisation), 6 (training) and 7 (other - security measures), allocated to the budget of the National Courts Administration decreased in comparison with the previous period because of the decrease of the finances Norway funds that were included into the budget of the National Courts Administration (approved and implemented).

Discrepancy of annual implemented budget for 5 (investments in new (court) buildings) from approved budget is due to the fact that the budget was increased at the stage of the adjustment of the budget.

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

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

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is

different from the approved annual public budget, please indicate the main reasons for the differences:

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	<input type="radio"/> Yes <input checked="" type="radio"/> No
for other than criminal cases	<input checked="" type="radio"/> Yes <input type="radio"/> No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions? According to Article 83(1) of the Code of Civil Procedure of the Republic of Lithuania, the following shall be released from the payment of the stamp duty (court fee) in cases which are heard by a court:

- 1) employees in cases concerning all claims arising from the legal relationships of employment and consumers in cases concerning unfair terms of consumer contracts;
 - 2) plaintiffs in cases concerning the adjudication on maintenance;
 - 3) plaintiffs in cases concerning compensation of material and non-material damages, connected with an incident of harm to a person's health, the loss of his life in an accident at work, or a professional illness;
 - 4) plaintiffs in cases concerning compensation of material and non-material damages created by criminal act; 5) a prosecutor, State and municipal institutions, other persons when a claim or petition is lodged in order to defend public, State and/or municipal interests in that part of a case, in which it is sought to defend a public, State and/or municipal interest;
 - 6) parties in cases concerning damages, which have arisen due to an unlawful conviction, unlawful arrest by the use of custodial measures, unlawful detention, unlawful use of coercion measures, or unlawful imposition of an administrative penalty - arrest, as well as damages, which have arisen due to the unlawful actions of a judge or a court in hearing a civil case;
 - 7) parties in cases concerning property loss in connection with political repressions;
 - 8) an enterprise (establishment), against which a bankruptcy or restructuring case has been lodged or in which an extrajudicial bankruptcy procedure is being executed, or natural person, against whom the bankruptcy case has been lodged, or other participating persons in a case – for lodging appeals and cassation petitions in these cases; 9) plaintiffs and parties, lodging property claims in bankruptcy or restructuring cases (apart from the situations referred to in Article 80(1)(9) of the Code of Civil Procedure);
 - 10) State and municipal institutions (establishments) when lodging claims on the recovery of funds;
 - 11) the Bank of Lithuania, the State enterprise Turto Bankas, and the State enterprise State Property Fund;
 - 12) spouses when lodging petitions to dissolve a marriage by mutual consent and on petition of one of the spouses;
 - 13) applicants when lodging applications by the procedure established in Part V, Chapters XXIX (adoption cases) and XXXIX (cases on courts permissions or confirmation of facts, administration of property, the application of procedures of inheritance and other cases, which are heard by a simplified procedure established by the Civil Code and other law) of the Code of Civil Procedure;
 - 14) parties in cases concerning restriction of parental authority, abolition of the restriction of parental authority, separation of the child from the parents (father or mother) or abolition of this separation;
 - 15) applicants in cases concerning establishment and abolition of the permanent guardianship or care of a child, the appointment, dismissal or removal from duties of a guardian or carer of a child;
 - 16) persons in other circumstances, referred to in the Code of Civil Procedure and other law. Article 83(3) of the Code of Civil Procedure establishes that by means of summary proceedings, taking into consideration the person's material situation, the court can partly release from payment of stamp duty. An application for partial release of the stamp duty shall be reasoned. Proof providing the necessity of release of the stamp duty shall be annexed to the application. The court decision on the application has to be motivated.
- In accordance with Article 36 of the Law on Administrative Proceedings of the Republic of Lithuania, the stamp duty shall not be imposed on complaints (applications) related to:

- (1) delay by public administration bodies to perform actions;
- (2) granting or refusal to grant pensions;
- (3) violations of the electoral laws and the Law on Referendum of the Republic of Lithuania;
- (4) applications by civil servants and officials when they concern legal relations in the office;

(5) applications by tax administrators and their officials concerning the recovery of taxes and other payments into the budget, also their applications concerning tax disputes; applications by officials concerning the recovery of levies;

(6) applications by state and municipal supervision officials regarding the recovery into the State or municipal budgets of unlawfully received income or misappropriated grants, subsidies and allocations;

(7) applications by the prosecutors, public administration bodies, organisations or natural persons concerning the protection of the public interest or the rights of the State, municipalities and individuals as well as the statutory interests;

(8) applications by ombudsmen of the Seimas pursuant to the Law on the Seimas Ombudsmen;

(9) application by the Government representative concerning the acts adopted by municipal institutions, agencies, services as well as unlawful actions of their staff members;

(10) compensation for damage inflicted by unlawful actions of public administration bodies;

(11) conclusions whether a municipal council member, a municipal council member – mayor, against whom the mandate removal procedure has been opened, has breached the oath and/or failed to perform their statutory powers as indicated in the application.

Other applications by public administration bodies to the administrative court when they are directly related to the public administration functions they perform shall also be except from stamp duty.

Likewise, stamp duty shall not apply to separate appeals by parties to the proceedings, appeals against administrative court decisions concerning the above-referred complaints/applications, as well as to applications to investigate the lawfulness of normative administrative acts or other legal acts of general nature. The court shall have the right to request the persons who abuse of the right to judicial remedies (that is, apply to court without a serious basis or more often than once a month) to pay the stamp duty.

Article 37 of the Law on Administrative Proceedings of the Republic of Lithuania stipulates that the administrative court, taking into account the property situation of a natural person or a group of persons, may release them from the payment of stamp duty either fully or in part. An application to release a person from stamp duty shall be reasoned and supported by evidence.

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

- Article 80 of the Code of Civil Procedure establishes the amounts of stamp duty (court fee). According to the system, established in this article, the stamp duty in non-property cases is an exact amount of money, though in property (pecuniary) cases the calculation of stamp duty is combined with proportional and ordinary value. Article 80(1) of the Code of Civil Procedure establishes court fees: 1) in pecuniary disputes – depending on the claimed amount: - for claims up to 30 000 EUR – 3 % of claimed amount, but not less than 20 EUR;

- for claims from 30 000 EUR up to 100 000 EUR – 900 EUR plus 2 % of claimed amount, exceeding 30 000 EUR;

- for claims over 100 000 EUR – 2300 EUR plus 1 % of claimed amount, exceeding 100 000 EUR.

The maximum stamp duty payable for one claim in pecuniary cases shall not be more than 15 000 EUR;

2) in other disputes – different court fees depending on the substance of the case.

A request to impose provisional measures shall require the payment of the stamp duty of 50 EUR.

For a petition of an arbitration decision, an official fee of 500 EUR shall be payable.

Where the procedural documents referred to in this Article are submitted to the court by means of electronic communications, the stamp duty of 75 per cent of the payable stamp duty amount shall be paid for the relevant procedural document, but not less than 5 EUR. The same stamp duty relief applies if parties tried to solve their dispute in mediation before going to a court.

It shall be noted that according to the Code of Civil Procedure the courts index the stamp duty, except calculated in percent, by taking into consideration the quarter's consumer price index, if it is greater than 110. The applied index is calculated in the period of the law, where the stamp duty is defined, till every quarter.

Following Article 35 of the Law on Administrative Proceedings of the Republic of Lithuania, the stamp duty of 30 euros shall be paid in administrative proceedings for each complaint/application, regardless of the number of claims asserted therein. An appeal against the court decision shall be subject to the stamp duty of 15 euros. Where the complaints/applications referred to in this Article are submitted to the court by means of electronic communications, the stamp duty of 75 per cent of the payable stamp duty amount shall be paid for the relevant complaint/application. Article 158(3) of the Law on Administrative Proceedings of the Republic of Lithuania states that an application to renew proceedings shall be subject to the stamp duty of 30 euros.

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

[90]

[] NA

[] NAP

Comments

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

[9 763 600]

[] NA

[] NAP

Comments Discrepancy with the numeric data of previous cycle may occur because the overall number of cases has decreased.

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)	6 224 861 [] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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)	6 220 085 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	516 089 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	5 703 996 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: Approved public budget for legal aid was € 6224861 (€ 520865 for primary legal aid (the provision of legal information, legal advice and drafting of the documents to be submitted to state and municipal institutions, with the exception of procedural documents) and € 5703996 for secondary legal aid (drafting of documents, defence and representation). Implemented public budget in 2018 was € 6220085 as €4776 of funds allocated to primary legal aid were unused and given back to the state budget.

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)	31 620 164 [] NA [] NAP	31 607 079 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	69 769 [] NA [] NAP	69 768 [] NA [] NAP

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

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

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

If any other Ministry and/or inspection body and/or other, please specify: Other Ministry is the Ministry of Finance. Inspection body is the National Audit Office of Lithuania (Supreme Audit Institution). Other body is National Courts Administration (NCA), the NCA prepares drafts of documents and all calculations for the Judicial Council.

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

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

Comments - If "other", please specify: Other is the Head of Finance and Accountability Division. Court administrative director is called Court chancellor.

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

Sources: Ministry of Finance, Ministry of Justice, National Courts Administration, Prosecutor Office.

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 €	210 249 000 [] NA [] NAP	208 710 700 [] 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: The data above and here below is presented according to the Law on the approval of State and municipal budget financial rates for 2018 (Law of 12th December, 2017 No. XIII-868):

- the adjusted total was 211 424 800;
- courts (excluding the budget of the National Courts Administration for computerization, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of the National Courts Administration) - budget approved 74 095 000, budget adjusted 74 110 000, budget implemented 74 085 200;
- public prosecution services - budget approved 31 520 000, budget adjusted 31 620 200, budget implemented 31 607 100;
- Ministry of Justice (including prison system) – budget approved 93 951 000, budget adjusted 94 972 100, budget implemented 92 601 000. The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for the whole justice system as presented does not include budget for primary legal aid. The Ministry of Justice implemented less budget because of the economy due to reorganisation, the staff's change and illness, because of the economy of the budget for the acquisition of long-term assets, because the budget for investment was not implemented at the whole scale in the subordinate institution, also because of decreased workload of the

advocates providing secondary legal aid;

- prison system - budget approved 69 524 000 (budget adjusted - 68 788 400, budget implemented 66 973 700. The discrepancies arise because of the public procurement procedures.

- the Constitutional Court – budget approved 2 132 000, budget adjusted - 2 132 000, budget implemented 1 943 600. The Constitutional Court implemented less budget than approved because of the staff's illness and parental leave;

- the National Courts Administration – budget approved 8 551 000, budget adjusted - 8 590 500, budget implemented 8 473 800. The difference arises due to termination of the contract for development and installation of centralised payroll system and the decrease of the factual number of state pension beneficiaries (judges).

