



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2009

Country: Greece

National correspondent

First Name - Last Name: **TZIOKAS Efthymios**

Job title:

Organisation: **Ministry of Justice**

E-mail: **etziokas@justice.gov.gr**

Phone Number :

First Name - Last Name: **PAPPA Xanthippe**

Job title: **International Organisations**

Organisation: **Ministry of justice**

E-mail: **xpappa@justice.gov.gr**

Phone Number : **+30 210 77 67 484**

First Name - Last Name: **VLACHOKOSTA Eleni**

Job title:

Organisation: **Ministry of justice**

E-mail: **evlachokosta@justice.gov.gr**

Phone Number :

First Name - Last Name: **ARVANITI Maria**

Job title: **Head International Organisations**

Organisation: **Ministry of justice**

E-mail: **marvaniti@justice.gov.gr**

Phone Number : **+30 210 77 67 310**

1. Demographic and economic data

1. 1. General information

1. 1. 1. Inhabitants and economic information

1) Number of inhabitants

11213785

2) Total of annual State public expenditure / where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State level	139094000000
Regional / entity level	

3) Per capita GDP (in €)

21281

4) Average gross annual salary (in €)

24491

5) Exchange rate from national currency (non-Euro zone) to € on 1 January 2009

Please indicate the sources for questions 1 to 4 and give comments concerning the interpretation of the figures supplied if appropriate:

NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)
SOCIAL STATISTICS DIVISION
Q2: provisional data

1. 2. Budgetary data concerning judicial system

1. 2. 1. Budget (courts, public prosecution, legal aid, fees)

6) Total annual approved budget allocated to all courts (in €)

357487000

7) Please specify

SALARIES AND FUNCTIONAL COSTS

8) Does the approved budget of the courts include the following items? Please give for each item (or some of them) a specification of the amount concerned or indicate NA (not available) in case that the information cannot be supplied

Please provide comments to explain the data provided under question 8:

Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	343360000
Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	3900000
Annual public budget allocated to justice expenses	<input checked="" type="checkbox"/> Yes	4500000
Annual public budget allocated to court buildings (maintenance, operation costs)	<input checked="" type="checkbox"/> Yes	824500000
Annual public budget allocated to investments in new (court) buildings	<input checked="" type="checkbox"/> Yes	86200000
Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	13000000
Other (please specify):	<input type="checkbox"/> Yes	

Comment :

9) Has the annual public budget of the courts changed (increased or decreased) over the last five years?

Yes

No

If yes, please specify (i.e. provide an indication of the increase or decrease of the budget over the last five years:

SINCE THE YEARS 2004 TO 2005 THERE HAS BEEN AN INCREASE OF:

// 2005//2006 // 6,0%

// 2006/2007 // 5,4%

// 2007/2008 // 2,4%

10) In general are litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

for criminal cases?

for other than criminal cases?

If yes, are there exceptions? Please specify:

-COURTSTAMP FOR REAL ACTION

-FEE FOR REAL ACTION IN CIVIL COURTS

-FEE FOR JUDICIAL PROCEEDINGS AGAINST COURT DECISIONS

11) If yes, please specify the annual income of court fees (or taxes) received by the State (in Euros)

12) Total annual approved budget allocated to the whole justice system (in €)

Please provide information concerning the budgetary elements that included in the whole justice system budget:

. Amount 356915000

Comment :

IT INCLUDES PAYMENTS AND SERVICES THAT IS:

- A. 1. FEES OF CIVIL SERVANTS.
- 2. FEES OF CIVIL SERVANTS WORKING UNDER A PRIVATE CONTRACT OF DEFINITE TIME AND SPECIAL CATEGORIES.
- 3. ADDITIONAL FEES.
- 4. PAYMENTS FOR TRANSPORTATION.
- 5. FEES FOR OTHER SERVICES.
- B. SUBSIDY TO THE NATIONAL SCHOOL OF JUDGES

13) Total annual approved public budget allocated to legal aid (in €)

Please provide comments to explain the figure provided under question 13:

. Amount 2000000

Comment :

14) If possible, please specify (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Annual public budget allocated to legal aid in criminal law cases	Annual public budget allocated to legal aid in non criminal law cases
Amount		

Comment :

NA

15) Is the public budget allocated to legal aid included in the court budget ?

- Yes
- No

16) Total annual approved public budget allocated to the public prosecution system (in €)

Please provide comments to explain the figure provided under question 16:

. Amount

Comment :

17) Is the budget allocated to the public prosecution included in the court budget?

- Yes
- No

18) Authorities formally responsible for the budget allocated to the courts:

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the	Evaluation of the use of the budget at a national level

			individual courts	
Ministry of Justice	Yes	No	Yes	No
Other ministry	No	Yes	No	Yes
Parliament	No	No	No	No
Supreme Court	No	No	No	No
Judicial Council	No	No	No	No
Courts	No	No	No	No
Inspection body	No	No	No	No
Other	No	No	No	No

19) If other Ministry and/or inspection body and/or other, please specify (in regards to question 18):

MINISTRY OF ECONOMY AND COURT OF AUDIT

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your budgetary system and the main reforms that have been implemented over the last two years
- if available an organisation scheme with a description of the competencies of the different authorities responsible for the budget process

Please indicate the sources for answering the questions 6, 8, 11, 12, 13, 14 and 16.

NATIONAL BUDGET 2008

2. Access to Justice and to all courts

2. 1. Legal aid

2. 1. 1. Principles

20) Does legal aid concerns:

	Criminal cases	Other than criminal cases
Representation in court	Yes	Yes
Legal advice	Yes	No
Other	Yes	No

21) If other, please specify (in regards to question 20):

LAW 3226/2004 ART. 5 REGARDING PROSECUTORS ON DUTY AND PROSECUTORS SUPERVISORS IN PENITENTIARY INSTITUTIONS WHO COULD PROVIDE CONSULTATIVE SERVICES,
 2. THE GRANTING OF LEGAL AID IN CIVIL & COMMERCIAL CASES COMPRISES, IF SPECIFICALLY REQUESTED THE APPOINTMENT OF A COUNSEL, NOTARY PUBLIC AND COURT BAILIFF, WHO SHALL BE ORDERED TO REPRESENT THE BENEFICIARY TO DEFEND HIM/HER IN COURT AND GRANT NEEDED ASSISTANCE.

22) Does legal aid foresee the covering or the exoneration of court fees?

- Yes
 No

If yes, please specify:

EXONERATION IN CIVIL AND COMMERCIAL CASES INCLUDES SPECIFICALLY (COURT) STAMP FEES, WRIT FEES AND THEIR SUPERADDITIONS, WITNESSES, EXPERT FEES OR APPOINTED ADVOCATE, NOTARY PUBLIC OR COURT BAILIFF AND THE OBLIGATION OF GUARANTEE FOR SUCH FEES (ART.9 PAR.2 OF THE ABOVE LAW)

23) Can legal aid be granted for the fees that are related to the execution of judicial decisions?

- Yes
 No

24) Number of cases granted with legal aid provided by (national, regional, local) public authorities (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Number
Total	
in criminal cases	
Other than criminal cases	

Comment :

NA

PROVIDED THAT THE BUDGETARY EXPENSE CODE IS UNIFORM
NOT PRECISING THE EXPENSES ALLOCATED TO CRIMINAL
AND OTHER THAN CRIMINAL CASES.

THE AMOUNT ALLOCATED TO CRIMINAL CASES IS ESTIMATED TO BE
ABOUT THE 90% OF THE TOTAL BUDGET AND THE REST 10% TO CIVIL CASES.

25) In a criminal case, can any individual who does not have sufficient financial means be assisted by a free of charge (or financed by public budget) lawyer?

Yes

No

26) Does your country have an income and asset test for granting legal aid:

	Yes	Amount in €
for criminal cases	YES	
for other than criminal cases?	YES	

Comment :

27) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action)?

Yes

No

Please provide comments to explain the answer under question 27:

28) If yes, is the decision for granting or refusing legal aid taken by:

the court?

an authority external to the court?

a mixed decision-making authority (court and external)?

29) Is there a private system of legal expense insurance enabling individuals to finance court proceedings?

Yes

No

Please specify:

30) Do judicial decisions have an impact on who bears the legal costs which are paid by the parties during the procedure in:

| | |

	Yes (the decision has an impact on who bears the legal costs)
criminal cases?	Yes
other than criminal cases?	Yes

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your legal aid system and the main reforms that have been implemented over the last two years

BENEFICIARY: CITIZENS WITH LOW INCOME WHO ARE CITIZENS OF A) COUNTRIES MEMBERS OF THE E.U.,

B) OF THIRD COUNTRIES OR FOREIGNERS, SINCE THEY HAVE PERMANENT HOME OR LIVE WITHIN THE EUROPEAN UNION'S TERRITORY. LAW 3226/2004 MAKES EXCEPTION WHEN IT COMES TO ADMINISTRATIVE CASES

THE LEGISLATION PROVIDES (ART.12 OF LAW 3226/04)-'CLEARING' :1. CLEARING OF LITIGATION COSTS SHALL BE EFFECTED ACC. TO APPLICABLE PROVISIONS ON A CASE BY CASE BASIS AND SHALL INCLUDE COSTS DISPENSED WITH BY THE BENEFICIARY, AS WELL AS COMPENSATION OF COUNSEL AND ANY OTHER PERSON TO BE BORNE BY THE STATE, ACC. TO THE PROVISIONS OF THAT LAW, 2. IF THE JUDGEMENT RENDERED IMPOSES LITIGATION COSTS DISPENSED WITH BY THE BENEFICIARY, AS WELL AS COMPENSATION OF COUNSEL AND ANY OTHER PERSON TO BE BORNE BY THE STATE, SHALL BE ADJUDICATED IN FAVOUR OF THE STATE AND SHALL BE COLLECTED BY THE STATE, ACC. TO THE PROVISIONS APPLIED TO THE COLLECTION OF PUBLIC REVENUES.