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

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	()	(X)	()
High Judicial Council	()	(X)	()
Constitutional court	(X)	()	()
Judicial management body	()	(X)	()
State advocacy	()	(X)	()
Enforcement services	()	(X)	()
Notariat	()	(X)	()
Forensic services	()	(X)	()
Judicial protection of juveniles	()	(X)	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()

Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	(X)	()	()

If "other", please specify: National Courts Administration

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

Sources: Ministry of Finance

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-guaranteed legal aid system consists of primary legal aid, secondary legal aid and mediation. Primary legal aid includes the provision of legal information, legal advice and drafting of the documents to be submitted to state and municipal institutions, with the exception of procedural documents. Primary legal aid also covers advice on the out-of-court settlement of a dispute, actions for the amicable settlement of a dispute and drafting of a settlement agreement, but shall not cover completion of declarations submitted to tax authorities. Secondary legal aid includes drafting of procedural documents, defence and representation in court, including the process of execution, representation in the event of preliminary extrajudicial consideration of a dispute, where such a procedure has been laid down by laws or by a court decision. Secondary legal aid also covers the litigation costs incurred in civil proceedings, the costs incurred in administrative proceedings and the costs related to the hearing of a civil action brought in a criminal case. Mediation includes dispute resolution during which one or several mediators help the dispute parties to solve their dispute amicably. Primary legal aid is ensured to all residents of Lithuania without means or merits test. Primary legal aid is organised by municipalities and must be provided immediately upon the application of a person. Where immediate provision of primary legal aid is not possible, the applicant shall be notified of the time of an appointment, which must take place not later than 5 days from the day of application. There are 60 contact points (60 municipalities) to apply for primary legal aid. Individuals in closed institutions may apply in writing (by post or electronic means) for primary legal aid as well. Secondary legal aid and mediation is ensured to the residents of Lithuania

who meet the means test or who have a right to secondary legal aid without means test (the aggrieved parties in the proceedings concerning compensation for the damage incurred through criminal actions, persons eligible for social allowance, persons who have a severe disability and etc. according to Article 12 of the Law on State-guaranteed legal aid of the Republic of Lithuania). Decision on the provision of secondary legal aid is taken by a State-guaranteed legal aid service (SGLAS) (an institution under the Ministry of Justice) immediately upon a person's application. Where the decision cannot be taken immediately, it shall be taken within 5 working days of the receipt of the documents. There are also specific rules where presence of lawyer is mandatory in certain cases: 1) criminal cases: when participation of the defender or representative in hearing of criminal proceedings is obligatory, then a pre-trial investigation officer, prosecutor or court shall notify coordinator (SGLAS) that the participation of a defender for a suspect, the accused or the convicted person is required or that it is obligatory for the victim/injured person to have his authorised representative. Coordinator shall immediately select a lawyer providing secondary legal aid and notify a pre-trial investigation officer, prosecutor or court. On weekends, holidays and outside the working hours a lawyer shall be appointed by a pre-trial investigation officer, prosecutor or by court on the basis of the duty lists prepared by SGLAS.

2) involuntary hospitalization and treatment cases: Health Care Entity provides SGLAS with a notification on the need of secondary legal aid for the person concerned. SGLAS shall adopt a decision on the provision of secondary legal aid on the day of receipt of such notification or on the nearest working day if the notification has been received after the working hours and shall immediately notify Health Care Entity in writing on the decision adopted. Health Care Entity must introduce SGLAS's decision on the provision of secondary legal aid to the person concerned and to ensure communication between him/ her and the lawyer. On weekends, holidays and outside the working hours a lawyer shall be appointed by court on the basis of the duty lists prepared by SGLAS.

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

☒ Yes

☐ No

☐ NAP

If yes, please specify:

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

☒ Yes

☐ No

☐ NAP

If yes, please specify:

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

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

Comments - If yes, please specify:

2.1.2.Information on legal aid



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

	Total	Cases brought to court	Cases not brought to court
TOTAL	84 039 [] NA [] NAP	42 248 [] NA [] NAP	41 791 [] NA [] NAP
In criminal cases	27 931 [] NA [] NAP	26 833 [] NA [] NAP	1 098 [] NA [] NAP
In other than criminal cases	56 108 [] NA [] NAP	15 415 [] NA [] NAP	40 693 [] NA [] NAP

Comments - Please specify when appropriate: Primary legal aid (cases not brought to court) was granted for 41791 legal enquires. Secondary legal aid (cases brought to court) was granted in total in 42248 cases: - 26833 criminal cases (24944 cases by decisions of a pre-trial investigation officer, prosecutor or the court when the presence of a lawyer is mandatory and 1889 cases by decisions of State-guaranteed legal aid service where the presence of a lawyer is not mandatory);
- 15415 civil and administrative matters by decisions of State-guaranteed legal aid service.

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

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

Comments - If yes, please specify:

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

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

Comments

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

(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:

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	4 000 [] NA [] NAP	[X] NA [] NAP
Full legal aid to the applicant for other than criminal cases	4 000 [] NA [] NAP	[X] NA [] NAP
Partial legal aid to the applicant for criminal cases	6 000 [] NA [] NAP	[X] NA [] NAP
Partial legal aid to the applicant for other than criminal cases	6 000 [] NA [] NAP	[X] NA [] 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)?

(X) 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

(X) 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?

(X) 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	(X) Yes () No

in other than criminal cases

(X) Yes

() No

Comments

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

Sources: Ministry of Justice

2.2.Court users and victims

2.2.1.Rights of the users and victims

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

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) https://www.e-tar.lt ; http://www.lrs.lt
case-law of the higher court/s	()	(X) http://liteko.teismai.lt
other documents (e.g. downloadable forms, online registration)	()	(X) http://www.teismai.lt ; http://www.teisinepagalba.lt

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

(X) Yes, only in some specific situations

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

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

(X) Yes

() No

Comments - If yes, please specify: Ministry of Justice of the Republic of Lithuania approved a brochure for victims, which has all the necessary information for victims about national victim support services, medical, legal aid and other important information.

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

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

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: Number of changes (comparing with previous period) were made in legal regulation seeking to improve the rights and security of vulnerable persons.

One of the information mechanisms is the provision of the Article 308 of the Criminal Procedure Code which establishes that when the person is sentenced to real arrest or imprisonment, the judge must ascertain whether the victim wishes to be informed of the prospective release of the sentenced person or his (her) escape from the penitentiary.

Examples of the special arrangements in hearings:

- according to the Article 55 of the Criminal Procedure Code the court shall recognize that the presence of an authorized representative is necessary in cases related to criminal offences against human health, liberty, sexual freedom and integrity, child and family or moral integrity where the victim is a juvenile and rights and legitimate interests of the minor victim would not have been adequately protected without the assistance of an authorized representative;
- according to the Articles 280 and 283 of the Criminal Procedure Code when in exceptional cases it is necessary to interrogate (interview) the toddler victim in court, always a psychologist shall be invited who shall assist in interviewing the victim considering his or her social and psychological maturity, and (or) a representative of the state child rights protection authority who shall observe whether the rights of the victim are not being violated. In case of the juvenile victim who has suffered from crimes against human life, health, liberty, sexual freedom and integrity, child and family, profit from the prostitution of a minor or involvement of a minor in prostitution, a psychologist (or) a representative of the state child rights protection authority shall be invited on the request of the participants in the trial or on the court's own initiative. The accused and other participants in the proceedings, with the exception of the psychologist and the representative of the minor victim, shall not be allowed to be present in the room where the interview is being conducted. In this case, audio and video recording must be compulsory and the accused and other participants in the proceedings must be allowed to watch and hear the questioning from another room and to ask questions to the interviewee through a judge or court;
- according to the Articles 280 and 283 of the Criminal Procedure Code to the interviewing of the juvenile offender a psychologist (or) a representative of the state child rights protection authority shall be invited on the request of the participants in the trial or on the court's own initiative.

It should be noted that according to Article 194 of the Code of Civil Procedure (Interview (interrogation) of a juvenile witness) the representatives by law are called in, also pedagogue or a representative of the state child rights protection institution can be called in to participate in the interview of a witness juvenile younger than 16 years old and by a decision of a court – younger than 18 years old. The chairman of the hearing explains duty of a witness younger than 16 years old to tell everything he/she knows in a case, but such a witness does not swear according to the procedure laid down in the Code of Civil Procedure of the Republic of Lithuania. In exceptional cases, in order to identify the truth or not to harm the interests of a witness, by the court decision some participant in a case can be eliminated from a court-room during the interrogation of a juvenile witness. After the participant returns to a court-room, the content of indications of a

juvenile witness has to be reported and the possibility of questioning the witness has to be provided. A witness, younger than 16 years old, has to leave a court-room after the interrogation, except the cases, when the court acknowledges that it is necessary that the witness should stay in a court-room.

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.): Minor children have the right to receive secondary legal aid regardless of income and asset evaluation when:

- they are victims of offences against human health, freedom, sexual self-determination and integrity, child and family, moral and in other criminal proceedings when a motivated decision of pre-trial investigation officer or prosecutor or motivated court ruling recognizes that participation of an authorized representative is mandatory;

- in cases established by law they independently apply to the court regarding defence of their rights or statutory interests, except those who have entered into marriage in accordance with law or those who have been recognized by the court as absolutely capable (emancipated).

According to Article 38 of the Code of Civil Procedure, legal representatives of minors from 14 to 18 years old shall respectively be their parents, adopters or guardians. In such cases minors who are parties or third persons in the proceedings shall be notified and invited to participate in a hearing.

Minors from 14 years old shall have the right to independently apply to a court regarding defence of their rights or interests protected by laws, if a dispute arises out of relationships where they have full civil capacity.

If a child believes that her/his parents are abusing her/his rights, then the child shall have a right to apply to the state child rights protection institution or, after attaining the age of 14, may bring the matter before a court (Article 3.164(2) of the Civil Code of the Republic of Lithuania).

In other cases, were a child according to the law is not allowed to bring a case before a court her/himself, child's legal representatives represent child: parents, guardians, curators. According to Article 3.157(1) of the Civil Code of the Republic of Lithuania, parents shall represent legally incapable children under the law, except where the parents have been declared legally incapable in this area by a court judgement. Article 3.163(2) of the Civil Code of the Republic of Lithuania states that the rights of children deprived of parental care shall be assured by the guardian or curator according to the rules laid down in the Civil Code of the Republic of Lithuania. If the parents or guardians (curators) abuse their children's rights, measures to defend the children's rights may be taken by the state child rights protection institution or a prosecutor (Article 3.163(5) of the Civil Code of the Republic of Lithuania).

In accordance with Article 47(7) of the Law on Administrative Proceedings, if a party to the proceedings is a minor or a person recognised under the statutory procedure as legally incapable or of limited legal capacity in a certain area, his/her interests shall be represented by his/her legal representatives (parents, adoptive parents, guardians, carers).

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

☒ Yes, please specify for which kind of offences: For violent intentional criminal offences.

☐ 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: Article 167(2) of the Code of Criminal procedure establishes that prosecutor, for certain criminal offenses, can initiate said procedure without the victim's consent if he deems that criminal offenses are of public interest or harm has been done to a person who, for important reasons, is unable to defend his or her legitimate interests. In that case, the pre-trial investigation of such acts must be initiated at the request of the prosecutor. Said Article shows that prosecutor has the right to act in the best interests of a victim.

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	112 <input type="checkbox"/> NA <input type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP	176 024 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Wrongful conviction	28 [] NA [] NAP	19 [] NA [] NAP	20 466 [] NA [] NAP
Other	35 [] NA [] NAP	25 [] NA [] NAP	123 557 [] NA [] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): Under the Civil Code and the Law on the Compensation of the Harm Caused by Illegal Actions of Public Authorities and Representation of the State of the Republic of Lithuania the damage resulting from the unlawful condemnation, unlawful arrest, unlawful detention, unlawful application of procedural coercive measures, illegal application of administrative penalty – arrest has to be reimbursed by the state in full, regardless of pre-trial investigation officers, prosecutors and court officials' fault. Compensations for unlawful arrest and unlawful condemnation are paid from separate budgetary program on compensation of damages operated by the Ministry of Justice. These compensations may be paid according to court decisions on damages as well as through out-of-court procedure.

Damages can be compensated after court trial and without court trial (the property damage cannot exceed 1500 EUR, the moral damage cannot exceed 2900 EUR). Information above has been given on both cases.

N.B. In 2016 there was provided information about out-of-court procedure only. In 2018 in order to disclose the complete situation the data is provided also including situations when applicants take an application to the court directly. This can cause some differences in two periods (2016 and 2018).

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	[X] Annual [] Other regular [] Ad hoc	[X] Annual [] Other regular [] Ad hoc
2. Surveys aimed at court staff	[X] Annual [] Other regular [] Ad hoc	[X] Annual [] Other regular [] Ad hoc
3. Surveys aimed at public prosecutors	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
4. Surveys aimed at lawyers	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
5. Surveys aimed at the parties	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
7. Surveys aimed at victims	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc

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

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: 2017-2020 communication strategy for the judiciary and a plan for its implementation was adopted on 27 January 2017 by the Judicial Council, therefore more instruments have been applied. The surveys are administered in a variety of formats, including face-to-face interviews with the public prosecutors, lawyers and other court users, mailed paper forms and online surveys.

Public trust survey aimed at prosecution service is conducted every month.

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

☒ Yes

☐ No

Comments

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

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

Comments It is to notice that procedural laws enshrine the provisions that ensure that the case is dealt expeditiously. For example, according to the Article 72 of the Civil Procedural Code an interested party shall have the right to apply to the court of appeal to set a time limit for proceedings if the court of first instance fails to carry out in due time the procedural steps required by the Code.