Please indicate the sources for answering the questions 24 and 26

MINISTRY OF JUSTICE, TRANSPARENCY & HUMAN RIGHTS
SECTION OF BUDGET

2. 2. Users of the courts and victims

2. 2. 1. Rights of the users and victims

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

- legal texts (e.g. codes, laws, regulations, etc.)? Internet address(es): Yes
- case-law of the higher court/s? Internet address(es): Yes
- other documents (for examples forms)? Internet address(es): Yes

32) Is there an obligation to provide information to the parties concerning the foreseeable timeframe of the proceeding?

- Yes
- No

If yes, please specify:

33) Is there a public and free-of-charge specific information system to inform and to

help victims of crimes? Yes No

If yes, please specify:

IN THE CASES OF CRIMES IN FAMILY AS WELL IN THE CRIMES AGAINST CHILDREN, GENERAL INFORMATION IS PROVIDED BY SOCIAL WORKERS (FAMILY CONSULTANTS) FROM WELFARE SERVICES. THERE IS ALSO PROMPT PROVISION OF SPECIALIZED INFORMATION SERVICES, COUNSELING AND SOCIAL SUPPORT TO WOMEN-VICTIMS OF TRAFFICKING WITH THE OBJECTIVE OF THEIR SOCIAL AND PRIMARILY OCCUPATIONAL INTEGRATION. A CAMPAIGN HAS BEGUN IN ORDER TO INFORM THE PUBLIC ABOUT HUMAN TRAFFICKING. TWO COUNSELING CENTERS FOR BATTERED WOMEN ARE OPERATING IN ATHENS AND PIRAEUS, PROVIDING PSYCHOLOGICAL AND SOCIAL SUPPORT TO THE VICTIMS.

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

	Information mechanism	Hearing modalities	Procedural rights	Other
Victims of rape	No	No	No	No
Victims of terrorism	No	No	No	No
Children/Witnesses/Victims	Yes	Yes	No	No
Victims of domestic violence	Yes	Yes	No	No
Ethnic minorities	No	No	No	No
Disabled persons	No	No	No	No
Juvenile offenders	Yes	Yes	No	No
Other	No	No	No	No

Comment :

35) Does your country have a compensation procedure for victims of crimes? Yes No**36) If yes, does this compensation procedure consist in:** a public fund? a court decision? a private fund?

If yes, which kind of cases does this procedure concern?

THERE IS A COMPENSATION PROCEDURE FOR VICTIMS OF CRIMES RELATED TO ACTIONS OF TERRORISM.

THE PROCEDURE UNDER 36 CONCERNS CRIMES OF PROPERTY'S DAMAGE, COMPENSATION CONSISTS IN PRIVATE FUND, IN CASE THERE IS A PRIVATE INSURANCE

37) Are there studies to evaluate the recovery rate of the compensation awarded by courts to victims?

- Yes
 No

If yes, please specify:

38) Is there a specific role for the public prosecutor with respect to the (protection of the position and assistance of) victims?

- Yes
 No

If yes, please specify:

CONCERNING HUMAN TRAFFICKING CASES, TWO PUBLIC PROSECUTORS WERE ASSIGNED TO DEAL WITH THE PHENOMENON.

39) Do victims of crimes have the right to contest to a decision of the public prosecution to discontinue a case?

- Yes
 No

If yes, please specify:

TO A SUPERIOR PUBLIC PROSECUTOR

2. 2. 2. Confidence of citizens in their justice system

40) Is there a system for compensating users in the following circumstances:

- excessive length of proceedings?
 non execution of court decisions?
 wrongful arrest?
 wrongful condemnation?

If yes, please specify (fund, daily tariff):

AS A FORM OF COMPENSATION FOR ANY DELAY OF THE ADMINISTRATION TO ABIDE WITH THE COURT JUDGEMENT, THE IMPOSITION OF A FINE IS ADJUDICATED BY A COMMITTEE OF JUDGES OF THE HIGHEST RANK.

DAILY COMPENSATION IS ADJUDICATED IN CASES OF WRONGFUL ARREST AND WRONGFUL CONDEMNATION

CIVIL RESPONSIBILITY OF THE STATE FOR COMPENSATION (ART.3 PAR.3 OF LAW 3068/2002)

41) Does your country have surveys aimed at users or legal professionals (judges, lawyers, officials, etc.) to measure their trust and/or satisfaction (with the services delivered by the judiciary system)?

- (Satisfaction) surveys aimed at judges
 (Satisfaction) surveys aimed at court staff

- (Satisfaction) surveys aimed at public prosecutors
- (Satisfaction) surveys aimed at lawyers
- (Satisfaction) surveys aimed at citizens (visitors of the court)
- (Satisfaction) surveys aimed at other clients of the courts

If possible, please specify their titles, how to find these surveys, etc:

42) If possible, please specify:

	Yes (surveys at a regular interval: for example annual)	Yes (incidental surveys)
Surveys at national level	No	No
Surveys at court level	No	No

43) Is there a national or local procedure for making complaints about the functioning (for example the treatment of a case by a judge or the duration of a proceeding) of the judicial system?

- Yes
- No

44) If yes, please specify:

Please give elements of information concerning the efficiency of this complaint procedure:

	Time limit to respond (Yes)	Time limit for dealing with the complaint (Yes)
Court concerned	No	No
Higher court	No	No
Ministry of Justice	No	No
High Council of the Judiciary	No	No
Other external organisations (e.g. Ombudsman)	No	No

Comment :

ACC. TO LAW 3327/2005 IT IS PROVIDED THAT AFTER A PERIOD OF 8 MONTHS FOR ISSUING A DECISION IN A CIVIL CASE, THE JUDGE MUST RETURN THE LEGAL DEED, OTHERWISE THIS IS REMOVED THROUGH A DECISION OF THE JUDGE WHO PRESIDES THE COURT OR THE CHAIRMAN OF THE THREE MEMBER COUNCIL OF ADMINISTRATION. COURT INSPECTION

3. Organisation of the court system

3. 1. Functioning

3. 1. 1. Courts

45) Number of courts considered as legal entities (administrative structures) and geographic locations (please, complete the table. If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation.

	Total number
First instance courts of general jurisdiction	435
Specialised first instance Courts (legal entities)	4
All the Courts (geographic locations) * (this includes Supreme Courts and/or High Courts)	435

46) Please specify the different areas of specialisation (and, if possible, the number of courts concerned):

THE STRUCTURE OF THE GREEK COURTS IS AS FOLLOWS:

A) CIVIL COURTS

1. CIVIL COURT OF FIRST INSTANCE (1 JUDGE – 3 MEMBERS), MAGISTRATES COURT, 2. COURT OF APPEAL, 3. SUPREME COURT (AREIOS PAGOS)

B) CRIMINAL COURTS

2. MAGISTRATES COURT, 2. MISDEMEANOUR COURT (1 JUDGE – 3 MEMBERS), 3. CRIMINAL COURT OF APPEAL (3 MEMBERS- 5 MEMBERS), 4. FIRST INSTANCE JURY COURT, 5. SECOND INSTANCE JURY COURT, 6. CRIMINAL COURT OF MINORS, 7. MARTIAL COURTS, 8. SUPREME COURT (AREIOS PAGOS),

C) ADMINISTRATIVE COURTS

1. COURT OF FIRST INSTANCE (1 JUDGE- 3 MEMBERS), 2. COURT OF APPEAL, 3. COURT OF AUDITORS, 4. SUPREME COURT (COUNCIL OF THE STATE)

First instance courts of Civil and Criminal Courts = 63

First Instance Courts of Administrative Courts = 30

District Courts = 301

Misdemeanour Courts = 41

Total = 435

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

Yes

No

If yes, please specify:

48) Number of first instance courts competent for a case concerning (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Number

a debt collection for small claims	
a dismissal	
a robbery	

Please specify what is meant by small claims in your country (answer only if the definition has been changed since the previous evaluation cycle):

Please indicate the sources for answering the questions 45 and 48:

MINISTRY OF JUSTICE, TRANSPARENCY AND HUMAN RIGHTS

3. 1. 2. Judges, courts staff

49) Number of professional judges sitting in courts (please give the information in full time equivalent and for permanent posts; if there is no data please indicate this with NA)

Please provide comments to explain the answer under question 49:

Number . 3739

Comment :

50) Number of professional judges sitting in courts on an occasional basis and who are paid as such:

	Number
gross figure	
if possible, in full time equivalent	

51) Please provide comments to explain the answer under question 50:

52) Is there in the legal system non-professional judges (including lay judges and excluding jurees) who are not remunerated but who can possibly receive a simple defrayal of costs? (Please indicate NA if no figures are available).

Please provide comments to explain the answer under question 52:

	Yes	Number
Do you have non-professional judges?		

Comment :

THERE ARE NONE

53) Does your judicial system include trial by jury with the participation of citizens?

Yes

No

If yes, for which type of case(s)?

THERE ARE CRIMINAL COURTS CONSISTING OF JUDGES AND CITIZENS CHOSEN BY LOT,
FOR THE TRIAL OF FELONIES AND POLITICAL CRIMES (ART.97 OF THE GREEK CONSTITUTION)

54) If possible, indicate the number of citizens who were involved in such juries for the year of reference?

55) Number of non-judge staff who are working in courts (in full time equivalent and for permanent posts). Please indicate NA if no figures are available.