The functioning of the judicial system can also be supervised through administrative supervision which shall be executed without prejudice to the independence of judges in the administration of justice.

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

	Number of complaints	Compensation amount granted
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

High Judicial Council	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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)	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Number of courts (as legal entities) in Lithuania decreased from 1st January 2018 according to the Law on Reorganization of Courts of the Republic of Lithuania (Law of 23rd June, 2016 No. XII-2474). Instead of 49 district courts (as legal entities) there are now 12 district courts (some of them have court houses), instead of 5 regional administrative courts there are now 2 of them (one has houses). The number of first instance courts of general jurisdiction (legal entities) in point 42.1 implies 5 regional courts (of general jurisdiction) which are first instance for criminal and civil cases assigned to its jurisdiction by law. These courts also are appeal instance for judgements, decisions, rulings and orders of district courts, so their number is also included in the number of all courts at point 42.3.

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 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

☒ Yes

☐ No

Comments - Please specify: Analysis and discussion on the need and possibility to decrease the number of court houses are initiated.

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

	Number of courts
a debt collection for small claims	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an employment dismissal	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
an insolvency case	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments A debt collection for small claims - in all district courts (12). An employment dismissal - in all district courts (12) when an employer working on the base of the contract (the Labour Code is applied) is dismissed and in administrative regional courts (2) when a public servant (the Law on Civil Service is applied) is dismissed, in total 14 courts. A robbery - in all district courts (12). An insolvency case - in all district courts (12) for natural person's bankrupt cases, in regional courts (5) for bankrupt of legal persons.

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:

[2 000]

Comments

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

Sources: Procedural Laws, Law on Courts and other laws.

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)	758 [] NA [] NAP	284 [] NA [] NAP	474 [] NA [] NAP
1. Number of first instance professional judges	676 [] NA [] NAP	235 [] NA [] NAP	441 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	49 [] NA [] NAP	29 [] NA [] NAP	20 [] NA [] NAP
3. Number of Supreme Court professional judges	33 [] NA [] NAP	20 [] NA [] NAP	13 [] 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)	22 [] NA [] NAP	14 [] NA [] NAP	8 [] NA [] NAP
1. Number of first instance court presidents	19 [] NA [] NAP	11 [] NA [] NAP	8 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	2 [] NA [] NAP	2 [] NA [] NAP	0 [] 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.

() No

[X] NAP

Comments

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

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

Comments

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

which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	()	()	()
criminal cases (misdemeanour and/or minor)	()	()	()
family law cases	()	()	()
labour law cases	()	()	()
social law cases	()	()	()
commercial law cases	()	()	()
insolvency cases	()	()	()
other civil cases	()	()	()

☒ NAP

Comments - If "other", please specify:

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

() Yes

(X) No

Comments

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

☐ Criminal cases

☐ Other than criminal cases

Comments

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

[]

☐ NA

☒ NAP

Comments

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

Total	Males	Females

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	2 664 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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)	1 451 [] NA [] NAP	[X] NA [] NAP	[X] 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)	849 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	280 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	84 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If “other non-judge staff”, please specify: Other non-judge staff – translators and psychologists.

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)	2 664 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 874 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	692 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	98 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

[] legal aid

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

Comments - Please briefly describe their status and duties:

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

☒ Yes

☐ No

Comments

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

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

Comments

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

Sources: National Courts Administration

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)	666	332	334
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

1. Number of prosecutors at first instance level	594 [] NA [] NAP	304 [] NA [] NAP	290 [] NA [] 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	72 [] NA [] NAP	28 [] NA [] NAP	44 [] NA [] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	85 [] NA [] NAP	63 [] NA [] NAP	22 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	72 [] NA [] NAP	52 [] NA [] NAP	20 [] NA [] 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	13 [] NA [] NAP	11 [] NA [] NAP	2 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

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

() Yes

(X) No

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

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

[]
[] NA

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

() Yes

() No

[] NAP

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence ?

(X) 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	532 [] NA	106 [] NA	426 [] NA

Comments

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

Sources: Prosecutor General'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	()	(X)
prosecutors	()	(X)
non-judge staff	(X) From 1st July 2017 the new Labor Code of the Republic of Lithuania entered into force. Gender equality based provisions impose the employer implement the principles of gender equality and non-discrimination on other grounds in any employer-employee relationship.	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: From 1st July 2017 the new Labor Code of the Republic of Lithuania entered into force. Gender equality based provisions impose the employer implement the principles of gender equality and non-discrimination on other grounds in any employer-employee relationship.

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) From 1st July 2017 the new Labor Code of the Republic of Lithuania entered into force. Gender equality based provisions impose the employer implement the principles of gender equality and non-discrimination on other grounds in any employer-employee relationship.	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: From 1st July 2017 the new Labor Code of the Republic of Lithuania entered into force. Gender equality based provisions impose the employer implement the principles of gender equality and non-discrimination on other grounds in any employer-employee relationship.

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? Concerning judges: report on activities of Lithuanian Courts 2018 provides the data concerning judges (also, data about court mediators and persons passing the exam for judges), <https://www.teismai.lt/data/public/uploads/2019/04/teismu-veiklos-rezultatai-2018-m.-patikslinta.pdf>. Concerning prosecutors: in accordance with the Law on the Prosecutor's Office, the Prosecutor's Office presented an annual report on its activities in 2018 which was intended for the general public and the Parliament of the Republic of Lithuania. The report includes data about the distribution of males/females within the Prosecutor's Office (in 2018 the distribution of prosecutors by gender was 50,2% females and 49,8 % male working in the Lithuanian Prosecution Service, see page 30). Internet link to this document: <https://www.prokuraturos.lt/data/public/uploads/2019/03/lietuvos-respublikosprokuraturos-veiklos-2018-m.-ataskaita.pdf>

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

(X) 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? Resolution of the Government of the Republic of Lithuania No 112, 4th February 2015 "On the Approval of the National program of equal opportunities for women and men 2015-2021", <https://www.e-tar.lt/portal/lt/legalAct/dc012450b1ca11e48296d11f563abfb0>. Also, the Law of the Republic of Lithuania on Equal Opportunities for Women and Men (<https://www.e-tar.lt/portal/lt/legalAct/TAR.746227138BCB/asr>) is applicable to all state institutions.

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

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

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments It should be mentioned, that there is a specific institution dealing with gender issues in the public and private sectors – Office of the Equal Opportunities Ombudsman. Its mission is to ensure implementation of equal opportunities and prevention of discrimination in society.

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

(title, date, nature of the text) The Law on Equal Treatment of the Republic of Lithuania, 2003-11-18, No. IX-1826.

[] 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 Office of the Equal Opportunities Ombudsperson is a budgetary institution financed from the state budget. Ombudsperson, by proposal from the Speaker of the Seimas, is assigned for a term of five years by secret voting in Parliament. Ombudsperson is accountable to Parliament and is responsible for the enforcement of the Law on Equal Opportunities for Women and Men and the Law on Equal Treatment.

[] 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) Competence of the Equal Opportunities Ombudsman:
•investigates complaints, carries out investigations on his/hers own initiative; •performs independent researches, related to discrimination, and independent surveys on the discrimination state, provides conclusions and recommendations on any issue related to discrimination; •carries out preventive and educational activity, secures equal opportunities mainstreaming; •controls the implementation of UN Convention on the Rights of Persons with Disabilities provisions, related to securing equal opportunities; •exchanges information with various institutions and agencies from Lithuania and foreign countries, international organisations. During or after an investigation, the Ombudsman can apply to the person concerned and propose to stop the actions (inaction) that violate equal opportunities; apply to the person or institution concerned and propose to amend or cancel an administrative act or decision (or part thereof) related to the violation of equal opportunities; initiate the administrative offense proceeding; alert the violator; 7) to oblige the subjects of advertising to terminate the unauthorized advertising and to determine the terms and conditions for the fulfillment of this obligation, etc.

[] 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.

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

recruitment procedures (please specify):

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

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

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

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

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments. Concerning statistics: improvements are now being made to the functionalities of the Lithuanian Court Information System (LITEKO) in order to build up a gender-specific trait which would be obtained by IT means from pre-trial investigation institutions, i.e. statistics would be generated automatically (expecting from 2020-01-01).

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

Comments National Courts Administration forms and implements the strategy of common court information system (the Law on Courts, Art. 124, par. 2). Art. 2, par 22 of Law on National Courts Administration indicates that the National Courts Administration organizes the development and implementaton of informational systems in courts, administers information systems and improves them.

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?

- ☒ (X) 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"/> (X) Yes <input type="checkbox"/> () No	<input checked="" type="checkbox"/> (X) 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 type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) Non
Other alternatives (external service provider only – specify in a comment)	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () Non

Comments - please also describe in case of “other alternatives” Majority of courts IT solutions are centralized and managed by the National Courts Administration. General management of applications is performed by IT department in the National Courts Administration, thus local court IT specialists only assist to local users.

External IT service providers are used to implement/support some technical solutions.

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

- ☒ (X) Yes

☐ No

Comments (please specify projects that have experienced national developments) All initiatives are collected and managed by the National Courts Administration, which is responsible for the administration and maintenance of the centralized courts IT.

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) E. g. number of cases resolved, the number of documents, the timeliness of the procedure etc.

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): The basic security requirements are stated in law, specific statutory legal acts, obligatory to all state information systems.

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.) The State Inspectorate for Data Protection is responsible for the supervision and control of enforcement of the Law on Legal Protection of Personal Data and the General Data Protection Regulation. However, the rights of the Inspectorate for the supervision and control of data protection in courts are limited, in order to ensure courts independence. The extent of rights granted to citizens are regulated by the specific regulations, which aims to regulate the usage of the Lithuanian courts electronic services portal www.e.teismas.lt, the administration of personal data in the Lithuanian Courts Information System, and other legal acts. There are limitations and general principles, stated in legal acts regarding the sharing of personal data according to the General Data Protection Regulation.

3.5.3 Centralised databases for decision support

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

(X) 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	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Criminal	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Administrative	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements (X) No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - if it exists in other matters please specify In lithuania administrative offences cases are distinguished from criminal cases, i.e. theses are minor violations of the law which taking into consideration the degree of danger are not within the scope of criminal law. There are two instances of courts in administrative cases: regional administrative courts (I instance) and the Supreme Administrative Court of Lithuania (appeal (and final) instance).

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

(X) Yes

() No

Comments

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

[X] Linkage with other European records of the same nature

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

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

Comments - Please specify who is the authority delivering the access Improvements have been made since the previous period and now options 1 and 3 are also available. Concerning option 3 - basically content of the Register of Suspects, Accused and Convicts is destined for criminal issues, however it can also be used in civil and administrative matters (recruitment, licenses etc.). The Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania is the administrator of the Register.

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 Templates are prepared and stored in the Lithuanian Courts Information System (LITEKO) together with special tools for filling them with metadata. Also, templates are prepared in administrative offence and pretrial cases and are available in Lithuanian Courts Information System (LITEKO) and the Integrated Criminal Process Information System (IBPS).

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 The courts hearings are recorded in all courts and cases, the record substitutes the written protocol except the criminal case and is made in all cases with some specific exceptions, when the protocol is not required (e.g. some administrative offence cases).

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 type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Fully integrated including BI <input 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 type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Fully integrated including BI <input 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 type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Fully integrated including BI <input 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 type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Business registry	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
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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="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input type="radio"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Justice expenses management	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input checked="" type="radio"/> 0% (NAP) <input type="checkbox"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Other (please specify in comments)	<input type="radio"/> 100% <input type="radio"/> 50-99% <input type="radio"/> 10-49% <input type="radio"/> 1-9% <input checked="" type="radio"/> 0% (NAP) <input type="checkbox"/> NA	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> 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
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For judges	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

☒ Yes

☐ No

Comments In administrative offences cases documents may be submitted to courts via Lithuanian courts electronic services portal e.teismas.lt, operating as a part of the Lithuanian Courts Information System (LITEKO), the Lithuanian police portal epolicija.lt. and via the integration between the Register of Administrative Offences and the Lithuanian Courts Information System (LITEKO).

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

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

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 The Legal Aid Information System (TEISIS) is currently being developed to increase the effectiveness of the legal aid administration process. TEISIS will allow individuals to apply for legal aid and receive it (when possible) online or, if necessary, schedule a face-to-face meeting with legal aid providers. TEISIS will also be used by legal aid authorities to retrieve relevant data concerning applicants' financial situation from different state information systems and registers.

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

	Requesting legal aid electronically
Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

☒ Yes

☐ No

Comments

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

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

Comments It shall be noted that the summons may be transmitted to the parties via the Lithuanian courts electronic services portal e.teismas.lt. Additionally, it shall be mentioned that upon the national regulations there are particular process participants, who/which are obliged to apply to court and to receive courts documents electronically, for instance, notaries, bailiffs, states institutions, insurance companies and etc. These groups are stated in the legal regulation. Additionally to the question 64.4 part "Other", the summons may be send via the Lithuanian courts electronic services portal e.teismas.lt and the integration between the Lithuanian Courts Information System (LITEKO) and the Register of Administrative Offences in administrative offences cases as well.

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

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

(X) Yes

() No

Comments

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

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework
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 type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
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 type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments "Other" - files (documents) may be send via the Lithuanian courts electronic services portal e.teismas.lt and the integration between the Lithuanian Courts Information System (LITEKO).

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
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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 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 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 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 type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments Electronic communication between courts and professionals other than lawyers is possible and in some cases that are regulated by law is mandatory via the Lithuanian courts electronic services portal e.teismas.lt.

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. The general processes, operating in the Lithuanian courts electronic services portal e.teismas.lt, are applied for the submission of documents and communication with courts in the mentioned proceedings (e.g. court order is processed automatically).

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 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 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 type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments Video conferencing is available in all matters (not only indicated in a questionnaire). Using video conferencing equipment, it is expected to save the expenditures referred for the transportation of experts, specialists, imprisoned persons to courts, to protect the rights and interests of vulnerable people, victims, witnesses, to shorten the terms of the examination of the cases.

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

☒ Yes

☐ No

Comments The courts hearings are recorded in all matters, the record substitutes the written protocol except the criminal case (in criminal cases the record is a part of a protocol) and is made in all cases with some specific exceptions, when the protocol is not required (e.g. some administrative offences cases).

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
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064-12. Is electronic evidence admissible?

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

(X) Yes

() No

Comments

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

[X] number of incoming cases

[X] length of proceedings (timeframes)

[X] number of resolved cases

[X] number of pending cases

[X] backlogs

[X] productivity of judges and court staff

[] satisfaction of court staff

[X] satisfaction of users (regarding the services delivered by the courts)

[] costs of the judicial procedures

[] number of appeals

[] appeal ratio

[X] clearance rate

[] disposition time

[] other (please specify):

Comments

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

(X) 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

[X] length of proceedings (timeframes)

[X] number of resolved cases

[X] number of pending cases

[X] 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

(X) More frequent

Comments - If "less frequent" or "more frequent", please specify: Every 6 months.

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

(X) Yes

() No

Comments

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

[X] Identifying to the causes of improved or deteriorated performance

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

[X] 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) :

[X] 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

[X] Head of the organisational unit or hierarchical superior public prosecutor

[X] Prosecutor General /State public prosecutor

[] External audit body

[X] Other (please specify): Collegium of the Prosecution Service of the Republic of Lithuania, which is an advisory body to the Prosecutor General.

Comments Collegium of the Prosecution Service of the Republic of Lithuania, which is an advisory body to the Prosecutor General.

3.6.3. Measuring courts' / public prosecution services activity

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

[X] number of incoming cases

[X] length of proceedings (timeframes)

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

Comments

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	(X) through administrative supervision mechanism	()
within the public prosecution services	()	(X)

Comments

3.6.4.Information regarding courts /public prosecution services activity

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

(X) Yes (please indicate the name and the address of this institution):National Courts Adminsitration, L. Sapiegos st. 15, Vilnius, Lithuania

() No

Comments

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

(X) Yes, on internet

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

() No

Comments

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

(X) Yes (please indicate the name and the address of this institution):Information Technology and Communications department under the Ministry of Interior of the Republic of Lithuania collects a part of the statistical data regarding the functioning of the public prosecution services and publishes monthly reports on their website <https://www.ird.lt/>

() No

Comments Information Technology and Communications department under the Ministry of Interior of the Republic of Lithuania collects a part of the statistical data regarding the functioning of the public prosecution services and publishes monthly reports on their website <https://www.ird.lt/>

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

(X) Yes, on internet

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

() No

Comments

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

☒ Yes

☐ No

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

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

☒ Internet

☐ Intranet (internal) website

☐ Paper distribution

Comments

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

☒ Annual

☐ Less frequent

☐ More frequent

Comments

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

☒ Yes

☐ No

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

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

☒ Internet

☒ Intranet (internal) website

☐ Paper distribution

Comments In accordance with the Law on the Prosecutor's Office, every year the Prosecutor's Office presents an annual report on its activities which is intended for the general public, the President and the Parliament of the Republic of Lithuania. The report contains a lot of statistical data about activity of the Prosecution Service, including data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff. Internet link to this document:

<https://www.prokuraturos.lt/data/public/uploads/2019/03/lietuvos-respublikosprokuraturos-veiklos-2018-m.-ataskaita.pdf>

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

(X) No

Comments The quantitative performance targets are defined for the Prosecutor General's Office and 5 regional Prosecutor's Offices, but not for individual public prosecutors.

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

[X] Other (please specify):

Comments The quantitative performance targets are defined for the Prosecutor's Offices, but not for individual public prosecutors.

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

(X) Yes

() No

Comments

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

() Annual

(X) Less frequent

() More frequent

Comments

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

Sources: National Courts Administration - for judges, Prosecutor General's Office - for prosecutors.

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?

☒ Yes

☐ No

Comments - Please could you briefly specify:

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

[]

☒ NA

Comments

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

☐ For civil procedures (non-enforcement)

☐ For civil procedures (timeframe)

☐ For criminal procedures (timeframe)

☐ NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): In cooperation with the Agent of the Government of the Republic of Lithuania to the European Court of Human Rights the courts are informed about the decisions where the violation was established. In specific cases the organizational means are used to prevent other similar 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 The relevant provisions of the Code of Civil Procedure of the Republic of Lithuania and the Code of Criminal Procedure of the Republic of Lithuania provide for a possibility of the reopening of the proceedings in case of the finding of a violation of the European Convention on Human Rights by the European Court of Human Rights.

As set forth in Article 366(1)(1) of the Code of Civil Procedure of the Republic of Lithuania, civil cases can be reopened when the European Court of Human Rights holds that the judgments, decisions or resolutions of the courts of the Republic of Lithuania in civil cases contradict the European Convention on Human Rights and/or its additional Protocols, to which the Republic of Lithuania is a participant, or when the European Court of Human Rights strikes out the application under examination from the list of cases on the ground of a friendly settlement agreement or unilateral declaration, if under a friendly settlement agreement or unilateral declaration it has been acknowledged that by the judgments, decisions or resolutions of the courts of the Republic of Lithuania in civil cases the rights of the applicants established in the European Convention on Human Rights and/or its additional Protocols, to which the Republic of Lithuania is a participant, were violated due to the judgments, decisions or resolutions of the courts of the Republic of Lithuania in civil cases. In accordance with Article 368(1) of the Code of Civil Procedure of the Republic of Lithuania, a request to reopen the civil case can

be filed within three months since the day, on which the person submitting it learned or had to have learned of the circumstances constituting the grounds to reopen the proceedings.

According to Article 456 of the Code of Criminal Procedure of the Republic of Lithuania, criminal cases examined by the courts of the Republic of Lithuania may be reviewed when the United Nations Human Rights Committee declares that a judgment of conviction has been taken in violation of the International Covenant on Civil and Political Rights or its Protocols or the European Court of Human Rights declares that a judgment of conviction of a person has been taken in violation of the European Convention on Human Rights or its Protocols, if the nature and gravity of the violations raise reasonable doubts as to the conviction of the person and the continuing violations may be corrected only upon the reviewing of the case.

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

Sources: Rules of the Agent of the Government of the Republic of Lithuania to the European Court of Human Rights (adopted by the resolution of the Government of 3 July of 1995 no. 929);
Code of Civil Procedure of the Republic of Lithuania;
Code of Criminal Procedure of the Republic of Lithuania.

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: It is to notice that administrative cases regarding the issuance of court order are possible from 1 January, 2020.

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)?

(X) 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)	33 101 [] NA [] NAP	210 779 [] NA [] NAP	212 946 [] NA [] NAP	30 934 [] NA [] NAP	1 611 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	27 167 [] NA [] NAP	99 292 [] NA [] NAP	102 877 [] NA [] NAP	23 582 [] NA [] NAP	1 502 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1 720 [] NA [] NAP	71 599 [] NA [] NAP	72 175 [] NA [] NAP	1 144 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1 301 [] NA [] NAP	63 208 [] NA [] NAP	63 788 [] NA [] NAP	721 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP

2.3. Other non-litigious cases	419 [] NA [] NAP	8 391 [] NA [] NAP	8 387 [] NA [] NAP	423 [] NA [] NAP	0 [] NA [] NAP
3. Administrative law cases	2 748 [] NA [] NAP	14 899 [] NA [] NAP	13 048 [] NA [] NAP	4 599 [] NA [] NAP	97 [] NA [] NAP
4. Other cases	1 466 [] NA [] NAP	24 989 [] NA [] NAP	24 846 [] NA [] NAP	1 609 [] NA [] NAP	12 [] NA [] NAP

Comments The decrease in general civil (and commercial) non-litigious cases (2.1.) may have been due to the overall decrease in debtors' natural persons in 2017 and 2018. The latter suggestion is based in data from the credit bureau Creditinfo (1 January, 2019 number of debtors natural persons was 177,055; 1 January - 207,000; 1 January, 2017 - 252 479). Credit Bureau "Creditinfo" stores information about credit risk for businesses and private entities, forms the credit history and establishes credit ratings.

The decrease in "other non-litigious cases" (2.3.): civil cases in process of enforcement (execution) in all district courts was due to changes in the law that came into effect in 2017 July 1, on the basis of which the bailiff, rather than the court of first instance, is responsible for dealing with the succession in enforcement proceedings.

The decrease in "other cases" (4): administrative offence cases (including cases in process of enforcement (execution) in 2017-2018 period was due to the entry into force of the Code of Administrative Offences on 1 January, 2017 which left the handling of a large proportion of administrative misconduct and the imposition of penalties to various public administration entities (out of court). This could also be due to the expanded list of circumstances in which the person is not prosecuted under the Code of Administrative Offences. The decrease in these cases was also influenced by the Amendments to the Criminal Code (on 1 January, 2017) that criminalized persons who drove a road vehicle or taught practical driving while under the influence of alcohol with more than 1.5 ounces of alcohol. In 2018, compared to 2017, the number of cases of administrative offences investigated in district courts decreased by 15.66%, compared to 2016, a decrease of 75.83%. Concerning administrative cases (3): in 2018, the number of cases received increased by 27.35% compared to 2017 (e.g. the number of cases concerning conditions and detention of prisoners, cases concerning the legal status of aliens have significantly increased) and this led to the growth in the number of pending cases at the end of the reference year.

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

. Court orders, which shall be resolved within 3 working days.

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

. Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

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)	3 245 [] NA [] NAP	19 746 [] NA [] NAP	20 006 [] NA [] NAP	2 985 [] NA [] NAP	219 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: On 1 January 2017 Amendments to the Criminal Code of the Republic of Lithuania were adopted that provide for criminal liability for persons who drove a road vehicle or taught practical driving while under the influence of alcohol more than 1,5 promilles. This change of regulation had impact on the increase of the number of criminal cases starting from 2017 (in comparison with 2016).

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)	8 620 [] NA [] NAP	18 336 [] NA [] NAP	18 966 [] NA [] NAP	7 990 [] NA [] NAP	47 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	4 745 [] NA [] NAP	12 498 [] NA [] NAP	13 326 [] NA [] NAP	3 917 [] NA [] NAP	22 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] 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)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input 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 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 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 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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry 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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	3 692 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 877 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 681 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 888 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	183 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 961 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 959 <input type="checkbox"/> NA <input type="checkbox"/> NAP	185 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other cases” please specify The decrease in "other cases" (4), i.e. administrative offence cases (including cases in process of enforcement (execution), at second instance courts (appeal) in 2017-2018 period was related to the decreased number of resolved administrative offence cases in the first instance courts (see Q091).