Please provide comments to explain the answer under question 55:

Number . 6544

Comment :

56) If possible, could you distribute this staff according to the 4 following categories. If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation).

- non-judge staff (Rechtspfleger or similar bodies), with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal Yes
- non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, keeping the minutes of the meetings, helping to prepare the decisions) such as registrars Yes
- staff in charge of different administrative tasks as well as of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) Yes
- technical staff Yes

Comment :

57) If there are Rechtspfleger (or similar bodies) in your judicial system, please describe briefly their status and functions:

3. 1. 3. Prosecutors

58) Number of public prosecutors (in full time equivalent and for permanent posts). If there is no data available please indicate it (NA).

Number . 530

Comment :

59) Do any other persons have similar duties as public prosecutors?

Yes

No

If yes, please specify:

SENIOR POLICE OFFICERS FOR PETTY OFFENCES (e.g. TRAFFIC ACCIDENTS)

60) Number of staff (non prosecutors) attached to the public prosecution service (in full time equivalent and for permanent posts). If there is no data available please indicate it (NA).

Please provide comments to explain the answer under question 60:

Number .

Comment :

3. 1. 4. Court budget and new technologies

61) Who is entrusted with the individual court budget?

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

62) You can indicate below:

- any useful comments for interpreting the data mentioned above
- if available an organisation scheme with a description of the competencies of the different authorities responsible for the budget process in the court

63) For direct assistance to the judge/court clerk, what are the computer facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Word processing	No	Yes	No	No
Electronic data base of jurisprudence	Yes	No	No	No
Electronic files	No	Yes	No	No
E-mail	No	Yes	No	No
Internet connection	No	Yes	No	No

64) For administration and management, what are the computer facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Case registration system	No	No	Yes	No
Court management information system	No	No	Yes	No
Financial information system	Yes	No	No	No

65) For the communication between the court and the parties, what are the computer facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Electronic web forms	No	No	No	Yes
Special Website	No	No	No	Yes
Other electronic communication facilities	No	No	No	Yes

66) Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

- Yes
 No

If yes, please specify the name and the address of this institution:

NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)
SOCIAL STATISTICS DIVISION

JUSTICE AND PUBLIC ORDER SECTION
46, Pireos & Eponiton str.,
GR185 10 PIREAS
GREECE

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that has been implemented over the last two years

3. 2. Monitoring and evaluation

3. 2. 1. Monitoring and evaluation

67) Are the courts required to prepare an annual activity report?

- Yes
 No

68) Do you have a regular monitoring system of court activities concerning the

- number of incoming cases?
- number of decisions?
- number of postponed cases?
- length of proceedings (timeframes)?
- other?

Please specify:

JUDGES INSPECTION DEPT

69) Do you have a regular system to evaluate the performance of each court?

- Yes
- No

Please specify:

THE INSPECTORS AND THE COURTS COUNCIL INSPECTION

70) Concerning court activities, have you defined performance indicators (if no, go to question 72)?

- Yes
- No

71) Please select the 4 main performance and quality indicators that is used for a proper functioning of courts:

- incoming cases
- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are treated by a single sitting judge
- enforcement of penal decisions
- satisfaction of employees of the courts
- satisfaction of clients (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- other:

Please specify:

72) Are there performance targets defined for individual judges (if no go to question 74) ?

- Yes
- No

73) Please specify who is responsible for setting the targets:

- executive power (for example the ministry of Justice)?
- legislative power
- judicial power (for example a High Judicial Council or a Higher Court)
- other

If other, please specify:

74) Are there performance targets defined at the level of the courts (if no go to question 77)?

- Yes
- No

75) Please specify who is responsible for setting the targets:

- executive power (for example the ministry of Justice)?
- legislative power
- judicial power (for example a High Judicial Council or a Higher Court)
- other

If other, please specify:

76) Please specify the main targets applied**77) Which authority is responsible for the evaluation of the performances of the courts:**

- High Council of judiciary
- Ministry of justice
- inspection authority
- Supreme Court
- external audit body
- other

If other, Please specify:

78) Are there quality standards (organisational quality and/or judicial quality policy) formulated for the courts (existence of a quality system for the judiciary)?

- Yes
- No

If yes, please specify:

ACC. TO ART. 6 PAR. 2 & 3 OF LAW 3514/2006 'INSPECTORS DRAFT A DETAILED AND FULLY JUSTIFIED REPORT ON EVERY JUDICIAL FUNCTIONARY OF THEIR DISTRICT, IN WHICH THE FOLLOWING ARE EVALUATED: A) MORAL CONDUCT AND CHARACTER, B) SCIENTIFIC KNOWLEDGE, C) PERCEPTION AND SOUND JUDGMENT, D) DILIGENCE, HARD WORK AND PROFESSIONAL (QUALITATIVE AND QUANTITATIVE) PERFORMANCE, E) THE CAPACITY IN THE AWARD OF JUSTICE, IN PHRASING DECISIONS AND IN ORGANIZING THE PROCEDURE AND F) THE JUDICIARY'S CONDUCT IN GENERAL AND PARTICULARLY DURING THE HEARING OF A CASE. WITH REGARD TO PUBLIC PROSECUTORS, INSTEAD OF THE STANDARDS REFERRED UNDER E), THEIR CAPACITY TO AWARD CRIMINAL JUSTICE, TO FORM PROPOSALS AND TO SPEAK ORALLY ARE ALSO ASSESSED. THE EXISTING EVALUATION SYSTEM FOR THE JUDICIARY INCLUDES A SCALE FROM 1 (EXCELLENT) TO 6 (INADEQUATE).