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)	790 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 361 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 274 <input type="checkbox"/> NA <input type="checkbox"/> NAP	877 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <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 type="checkbox"/> NA <input checked="" 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 type="checkbox"/> NA <input checked="" 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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

4.2.4. Case flow management – Supreme Court

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



	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	321 [] NA [] NAP	572 [] NA [] NAP	643 [] NA [] NAP	250 [] NA [] NAP	1 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	292 [] NA [] NAP	451 [] NA [] NAP	517 [] NA [] NAP	226 [] NA [] NAP	1 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] 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)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	29 [] NA [] NAP	121 [] NA [] NAP	126 [] NA [] NAP	24 [] NA [] NAP	0 [] NA [] NAP

Comments - If “Other cases”, please specify The number of civil (and commercial) litigious cases (1.) of the cassation instance court (Supreme Court) pending at the end of the year decreased due to the general decrease of resolved cases at first instance. In 2018 the number of civil cases resolved at first instance courts decreased by 10.89% compared to 2017 and was 15.03 % lower than in 2016. This

led to the slightly lower inflow and larger number of resolved cases, therefore, to the decreased number of pending cases at the end of the year.

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? [2 970]

cases closed by this procedure? [2 046]

Comments This is the whole number of the applications for the cassation review that were received at the Supreme Court of Lithuania in civil (received 1 945, dismissed 1483) and criminal (received 1 025, dismissed 563) cases.

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)	101 [] NA [] NAP	384 [] NA [] NAP	385 [] NA [] NAP	100 [] NA [] NAP	1 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP

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

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	765 [] NA [] NAP	7 787 [] NA [] NAP	7 843 [] NA [] NAP	709 [] NA [] NAP

Employment dismissal cases	53 [] NA [] NAP	195 [] NA [] NAP	178 [] NA [] NAP	70 [] NA [] NAP
Insolvency	4 936 [] NA [] NAP	3 609 [] NA [] NAP	4 614 [] NA [] NAP	3 931 [] NA [] NAP
Robbery case	158 [] NA [] NAP	346 [] NA [] NAP	376 [] NA [] NAP	128 [] NA [] NAP
Intentional homicide	69 [] NA [] NAP	106 [] NA [] NAP	114 [] NA [] NAP	61 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Cases relating to the right of entry and stay for aliens	116 [] NA [] NAP	502 [] NA [] NAP	522 [] NA [] NAP	96 [] NA [] NAP

Comments Employment dismissal cases - the decrease of incoming and resolved cases might be due to the effective functioning of the Labor Disputes Commission (a mandatory pre-litigation labor dispute resolution body for individual and collective labor disputes). Insolvency cases - the decrease of incoming cases might be due to the decrease of debtors (legal entities). Robbery cases - the decrease of incoming and resolved cases might be due to a general decrease in crimes to property. Cases relating to the right of entry and stay for aliens - general situation in EU on this issue led to the increase of incoming cases in 2017 and consequently to the increase of pending cases at the beginning of 2018. The number of resolved cases is higher due to higher number of incoming and correspondently pending cases. Cases relating to asylum seekers fall within the cases relating to the right of entry and stay for aliens or other administrative cases.

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:

. Pursuant to the Law on the Status of Refugees in the Republic of Lithuania cases concerning the decisions on asylum matters reached by the Migration Department under the Ministry of Internal Affairs of the Republic of Lithuania are assigned to the Vilnius Regional Administrative Court. The Supreme Administrative Court of Lithuania is the appellate instance for cases from decisions, rulings and orders of regional administrative courts as the courts of the first instance. Rulings of the Supreme Administrative Court of Lithuania are final and not subject to appeal.

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

% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
----------------------------------	--	--	--	---	--

Civil and commercial litigious cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	100 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	194 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	190 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	1 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Litigious divorce case	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	46 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	140 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	164 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	0 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Employment dismissal case	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	111 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	83 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	175 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	0 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	437 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	155 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	171 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	11 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	143 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	82 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	162 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	1 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	193 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	149 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	148 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP	1 <input type="checkbox"/> <input type="checkbox"/> NA <input type="checkbox"/> <input type="checkbox"/> NAP

Comments The decrease of the length of proceedings in appellate and cassation instances indicates the efforts of the judiciary to fight some longer terms.

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

. There are three types of divorce procedures: divorce on the basis of the fault of one or both of the spouses; divorce on the application of one of the spouses; divorce by the mutual consent of the spouses. Divorce cases are decided according to a special procedure, established in the Code of Civil Procedure (375-386). Disputes concerning issues arising from the family relations are dealt with in closed court sessions if at least one of the parties asks for. When any question related to child is dealt with, a child, who is capable to formulate his/her view, has to be heard directly, and if not possible – through the representative. In taking the decision, the court has to take into account the opinion of the child, unless this is not in his/her interests. In the process of hearing a divorce case, the court undertakes measures to reconcile the spouses and has the right to establish the term for reconciliation. This term has to be not longer than 6 months. Until the delivery of the judicial decision the court considering the interests of spouses, children may establish the interim measures of protection.

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

. The length of proceedings is calculated from the date of a case is received in a court until the court delivers a decision.

4.2.6. Case flow management – public prosecution



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

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

Comments

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

- ☒ [X] civil cases
- ☒ [X] administrative cases
- ☒ [X] 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	73 052 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP	32 441 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP	37 164 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

Comments

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	18 854 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
Before the court case	18 854 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
During the court case	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP

Comments On 1st January 2017 driving under the influence of alcohol has been criminalized. The majority of these cases are brought to

court through the guilty plea procedure.

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)	32 441 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	10 639 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	18 808 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	2 994 [] NA [] NAP
4. Other	[X] NA [] NAP

Comments Increase in the number of cases discontinued by the public prosecutor because the offender could not be identified may be due to increase of the number of cybercrime cases.

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: The source for answers to questions 91-102 is Lithuanian Courts Informational System (LITEKO), information provided by the National Courts Administration. As far as questions 107, 107-1 and 108 are concerned the sources are digital data systems of the prosecution service (Integrated Criminal Prosecution System (IBPS) and Informational Prosecution System).

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)

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

☐ [] other (please specify):

Comments

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

☒ [X] 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?

☒ (X) Yes

☐ () No

Comments

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

☐ [] Competitive test / Exam

☒ [X] Other procedure (interview or other)

☐ [] No special procedure

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

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

☒ [X] Years of experience

☒ [X] Professional skills (and/or qualitative performance)

☒ [X] Performance (quantitative)

☒ [X] Assessment results

☒ [X] Subjective criteria (e.g. integrity, reputation)

☒ [X] 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?

☒ [X] statutory independent

☐ [] under the authority of the Minister of Justice or another central authority

☐ [] other (please specify):

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

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

☐ Yes

☒ No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

☐ mainly through a competitive exam (open competition)

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

☒ a combination of both (competitive exam and working experience)

☐ other (please specify):

Comments

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

☐ an authority composed of public prosecutors only

☐ an authority composed of non-public prosecutors only

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

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

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

☒ Yes

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

Comments

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

☐ Competitive test / exam

☒ Other procedure (interview or other)

☐ No special procedure

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

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

☒ Years of experience

☒ Professional skills (and/or qualitative performance)

☒ Performance (quantitative)

☒ Assessment results

☒ Subjective criteria (e.g. integrity, reputation)

☒ Other

☐ No criteria

5.1.3.Mandate and retirement of judges and prosecutors

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

☒ Yes, please indicate the compulsory retirement age:65

☐ No

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

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

☐ For disciplinary reasons

☒ For organisational reasons

☐ For other reasons (please specify modalities and safeguards):

☐ No

Comments

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

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

☒ No

Comments

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

☒ Yes, please indicate the compulsory retirement age:65

☐ No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Prosecutor shall be dismissed from service in the following cases: 1) voluntary resignation; 2) dismissal as a disciplinary sanction; 3) effective court judgement of conviction; 4) loss of the citizenship of the Republic of Lithuania; 5) failure to withdraw from the activities of political parties or political organisations or other breaches of Article 21(2) of the Law on Prosecution Service; 6) dissent to be position-downgraded in the result of disciplinary sanction; 7) cancellation of his position due to organisational changes in the Prosecution Service and the dissent to be transferred to another position or absence of a position to be transferred to; 8) being incapable to serve as a prosecutor (based on a conclusion of a medical commission); 9) being unfit for the prosecutor's position according to a conclusion of the Assessment Commission; 10) establishing of any circumstance due to which the person could not have been admitted to the Prosecution Service and appointed to a prosecutor's position; 11) resignation after becoming entitled to a state pension of officers and servicemen; 12) reaching 65 years of age; 13) dissent to being transferred to another position after expiry of the appointment.

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

☒ Yes, duration of the probation period (in years):2

☐ No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the

length of the mandate (in years)?

[]

☐ NA

☒ NAP

Comments

125-1. Is it renewable?

☐ Yes

☐ No

☒ NAP

Comments

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

[]

☐ NA

☒ NAP

Comments

126-1. Is it renewable?

☐ Yes

☐ No

☒ NAP

Comments

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

Sources: National Courts Administration, Prosecutor General'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)	<div><input checked="" type="checkbox"/> Yes</div> <div><input type="checkbox"/> No</div>	<div><input type="checkbox"/> Yes</div> <div><input checked="" type="checkbox"/> No</div>	<div><input type="checkbox"/> Yes</div> <div><input checked="" type="checkbox"/> No</div>
General in-service training	<div><input checked="" type="checkbox"/> Yes</div> <div><input type="checkbox"/> No</div>	<div><input type="checkbox"/> Yes</div> <div><input checked="" type="checkbox"/> No</div>	<div><input type="checkbox"/> Yes</div> <div><input checked="" type="checkbox"/> No</div>

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	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[] 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 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	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No

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

Comments In September 2016 the Training Division was formed at the Prosecutor General's Office. Before that, the training system was scattered, the budget in 2016 was 14 times smaller than it was in 2018. With the increased budget, the training priorities have changed as well, more attention has been given to general in-service training.

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

	Frequency of the in-service training
General in-service training	[] Regularly (for example every year) [X] 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	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: In September 2016 the Training Division was formed at the Prosecutor General's Office. Before that, the training system was scattered, the budget in 2016 was 14 times smaller than it was in 2018. With the increased budget, the training priorities have changed as well, more attention has been given to general in-service training.

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 There are no specific training institutions for both categories of professionals.

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 of appointed judges (both introductory and continuous) is organized by a state institution - the National Courts Administration under the training programs of judges. These programs are approved by the Judicial Council and harmonized by the Ministry of Justice. Programs are approved annually. Organizing the training of judges is just one of the functions performed by the National Courts Administration.

New prosecutors must complete the 2-year-long professional traineeship at the prosecution service. They also attend special training for prosecutors, as well as EJTN trainings. In 2019 new prosecutors have attended EJTN AIAKOS exchange programme.

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	[] NA [X] NAP
1. Only for judges	[X] NA [] NAP	[] NA [X] NAP
2. Only for prosecutors	132 [] NA [] NAP	2 [] NA [] NAP

3. Only for other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Only for other non-prosecutor staff	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other common training	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments: The National Courts Administration is responsible for organization of training courses for judges, as well as for preparation of draft programmes and presentation of them for adoption to the Judicial Council (after coordination with the Ministry of Justice). The National Courts Administration have also organised training courses for court staff. Data on training courses in days is not available. In 2018, 64 training courses for judges took place in 34 training programs approved by the Judicial Council. 2 060 judges attended training. The number of participants for court staff - 1 140.

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

Sources: Prosecutor General's Office, National Courts Administration

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	23 933 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 189 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 933 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 189 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	36 939 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 074 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 939 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 074 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	26 495 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 136 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 495 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 136 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	35 422 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 921 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 422 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 921 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In 2017 prosecutors' salaries were increased.

133. Do judges and public prosecutors have additional benefits?

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

Comments

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

. No other financial benefit.