79) Do you have specialised court staff which is entrusted with quality policy and/or quality systems for the judiciary?

- Yes
 No

80) Is there a system which measures the backlogs and which detects the cases not processed within a reasonable timeframe for:

- civil cases?
 criminal cases?
 administrative cases?

81) Do you have a way of analysing waiting time during court procedures?

- Yes
 No

If yes, please specify:

82) Is there a system to evaluate the functioning of courts on the basis of an evaluation plan (timetable for visits) agreed a priori?

- Yes
 No

Please specify (including an indication of the frequency of the evaluation):

THE REPORT OF THE HEAD OF INSPECTION

83) Is there a system for monitoring and evaluating the functioning of the prosecution services?

- Yes
 No

If yes, please specify:

INSPECTORS OF CIVIL AND CRIMINAL COURTS

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your court monitoring and evaluation system**

INSPECTORS DRAFT GENERAL REPORTS ON THE FUNCTIONING OF ALL COURTS AND PUBLIC PROSECUTORS' OFFICES IN THEIR DISTRICT AND PROPOSE ANY NECESSARY MEASURE FOR THE BALANCED FUNCTIONING OF THE SERVICE (ART.6 OF LAW 3514/2006). THEY ALSO DRAFT A DETAILED AND FULLY JUSTIFIED REPORT ON EVERY JUDICIAL FUNCTIONARY OF THEIR DISTRICT

4. Fair trial

4. 1. Principles

4. 1. 1. General principles

84) What is the percentage of judgements in first instance criminal cases in which the suspect is not attending in person or not represented by a legal professional (i.e. lawyer) during a court session (in absentia judgements)? If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation).

NA

85) Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

Yes

No

If possible, number of successful challenges (in a year):

VERY FEW

86) Please give the following data concerning the number of cases regarding Article 6 of the European Convention of Human Rights (on duration and non-execution), for the year of reference. If there is no data available, please indicate it (NA).

	Cases declared inadmissible by the Court	Friendly settlements	Judgements establishing a violation	Judgements establishing a non violation
Civil proceedings - Article 6§1 (duration)		2	41	2
Civil proceedings - Article 6§1 (non-execution)			2	
Criminal proceedings - Article 6§1 (duration)	3	1	12	2

4. 2. Timeframes of proceedings

4. 2. 1. General information

87) Are there specific procedures for urgent matters as regards:

civil cases?

criminal cases?

administrative cases?

Please specify:

INTERIM PROCEEDINGS FOR CIVIL CASES.

IN CRIMINAL CASES, PROCEEDINGS FOR CRIMES CAUGHT IN THE VERY ACT.

INTERIM RELIEF FOR ADMINISTRATIVE CASES.

88) Are there simplified procedures for:

civil cases (small claims)?

criminal cases (petty offences)?

administrative cases?

Please specify (for example if you have introduced a new law on simplified procedures):

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

Yes

No

If yes, please specify:

4. 2. 2. Penal, civil and administrative law cases

90) Total number of cases in the first instance courts (litigious and non-litigious): please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil, commercial and administrative law cases (litigious and non litigious)*	163856	156000*	137000*	182856
1 Civil (and commercial) litigious cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**			1093500	
5 Business register cases**				
6 Administrative law cases			4500*	
7 Other			470**	
Total criminal cases (8+9)			420059	
8 Criminal cases (severe criminal offences)			6979***	
9 Misdemeanour and / or minor offences cases			413080***	

91) Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and types of criminal law cases - definition of misdemeanour cases, minor offences and severe criminal cases):

* PROVISIONAL DATA –SOURCE : NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)

** DATA REFER TO CASES OF ADMINISTRATIVE NATURE AND DERIVE FROM THE FIRST INSTANCE COURTS (ADMINISTRATIVE SOURCE) AND NOT FROM THE ADMINISTRATIVE COURTS, AS THERE IS NO SUCH SPECIAL SURVEY BEING CONDUCTED SO FAR BY THE NSSG. (SOURCE: NATIONAL STATISTICAL SERVICE OF GREECE)

*** SOURCE OF THE DATA IS THE HELLENIC POLICE

92) Total number of cases in the second instance (appeal) courts (litigious and non-litigious): please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations).

*** Please indicate (in the comments below) which types of cases are included in the total figures of civil, commercial and administrative law cases.**

**** if applicable**

Please check the consistency of data as mentioned under question 91.

Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and types of criminal law cases and possibly the existence of appeal rates for some case categories):

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil, commercial and administrative law cases (litigious and non-litigious)*	36096	34900*	29800*	41196
1 Civil (and commercial) litigious cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases			50*	
7 Other				
Total criminal cases (8+9)				
8 Criminal cases (Severe criminal offences)				
9 Misdemeanour and/or minor offences cases				

Comment :

*PROVISIONAL DATA

SOURCE: NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)

93) Total number of cases in the highest instance courts (litigious and non-litigious): please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

*** Please indicate (in the comments below) which types of cases are included in the total figures of civil, commercial and administrative law cases.**

**** if applicable**

Please check the consistency of data as mentioned under question 88.

Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and on possible limitations to the appeal to the highest instance court):

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil, commercial and				

administrative law cases* (litigious and non-litigious)				
1 Civil (and commercial) litigious cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases				
7 Other				
Total criminal cases (8+9)				
8 Criminal cases (severe criminal offences)				
9 Misdemeanour cases (minor offences)				

Comment :

THERE ARE NO DATA AVAILABLE, AS THERE IS NO RELEVANT SURVEY CONDUCTED BY THE NATIONAL STATISTICAL SERVICE OF GREECE (NSSG).

94) Number of litigious divorce cases, employment dismissal cases, robbery cases and intentional homicide cases received and treated by first instance courts: please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Jan. '08
Litigious divorce cases*				
Employment dismissal cases*				
Robbery cases				
Intentional homicide				

95) Average length of proceeding (from the date of lodging of court proceedings) in days, number of pending cases more than 3 years and percentage of cases subject to appeal: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 92:

	% of decisions subject to appeal	% pending cases more than 3 years	1st instance (average length)	2d instance (average length)	Total procedure (average total length)
Litigious divorce cases*				13000*	
Employment dismissal cases*				5700*	
Robbery cases				3099**	
Intentional homicide				250**	

Comment :

* PROVISIONAL DATA

SOURCE: NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)

** SOURCE OF THE DATA IS THE HELLENIC POLICE

96) Where appropriate, please specify the specific procedure as regards (litigious and non-litigious) divorce:

DIVORCE CASES ARE RESOLVED UNDER THE SPECIAL PROCEDURE, AS DESCRIBED IN THE CODE OF CIVIL PROCEDURE (art. 592 and following). THIS MEANS THAT THE PROCEDURE IN THE SPECIAL COURT PANELS IS FASTER AND SIMPLIFIED COMPARED TO THE ORDINARY CIVIL PROCEDURE.

97) How is the length of proceedings calculated for the four case categories? Please give a description of the calculation method.

LENGTH OF PROCEEDINGS: THERE IS NOT A CONSISTENT SYSTEM FOR CALCULATING THE LENGTH OF PROCEEDINGS AS A WHOLE

98) Please describe the role and powers of the prosecutor in the criminal procedure (multiple options are possible):

- to conduct or supervise police investigation
- to conduct investigation
- when necessary, to demand investigation measures from the judge
- to charge
- to present the case in the court
- to propose a sentence to the judge
- to appeal
- to supervise enforcement procedure
- to end the case by dropping it without the need for a judicial decision
- to end the case by imposing or negotiating a penalty without a judicial decision
- other significant powers

Please specify:

-CONSULTATORY ON LEGAL QUESTIONS THAT HAVE NOT BEEN IMPORTED IN THE COURTS
 -SUPERVISION AND CONTROL OF CORRECTIONAL FACILITY
 -INTERIM PROCEEDINGS, WITH THE PUBLIC SECTOR AS LITIGANT, BODIES OF THE LOCAL MUNICIPALITY AND LEGAL ENTITIES GOVERNED BY THE STATE.

99) Does the prosecutor also have a role in civil and/or administrative cases?

- Yes
- No

Please specify:

MOSTLY IN CASES OF FAMILY LAW AND INTERIM PROCEEDINGS AGAINST THE STATE, BODIES OF THE LOCAL MUNICIPALITY AND LEGAL ENTITIES GOVERNED BY THE STATE

100) Functions of the public prosecutor in relation to criminal cases – please complete this table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 100 and indicate in particular if the data given include traffic offences:

--	--	--	--	--	--	--	--

	Received by the public prosecutor	Discontinued by the public prosecutor because the offender could not be identified	Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	Discontinued by the public prosecutor for reason of opportunity	Concluded by a penalty, imposed or negotiated by the public prosecutor	Charged by the public prosecutor before the courts
Total number of 1st instance criminal cases						

Comment :

NA

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system concerning timeframes of proceedings and the main reforms that have been implemented over the last two years**

Please indicate the sources for answering the questions 90 to 95 and 100:

NATIONAL STATISTICAL SERVICE OF GREECE (NSSG)

SOCIAL STATISTICS DIVISION

5. Career of judges and prosecutors

5. 1. Appointment and training

5. 1. 1. Recruitment, nomination and promotion

101) How are judges recruited?