[] NAP

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

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

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

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

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

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

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

() Yes

(X) No

Comments - If yes, please specify the conditions and 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.)

(X) Yes

() No

Comments

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

() only by judges

() by judges and other legal professionals

(X) other, please specify: The Judicial Ethics and Discipline Commission

Comments The Judicial Ethics and Discipline Commission. Two members of the Commission shall be appointed by the President of the Republic, one - by the Speaker of the Seimas, four candidates – by the Judicial Council. The President of the Republic and the Speaker of the Seimas shall appoint members of the public to members of the Commission. The Judicial Council shall approve the Chairman of the

Commission from the appointed members of the Judicial Ethics and Discipline Commission.

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. Consultations/opinions given by the Judicial Ethics and Discipline Commission are available on the website of the National Courts Administration.

☐ 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 The Prosecutors' Ethics Commission consists of 7 members – 4 prosecutors and 3 other professionals (not necessarily legal).

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. Prosecutors' Ethics Commission is a body composed by the Prosecutor General for purposes of investigating breaches of law, professional inadequacy, conduct that brings dishonour to the prosecutor's profession and other breaches of professional ethics allegedly committed by the prosecutor. The Commission also provides consultations regarding professional ethics of prosecutors. Anonymised conclusions of the Commission are available on the web site of the Prosecution Service of Lithuania

☐ 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 The Judicial Court of Honour, the Judicial Ethics and Discipline Commission.

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

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

- ☐ Professional body
- ☐ Executive power (please specify):
- ☐ Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify: Concerning judges: only 2 of the initiated disciplinary proceedings (16) have been brought to the Judicial Court of Honor. Concerning prosecutors: the decrease of the number of initiated disciplinary proceedings (comparing with 2016) was the outcome of the fact that there were received fewer requests to initiate the inspection of prosecutor's activity or to conduct an investigation at the Prosecutor's Ethics Commission.

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

	Judges	Prosecutors
Total number (total 1 to 10)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Concerning judges: in 2018 the Judicial Court of Honor adopted 2 decisions: in one disciplinary case it was limited to the review of a disciplinary action, in the second - one the part of the case was terminated, in the other part of the case as the sanction a censure (less severe sanction than a reprimand) was pronounced. Concerning prosecutors:

9 admonitions - the least severe disciplinary sanction – have been pronounced against prosecutors in 2018. Disciplinary sanctions that may be imposed on prosecutor in Lithuania (starting from least severe): 1. Admonition (9 in 2018);

2. Reprimand (5 in 2018); 3. Position downgrade (0 in 2018) 4. Dismissal (3 in 2018) The increase of the number of sanctions in 2018 (comparing with 2016) was due to the complexity of the inspections, also investigations carried out by the Prosecutor's Ethics Commission because of the gravity and nature of the violations committed.

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

Sources: National Courts Administration, Prosecutor General's Office (the Internal Investigations Division of the Prosecutor General's Office, which conducts disciplinary proceedings against prosecutors).

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	2 213 <input type="checkbox"/> NA	1 377 <input type="checkbox"/> NA	836 <input type="checkbox"/> NA

Comments There are also 943 lawyers' assistants. They can provide some legal service but are not included in the number of lawyers above.

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:

[]

[X] 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	[]	[]	[]
Dismissal cases	[]	[]	[]
Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[]	[]	[]
Administrative cases	[]	[]	[]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly: Lawyers have a full monopoly only in criminal cases (representing defendant), exceptional legal is adopted in criminal proceedings under Article 47 of the Code of Criminal Procedure, which states that defender shall be an advocate or advocate's assistant having advocate's authorization. Under the Code of Administrative Offenses only advocates can represent their clients in appeal process and only advocates and advocates' assistants – in process where the case is recommenced. However, exception for legal entities was made, establishing that these subjects can be represented by an employee with university degree in law. Under the Code of Civil Procedure an appeal shall be filed only by an advocate. However, with few exceptions regarding the cohabitants of the parties, trade unions, public legal persons and bailiffs.

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No

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

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): In civil cases judicial officer's agents can represent judicial officers, but only with the authorization of a judicial officers and in cases related to the functions of judicial officer (Code of Civil Procedure, Article 56, paragraph 1, subparagraph 7). Also, in civil cases, accomplice of the parties can represent other party by delegation of other accomplices (Code of Civil Procedure, Article 56, paragraph 1, subparagraph 3).

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

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

Comments Law on the Bar of Republic of Lithuania in Article 4, paragraph 4 established, that an advocate shall also be entitled in accordance with the procedure prescribed by laws to provide services for remuneration as an administrator of bankruptcy, restructuring, property or inheritance, a lobbyist, a liquidator, a curator, an executor of a will, a trustee of property, a patent trustee, as well as to work in commissions of all levels, to be a member of the municipal council, to be appointed as a commission member by the resolution of the Parliament or Government, or by Presidential Decree and participate in working-groups drafting legal projects, act as an arbiter, a mediator, a conciliator or a legal expert in commercial disputes for remuneration. An advocate may be a member of the managing or supervisory body of a legal person, but he cannot receive any remuneration, with the exception of bonuses. The right to provide services listed in this paragraph shall be acquired by an advocate and the provision of these services shall be controlled in accordance with the procedure laid down in legal acts regulating the provision of these services.

In addition, Law on the Bar of Republic of Lithuania in Article 43, paragraph 1 established, that an advocate entered in the List of Practising Advocates of Lithuania may not participate in operational activities, be employed or hold any other paid position, except for work in the Lithuanian Bar Association and research, creative or teaching activities.

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: Council of the Lithuanian Bar 2018 activity report (January 1 – December 31, 2018)

6.1.2. Practicing the profession



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

☐ Yes

☒ No

Comments

155. Are lawyers' fees freely negotiated?

☒ Yes

☐ No

Comments

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

☒ Yes, laws provide rules

☐ Yes, standards of the bar association provide rules

☐ No, neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

☒ Yes

☐ No

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

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

☒ the bar association

☒ the Parliament

☒ other (please specify): the Minister of Justice

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)	53 <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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: These disciplinary proceedings were initiated by the Council of the Lithuanian Bar Association itself, i.e. without the prior examination of Disciplinary Committee and these proceedings were initiated for the failures to perform duties to the Lithuanian Bar (non-payment of taxes; non cooperation).

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	19 [] NA [] NAP
1. Reprimand	7 [] NA [] NAP
2. Suspension	[] NA [X] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	[] NA [X] NAP
5. Other	12 [] 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. Article 53 of the Law on the Bar of Republic of Lithuania establishes that the Court of Honour of Advocates may impose the following disciplinary sanctions:

- 1) censure;
- 2) reprimand;
- 3) public reprimand;
- 4) invalidation of the decision of the Lithuanian Bar Association to recognise the person as an advocate.

In addition, Law on the Bar of Republic of Lithuania in Article 61 establishes that the Court of Honour of Advocates shall hear disciplinary actions against advocates in accordance with the procedure established by the Lithuanian Bar Association. According to the data of Lithuanian Bar Association, in 2018, apart from the sanction mentioned above, there were applied 12 sanction: 5 - censures; 3 - invalidation of the decision of the Lithuanian Bar Association to recognise the person as an advocate; 4 - removal from the List of Advocate's Assistants of Lithuania

It shall be noted that although there were 53 disciplinary proceedings initiated by the Council of the Lithuanian Bar Association, during the taken period (2018) the Court of Honour of Advocates examined 44 disciplinary cases, as a result 19 above explained sanctions were adopted and in the rest 14 cases the Court of Honour of Advocates decided not to appoint sanctions, instead – suffice with a hearing and in 11 cases – to terminate the disciplinary proceedings.

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?

(X) 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

[X] 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: In certain civil cases, when an amicable resolution of the dispute is likely, mandatory mediation may be ordered by a court.

Mandatory mediation before bringing a claim to the court will be established from 1 January 2020 in family disputes examined according to contentious proceedings.

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

() Yes

(X) No

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

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

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Family cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Labour cases including employment dismissals	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Criminal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Consumer cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP

Comments Judicial mediation in administrative cases has started 1st March 2019. According to present legislation only the judge can mediate disputes in administrative cases. It should be noticed that draft project for amendment of mediation law and of correspondent procedural law for administrative cases is being discussed at the Seimas (parliament of Lithuania) envisaging that private mediator could execute judicial mediation for disputes in administrative cases and that the Administrative Disputes Commission could mediate such disputes in pre-trial stage.

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):: Secondary legal aid includes inter alia representation in court. Therefore, if a person has been granted legal aid in a case that is referred to judicial mediation by a decision of judge, legal aid is also provided in this procedure.

The judicial mediation is free of charge.

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

	Total	Males	Females
Number of mediators	469 <input type="checkbox"/> NA <input type="checkbox"/> NAP	110 <input type="checkbox"/> NA <input type="checkbox"/> NAP	359 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country might have impact on the significant increase of the number of people that gained the status of mediator.

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)	483 <input type="checkbox"/> NA <input type="checkbox"/> NAP	452 <input type="checkbox"/> NA <input type="checkbox"/> NAP	218 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	223 <input type="checkbox"/> NA <input type="checkbox"/> NAP	228 <input type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	258 <input type="checkbox"/> NA <input type="checkbox"/> NAP	221 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative 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
4. Labour cases including employment dismissal cases	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Consumer cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: It should be noted that family, labour cases and consumer cases, as well as civil and commercial cases, are heard by courts of general jurisdiction (in Lithuania there are no specialized courts for these categories of cases).

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

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

Comments Pursuant to the Law on Consumer Rights Protection of the Republic of Lithuania the following public bodies deal with consumer disputes in the role of ADR entities:

- Communications Regulatory Authority
- Bank of Lithuania (central bank)
- State Energy Regulatory Council
- Bar Association
- State Consumer Rights Protection Authority

Firstly, during the ADR procedure these consumer ADR entities have to try to conciliate parties of the dispute. If a settlement is not reached, a decision on the substance of the dispute is adopted. The decision is binding, unless a party commences proceedings in a court. The exception are decisions of Bank of Lithuania which are not binding.

G1. Please indicate the source for answering question 166:

Source: The Lithuanian Court Information System (LITEKO) and the report of the Activities of the Judicial Mediation Commission, 2018.

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?

- ☒ (X) Yes
- ☐ () No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	117 [] NA	51 [] NA	66 [] NA

Comments

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

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

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be

carried out by enforcement agents?

- ☒ [X] Service of judicial and extrajudicial documents
- ☒ [X] Debt recovery
- ☒ [X] Voluntary sale of moveable or immoveable property at public auction
- ☐ [] Seizure of goods
- ☒ [X] Recording and reporting of evidence
- ☐ [] Court hearings service
- ☒ [X] Provision of legal advice
- ☒ [X] Bankruptcy procedures
- ☒ [X] 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?

- ☒ (X) Yes
- ☐ () No

Comments

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

- ☒ (X) Yes
- ☐ () No

Comments

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

- ☒ [X] a national body
- ☐ [] a regional body
- ☐ [] a local body
- ☐ [] NAP

Comments

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

- ☒ (X) 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: www.antstoliurumai.lt

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 professional body - the Chamber of Judicial Officers of Lithuania

179. Have quality standards been determined for enforcement agents?

☒ Yes

☐ No

Comments - If yes, what are the quality criteria used? Instructions for Execution of Decisions, CIVIL PROCESS CODE

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

☒ professional body

☐ judge

☒ Ministry of Justice

☒ other (please specify): Uniting the Judicial Officers in Lithuania

Comments In 2018 as well as in 2016 the Ministry of Justice was the institution responsible for establishing the quality standards.

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

() Yes

(X) No

Comments - If yes, please specify:

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

(X) Yes

() No

Comments - If yes, please specify: According to Article 27 of the Law on Bailiffs, Article 510 of the Code of Civil Procedure of the Republic of

Lithuania the procedural actions of bailiffs, their legitimacy are verified by a court upon a claim of a party of the enforcement case.

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

[X] excessive length

[] unlawful practices

[] insufficient supervision

[X] 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

(X) No

Comments - If yes, please specify:

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

	Existence of the system
for civil cases	() Yes (X) No
for administrative cases	() Yes (X) No

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):

☒ (X) 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)	6 <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	0 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3. For criminal offence	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP
4. Other	6 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

Comments - If “other”, please specify: Other - non-compliance with laws and regulations governing the enforcement process.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	5 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
1. Reprimand	1 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
2. Suspension	0 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3. Withdrawal from cases	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP

4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other	4 <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: Other - caution (4). In addition it is to note that under Art. 15, par. 1 of Law on Bailiffs, the possible sanctions are: 1) caution;

2) reprimand;

3) the deprivation of the right to provide services referred to in Paragraph 2 of Article 21 of this Law up to six months;

4) the deprivation of the right to perform functions specified in Paragraph 1 of Article 21 of this Law for up to six months;

5) dismissal from bailiffs dismissal from office

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

Source: Chamber of Judicial Officers of Lithuania

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

(X) 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)	260 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	260 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Public officials	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

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

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

[X] diploma

[X] professional experience/professional training

[X] exam

[X] 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)?

[X] yes, please indicate the age of retirement: 70

[] 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):

[X] Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

[X] Authentication

[X] Certification of signatures

[X] Legality control of documents submitted by the parties

[X] Mediation

- ☐ Taking of oaths
- ☐ Other, for example collect taxes, keep registers etc. (please specify):

Comments

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

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

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

- Succession matters (issuing certificate of succession);
- Transactions regarding real property (sale, mortgage end etc);
- Attesting marriage contracts;
- other contracts which are to be notarised in accordance with the mandatory provision of Civil Code (contracts of life annuity, loan agreements if the amount of loan in cash is in excess of three thousand euros, sale of shares if the percent of shares of a legal entity exceeds 25 percent and etc.)

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 Some Lithuanian notaries use the digital system eNotaras. All notaries receive data from centras databanks of state registers via computer networks under data exchange agreements.

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

- ☒ Yes
- ☐ No

Comments

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

☒ professional body

☒ court

☒ Ministry of Justice

☐ public prosecutor

☐ other (please specify):

Comments

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

☒ Yes

☐ No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Law on Notarial Profession of the Republic of Lithuania; Chamber of Notaries of Lithuania

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

☐ NAP

Comments

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

(X) Yes

() No

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

201. Are the courts responsible for selecting court interpreters?

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

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

[] No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: National Courts Administration

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

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

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

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

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

[] Other (please specify):

Comments In Lithuania there is a system of registered forensic experts who work in state forensic institution or has a private business. If it is necessary to order forensic examination in civil or criminal procedure, which are performed by state forensic institution. It is ordered to institutions and managers of those institutions to choose the appropriate expert for performance of examination. Also in civil cases parties can propose the forensic expert and it is court's decision who should be appointed for performance of forensic examination.

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

(X) 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?): The list of the forensic experts of the Republic of Lithuania is administered by the Ministry of Justice under the Law on forensic examination and under the procedure established by the Ministry of Justice. Only person

having forensic expert qualification can be entered into the list of forensic experts of the Republic of Lithuania. The qualification to the forensic expert is issued by state forensic institutions (on the types of forensic examinations, performed by these forensic institutions) or other state authorities (on the types of forensic examinations that are not covered by state forensic institutions activities). Before entering in to the mentioned list, the person shall take an oath in the Ministry of Justice.

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

- [X] 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
- (X) No

Comments The registration is not limited in time, but the expert who receives qualification in competent state forensic institutions shall be recertified by same forensic institutions every five years.

203. Is the title of judicial experts protected?

- (X) Yes
- () No

Comments - If appropriate, please explain the meaning of this protection: A person who, upon adopting the name of a civil servant or a person performing the functions of public administration, carries out unlawful actions bears the liability under Article 289 of the Criminal Code of the Republic of Lithuania.

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

	Obligation of training
Initial training	<div>(X) Yes</div> <div>() No</div>
Continuous training	<div>(X) Yes</div> <div>() No</div>

Comments

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

- [X] judicial proceedings
- [X] the profession of expert
- [X] other

Comments

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

- (X) Yes
- () No

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

(X) Yes

() No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	398	218	180
	[] NA	[] NA	[] NA
	[] NAP	[] NAP	[] NAP

Comments

205-1. Who sets the expert remuneration?

- The performance of forensic examination in state forensic institution in criminal cases is free of charge. But the court shall remunerate expenses of forensic expert due to appearing in court, travelling. Private forensic experts should be paid for the performance of their examination and shall be reimbursed for any expenses they incur due to appearing in court, travelling and accommodation and shall be paid a daily allowance. In civil cases, all expenses independently of the institution or person performing forensic examination should be covered by the court. The expenses for forensic examination in state forensic institution are counted according to the rulings approved by Ministry of Justice or Ministry of Health or Police Commissioner General. This amount cannot exceed the work and material costs necessary to make a forensic examination. The private forensic experts regulate the amount of expenses by their selves.

The court shall cover the expenses for forensic experts (or institutions) when they have performed their duties in accordance with the invoice presented after the examination. Expenses that experts incur due to appearing in court, travelling and accommodation and a daily allowance are paid according to the legislation on official missions in the Republic of Lithuania.

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

(X) Yes

() No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: The court is free to define the term for forensic examination for private experts, in state forensic institutions it is regulated that forensic examination should be carried out in shortest possible terms.

Expertise in civil proceedings is regulated by Articles 212-219 of the Code of Civil Procedure of the Republic of Lithuania. To find out issues rising during the hearing that require special knowledge in science, medicine, arts, engineering or craft, the court may appoint an expertise to be conducted by an expert or competent expertise authority subject to opinion of participants in the proceeding. A person may be appointed to conduct an expertise if she/he has necessary qualification to produce expert opinion. Judicial experts as provided in the Law on Judicial Expertise of the Republic of Lithuania shall conduct judicial expertises. If there are no judicial experts who have required qualification, other experts who have required qualification may conduct judicial expertises. Every participant in proceedings shall be

entitled to provide questions to the court where expert opinion is requested. Questions for which expert opinion is required shall be ultimately decided in a court ruling.

A person appointed to act as an expert shall appear in a court when summoned and provide with unbiased expert opinion with regard to the questions submitted to her/him. An expert may refuse to produce expert opinion if the material presented to the expert is insufficient to produce the expert opinion or if the question given is beyond her/his qualification or competence.

If an expert fails to appear in court upon a summon or refuses to conduct expertise for the reasons found by the court non-substantial, the court may impose a fine on the expert up to 300 EUR. An expert shall be liable under the Criminal Code of the Republic of Lithuania for the false expert opinion.

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

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

Comments

207. Are the courts responsible for selecting judicial experts?

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

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

☐ No, please specify which authority selects judicial experts

Comments

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

☐ Yes

☒ No

Comments

K1. Please indicate the sources for answering question 205

Sources: The Ministry of Justice

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

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

1. (Comprehensive) reform plans On 11 October 2016 the Parliament adopted the Concept Paper on Lay Judges. This Concept Paper proposes to introduce the institution of lay judges into the Lithuanian legal system in order to increase the trust of the society in the courts' system, to further promote the transparency of the courts' activities and to boost legal education. According to the Concept Paper, lay judges would hear the cases in the courts of first instance together with regular judges. Lay judges would participate only in oral hearing of a case. The Concept Paper proposes the concrete list of categories of cases where lay judges could be appointed to fulfil their public duty. The Concept Paper contains provisions on the main requirements for lay judges, their selection procedure, compilation of the lay judges' list, the role of lay judges, their procedural rights and obligations, guarantees, liability etc. The Constitution and other laws will have to be amended in order to implement the provisions of the Concept Paper. According to the Government's planning, the foreseen deadline for the full introduction of the institution of lay judges into the Lithuanian legal system is the 3rd quarter of 2020. Currently the amendment to the Constitution is considered in the Seimas of the Republic of Lithuania. The Ministry of Economy of the Republic of Lithuania is negotiating legislation regarding the implementation of the possibility to register a legal person on the basis of virtual office. The Ministry of Transport and Communications of the Republic of Lithuania is negotiating legislation regarding the use of unified communication system (e-delivery) for administrative documents, as well as for court documents. Both legislations may have impact on the functioning of the judicial proceedings.

2. Budget On 1 July 2018 the amendments to the Law of the Republic of Lithuania on the Prosecution Service came into force whereby, inter alia, higher coefficients of the salary of prosecutors have been introduced. According to the legally effective amendments, the average proportion of salaries of prosecutors and judges is now as follows: prosecutors of the Prosecutor General's Office, regional prosecution services and those of district prosecution services subordinate to regional prosecution services as well as judges of relevant level – approx. 95 per cent; prosecutors of the Prosecutor General's Office and territorial prosecution services of regional level in charge of carrying out investigations into organised crimes and corruption related crimes – approx. 97.5 per cent. On 4 December 2018 the Seimas of the Republic of Lithuania adopted the amendments to the Law on Salaries of Judges of the Republic of Lithuania. According to these amendments, the salaries of the judges of the district courts are increased from 1 January 2019. By increasing the income of the judges of the district courts the independence of the judiciary will be strengthened, adequate compensation for work will be ensured and the attractiveness of the work of a judge will be enhanced.

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) On July 16th 2019 the Seimas of the Republic of Lithuania adopted the amendments to the Law on Courts. The possibility for the President of the court to decide on the reduction of the workload of a judge if the judge is involved in other activity (than adjudicating cases) related to the functioning of the court or judicial system, e.g. in judicial self-government activity.

The term of validity of the examination of candidates for judges established for 5 years. Also, there have been introduced provisions that require a modification of the mechanism for evaluation of candidates' for a judge position and of judges (addressing their career issues): the evaluation of the personal and cognitive competencies required for judges' work has been introduced. This evaluation is supposed to be made by experts in this field.

Article 84 of the Law on Courts regulating the conditions and procedure for instituting disciplinary proceedings has been supplemented with a provision according to which the relevant entities (the President of the Republic or the Seimas) have the right to suspend the powers of the judge against whom disciplinary proceedings are instituted. This legal regulation removes the gap in the law that existed in a situation when a judge's actions leading to disciplinary action are incompatible in a professional sense with the work of a judge.

The Institute of Temporary Judges is being introduced. This shall allow for the possibility to replace a district court judge who will not be in a position to serve as a judge for long periods (e.g. parental leave, professional development leave). In that case, a person who satisfies the requirements of being a judge in a district court could be appointed to that court for 2 years.

Further implementing acts, adopted by mainly the Judicial Council, are to be prepared. On 13th June 2019 the Seimas of the Republic of Lithuania adopted amendments to the Code of Civil Procedure of the Republic of Lithuania providing for the imposition of stamp duty on actions for legal entity restructuring and individual complaints. The amendments are based on the fact that practically unlimited access to appeal against various decisions of insolvency practitioners has delayed insolvency proceedings and significantly extended the overall duration of insolvency proceedings. On 1 July 2018 the amendments to the Law of the Republic of Lithuania on the Prosecution Service came into force whereby the status of a special prosecutor has been established as well. The law stipulates that the prosecutor who has been assigned to conduct and organize pre-trial investigation into corruption-related criminal offences, where the head or deputy head of the state or municipal institution, establishment or company or a person who has been granted the immunity from criminal prosecution is suspected of having committed these criminal offences, as well as lead the investigation and uphold public charges in these criminal cases may be granted a special status. In the context of investigation of this type of criminal offences there is a higher risk of criminal influence against the investigating officers and also in practice we often see cases where during the investigation of such criminal offences the parties to the proceedings are abusing their procedural rights by raising issues related to violations allegedly committed by the officers investigating such cases. The prosecutor who has been granted the status of a special prosecutor is subject to certain guarantees which are different from those applied to all the prosecutors (assessment of the prosecutor's performance is not carried out, such prosecutor may not be moved to other position or other prosecution service, he may receive a premium and there is a prohibition against disciplinary liability).

The prosecutor who has been granted the special status has the same obligations as other prosecutors, however, while this prosecutor is enforcing procedural laws, superior prosecutor in respect of him is only the Prosecutor General or (under the order of the Prosecutor General) Deputy Prosecutor General or Chief Prosecutor of the department of the Prosecutor General's Office.

There is a number of amendments to the Law of the Republic of Lithuania on the Prosecution Service which have been drawn up and whereby it is proposed to provide for the possibility to also grant the special status to the prosecutor who has been assigned to conduct, organise pre-trial investigation as well as lead it and uphold public charges later in criminal cases related to crimes committed by criminal associations as well as to conduct investigation regarding alleged infringement of the public interest and to carry out the protection of the public interest by means of civil and administrative law where the head or deputy head of the state or municipal institution, establishment or company or a person who has been granted the immunity from criminal prosecution is suspected of having committed these criminal offences.

The Ministry of Justice of the Republic of Lithuania is currently negotiating legislation regarding the implementation of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') into national law. Planned changes would establish a new specialised branch of European Public Prosecutors.

3.1. Access to justice and legal aid On 30th June 2018 the Seimas of the Republic of Lithuania adopted amendments to the State Guaranteed Legal Aid Act which improved organization and / or delivery of a public service - state-guaranteed legal aid provided

easier access to secondary legal aid for victims of terrorism, trafficking in human beings, domestic violence, sexual freedom and integrity, organized crime or organized crime, irrespective of property and proceeds, as well as when the offense is committed to express hatred towards the victim based on age, gender, sexual orientation, disability, race, nationality, language, origin, social status, or belief.

Some amendments to the Law on State-Guaranteed Legal Aid have been adopted in 2019. According to Art. 11, part 7, point 11, secondary legal aid is not granted in cases where the applicant has been provided with secondary legal aid in previous proceedings and failed to pay the established costs of secondary legal aid or their part. The amendment adopted in 2019 states that this ground for refusal to provide secondary legal aid is not applicable when the person requests secondary legal aid in criminal proceedings. Parents (legal guardians) of a child will have the right to state-guaranteed legal aid regardless of their financial situation in cases regarding the court permission to remove the child from his parents (legal guardians) (will be applicable from 01-01-2020). The Legal Aid Information System (TEISIS) is currently being developed to increase the effectiveness of the legal aid administration process. TEISIS will allow individuals to apply for legal aid and receive it (when possible) online or, if necessary, schedule a face-to-face meeting with legal aid providers. TEISIS will also be used by legal aid authorities to retrieve relevant data concerning applicants' financial situation from different state information systems and registers.

On 16 July 2019 the Seimas of the Republic of Lithuania adopted the laws introducing the right of individual application to the Constitutional Court into the Lithuanian legal system. It is expected that by providing this additional legal tool persons will be able to better protect their rights and legitimate interests. These laws came into force on 1 September 2019. Since the 1st September 2019 every person shall have the right to apply to the Constitutional Court for a law or other act of the Seimas, the President of the Republic or an act of the Government if the decision taken on the basis thereof violated the constitutional rights or freedoms of that person. The person will have this opportunity only after having exhausted all legal remedies. If the Constitutional Court has ruled that the law of the Republic of Lithuania (or part thereof) or other act of the Seimas (or part thereof), the act of the President of the Republic or the act of the Government (or part thereof) is unconstitutional, there will be grounds for reopening the trial.

The Ministry of Justice of the Republic of Lithuania prepared draft laws aiming at boosting the application of collective redress in civil procedure. These draft laws will also simplify the conditions for consumers to file collective claims. After having coordinated them with the stakeholders, the draft laws were submitted to the Government for consideration.

4. High Judicial Council On July 16th 2019 the Seimas of the Republic of Lithuania adopted the amendments to the Law on Courts. In order to improve the efficiency of the Judicial Council, which is the executive body of the judiciary, it was decided to reduce the number of its members (from 23 to 17). Also, district courts representation mechanism was adjusted, extending the possibility for district court judges to select and vote for the best candidates from all over Lithuania (not only within the district court territories).

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Currently certain amendments to the Law of the Republic of Lithuania and legal acts related thereto have been drawn up whereby it has been proposed to provide that persons seeking to be appointed as judges or prosecutors would have to pass a general professional qualification exam. At the present moment the candidates for a prosecutor's post must pass the qualification examination of candidates for a prosecutor's post whereas candidates for a judge's post must pass the qualification examination of candidates for a judge's post. Draft laws amending the Law on Bar, the Law on the Notary Office and the Law on Judicial Officers have been prepared to include independent representatives of the public in the disciplinary proceedings (the Court of Honour) of lawyers, notaries and bailiffs to strengthen public confidence in the legal system, enhance openness and transparency of the decisions.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities The Ministry of Justice of the Republic of Lithuania prepared draft laws (amendments to the Civil Code of the Republic of Lithuania, to other related laws), aiming at transferring the functions that are not intrinsic to the judiciary to other institutions. It is expected that transfer of certain functions to other institutions than courts will reduce the workload of courts and will provide an opportunity for persons to resolve certain issues quicker. In 2019, it is expected to submit draft laws to the competent institutions for consideration. The Ministry of Justice of the Republic of Lithuania is preparing draft laws aiming at boosting the application of collective redress in civil procedure. These draft laws will also simplify the conditions for consumers to file collective claims. In summer 2019, it is expected to submit draft laws to the competent institutions for consideration, and afterwards – to the Government. The Ministry of Justice of the Republic of Lithuania prepared draft laws aiming at transferring some administrative cases from administrative courts to out-of-court commissions. It is expected that this reform will bring the possibility to solve these disputes quicker and cheaper. In summer 2019, after submitting draft laws to the competent institutions for consideration, it is expected to submit them to the Government.

On 30th June 2018 Amendments to the Code of Criminal Procedure of the Republic of Lithuania due to implementation of 2016 March 9 Directive (EU) 2016/343 of the European Parliament and of the Council on certain aspects of the presumption of innocence and access to justice in criminal proceedings. The principle of *in dubio pro reo*, which has been consistently applied in Lithuanian case law, was enshrined in the code *expressis verbis*, stating that during the pre-trial investigation or trial the doubts and uncertainties regarding the fault of the suspect or accused person or other relevant circumstances shall benefit the suspected or accused person. Two separate rights of the suspect and the accused - the right to remain silent and the right to refuse to give evidence concerning their own alleged criminal activity - were explicitly enshrined, as well as the duty of a prosecutor or of a pretrial investigator to duly inform the suspect about such his (her) rights.

On 1 January 2019 the Law of the Republic of Lithuania on Protection of Rapporteurs came into force. This legal act provides for the grounds and forms of legal protection of persons who have disclosed information about various violations committed in institutions as well as for relevant incitement and support measures so as to ensure suitable conditions for these persons to report on legal violations threatening the public interest as well as to safeguard the prevention and disclosure of such violations. The said Law stipulated that the functions of the competent authority shall be carried out by the Prosecution Service of the Republic of Lithuania. On 20th December 2018 Amendments to the Code of Civil Procedure entered into force, which stipulates that persons whose confidentiality is to be ensured in accordance with the Law on the Protection of Rapporteurs would not normally be summoned to testify in civil proceedings and only in certain cases could the court decide to summon such person as a witness. The obligation for the court to take appropriate measures to prevent the disclosure of the identity of a person subject to confidentiality to participants in the proceedings or other persons is also applied. In relation to the Law on the Protection of Rapporteurs the same day an amendment to the Criminal Code was adopted, which provides for the possibility of release from criminal liability rapporteurs.

On 23th May 2017 European Court of Human Rights issued the judgment in the case *Matiošaitis and Others v. Lithuania* (Petition 22662/13). The Court has recognized a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) on the grounds that life-sentenced prisoners in Lithuania do not have access to a leniency application. In order to implement the judgment and ensure that the regulation of life imprisonment in Lithuania does not violate the Convention and is in line with the Court's jurisprudence and legal requirements, on 21st March 2019 Articles 51 and 97 of the Criminal Code of the Republic of Lithuania were amended. Provision is made for the sentence to be reviewed after twenty years of life imprisonment.

7. Enforcement of court decisions On 1 July 2018 the amendments to the Law on the Prosecution Service and Criminal Procedure Code became effective. These amendments eliminate the function of controlling enforcement of judgments which was not typical to the activities of the prosecutor.

On 1st October 2018 the amendments to the Code of Civil Procedure relating to the improvement of the enforcement proceedings entered into force. The main goal was to clarify the procedure of enforcement of significant sums, also to encourage the debtor to

actively pursue the obligation by offering more favorable conditions for that. E.g. the last home is not recovered if the debtor provides the bailiff with evidence that the debt can be recovered within 18 months by means of a fixed salary deduction and that recovery is actually carried out.

Instructions of the enforcement of judgements set out a clear and transparent mechanism for counting the costs of enforcement, they preclude the possibility of abuse and unsubstantiated aggrandizements of the costs of enforcement.

With Amendments to the Civil and Criminal Procedure Codes the bailiffs are withdrawn from forfeit process in cases when the state institutions themselves know the assets to be confiscated and have a possibility to take them over for state ownership.

8. Mediation and other ADR On 29 June 2017 the Seimas of the Republic of Lithuania adopted the Law on the amendment of the Law on Conciliatory Mediation in Civil Disputes and the Law on the amendment of the Code of Civil Procedure of the Republic of Lithuania. These laws entered into force on 1 January 2019 (the regulation of mandatory mediation will enter into force on 1 January 2020).

During the year of 2018, the Ministry of Justice of the Republic of Lithuania prepared draft implementing acts regarding the mediation procedure in order to prepare for the application of the Law on Mediation of the Republic of Lithuania. On 31 December 2018 the Minister of Justice of the Republic of Lithuania approved the Order No. 1R-289 regarding procedure of qualification exam of mediators, procedure of improving the qualifications of mediators and regarding other issues related to mediation as foreseen in the Law on Mediation of the Republic of Lithuania.

On 1 March 2019 the amendments of the Law on Mediation and the Law on Administrative Proceedings entered into force that provide for the possibility of resolving administrative disputes. The Seimas of the Republic of Lithuania is currently considering the draft Laws that provide for the possibility of resolving administrative disputes through out-of-court mediation and envisage that judicial mediation may be conducted not only by judges but also by mediators entered in the List of Mediators of the Republic of Lithuania (hereinafter – the List of Mediators). It has been proposed to introduce the model of out-of-court mediation for dispute resolution in the Administrative Disputes Commission. Out-of-court mediation of administrative disputes would be conducted by one of the members of the commission entered in the List of Mediators. Mediation could also be undertaken by other persons who meet the requirements for mediators and are in the List of Mediators. Judicial mediation of administrative disputes could be conducted both by judges and other mediators selected from the List of Mediators. If, in the opinion of the judge or the chamber of judges hearing the case in the specific case, there are no judges mediators able to conduct judicial mediation in a specific case, the court would have to apply to the State Guaranteed Legal Aid Service concerning the selection of a mediator from the List of Mediators.

The Ministry of Justice of the Republic of Lithuania together with the partners (the State Guaranteed Legal Aid Service, the National Courts Administration, the State Enterprise Centre of Registers) is implementing a project for development of mediation system, which is financed from EU structural funds (the project “Development of the system of conciliatory mediation (mediation)” No. 10.1.4-ESFA-V-922-01-0005). This project is carried out in 2018-2020. The main activities of the project are: 1) drafting the program of the qualification exam of mediators; 2) organising trainings for mediators; 3) organising trainings, study visits for judges, as well as international conference on mediation in civil matters; 4) organising qualification exams of mediators; 5) creation of the tool for administration of the list of mediators; 6) installing premises for mediation; 7) implementing a set of information measures regarding mediation (awareness raising).

9. Fight against crime NA

9.1. Prison system NA

9.2 Child friendly justice On July 16th 2019 the Seimas of the Republic of Lithuania adopted the amendments to the Code of Criminal Procedure of the Republic of Lithuania introducing a new set of procedural rules regarding suspected minors in the criminal proceedings. These changes were adopted to properly transpose Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings into national law.

9.3. Violence against partners NA

10. New information and communication technologies In February 2018 representatives of Prosecution Service, Regional Courts and main criminal intelligence authorities signed agreement on authorisation of methods and means of collection of criminal intelligence information in criminal intelligence telecommunication network. Information system that is currently being created will enable a more speedy and efficient authorisation and coordination of criminal intelligence actions, statistical analysis of criminal intelligence, sending and receiving classified documents. Elimination of printed form documents will reduce expenses related to management of classified documents. Also, in addition to saving financial and human resources of the Prosecution Service, it will also guarantee a better protection of classified information.

11. Other NA