- Through a competitive exam (for instance after a law degree)?
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

Other, please specify:

102) Are judges initially/at the beginning of their carrier recruited and nominated by:

- An authority composed of judges only?
- An authority composed of non-judges only?
- An authority composed of judges and non-judges?

103) Is the same authority competent for the promotion of judges?

- Yes
- No

If no, please specify which authority is competent for the promotion of judges:
HIGHEST JUDICIAL COUNCIL

104) Which procedures and criteria are used for promoting judges? Please specify.

HIGHEST JUDICIAL COUNCIL. THE PRINCIPAL CRITERION IS THEIR PERFORMANCE.

105) How are prosecutors recruited?

- Through a competitive exam? (for example after a law degree)
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

Other, please specify:

106) Are prosecutors initially/at the beginning of their carrier recruited and nominated by:

- An authority composed of prosecutors only?

- An authority composed of non-prosecutors only?
- An authority composed of prosecutors and non-prosecutors?

107) Is the same authority formally responsible for the promotion of prosecutors?

- Yes
- No

If no, please specify which authority is competent for promoting prosecutors:
THE HIGHEST JUDICIAL COUNCIL

108) Which procedures and criteria are used for promoting prosecutors? Please specify:

THE HIGHEST JUDICIAL COUNCIL. THE CRITERION IS THEIR PERFORMANCE.

109) Is the mandate given for an undetermined period for judges?

- Yes
- No

Are there exceptions? Please specify:
NO

110) Is there a probation period for judges? If yes, how long is this period?

	Yes	Duration of the probation period (in years)
Probation period for judges		18 MONTHS

111) Is the mandate given for an undetermined period for prosecutors?

- Yes
- No

Are there exceptions? Please specify:

112) Is there a probation period for prosecutors? If yes, how long is this period?

	Yes	Duration of the probation period (in years)
Probation period for prosecutors		18 MONTHS

113) If the mandate for judges/prosecutors is not for an undetermined period, what is the length of the mandate? Is it renewable?

Please specify the length

for judges? Yes

for prosecutors?

Yes

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of the selection and nomination procedure of judges and prosecutors and the main reforms that have been implemented over the last two years

THE MANDATE IS FOR LIFE.

JUDGES ARE GRADUATES OF THE NATIONAL SCHOOL OF JUDGES.

5. 1. 2. Training

114) Nature of the training of judges. Is it compulsory?

- Initial training
- General in-service training
- In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)
- In-service training for management functions of the court (e.g. court president)
- In-service training for the use of computer facilities in the court

115) Frequency of the training of judges

	Annual	Regular	Occasional
Initial training	Yes	No	No
General in-service training	No	No	Yes
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	No	No	Yes
In-service training for management functions of the court (e.g. court president)	No	No	No
In-service training for the use of computer facilities in the court	No	No	Yes

116) Nature of the training of prosecutors. Is it compulsory?

- Initial training
- General in-service training
- Specialised in-service training (specialised public prosecutor)
- In-service training for management functions of the prosecution services (e.g. head prosecutor and/or managers)
- In-service training for the use of computer facilities in the public prosecution service)

117) Frequency of the training of prosecutors

	Annual	Regular	Occasional

Initial training	Yes	No	No
General in-service training	No	No	Yes
Specialised in-service training (specialised public prosecutor)	No	No	Yes
In-service training for management functions of the prosecution services (e.g. head prosecutor and/or managers)	No	No	No
In-service training for the use of computer facilities in the public prosecution service)	No	No	Yes

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- comments regarding the attention given in the curricula to the European Convention on Human Rights and the case law of the Court**
- the characteristics of your training system for judges and prosecutors and the main reforms that has been implemented over the last two years**

5. 2. Practice of the profession

5. 2. 1. Salaries

118) Salaries of judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 118:

	Gross annual salary (€)	Net annual salary (€)
First instance professional judge at the beginning of his/her career	51323	38123
Judge of the Supreme Court or the Highest Appellate Court	105770	73570
Public prosecutor at the beginning of his/her career	51323	38123
Public prosecutor of the Supreme Court or the Highest Appellate Instance	120796	84396

Comment :

NEW SCALE OF SALARIES OF JUDGES AND PROSECUTORS (Article 57 L. 3691/2008, A' 166)

119) Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	No	No
Special pension	No	No
Housing	No	No
Other financial benefit	No	No

120) If other financial benefit, please specify:

121) Can judges combine their work with any of the following other functions ?

	Yes with remuneration	Yes without remuneration	No
Teaching	Yes	Yes	No
Research and publication	Yes	Yes	No
Arbitrator	Yes	Yes	No
Consultant	No	No	No
Cultural function	Yes	Yes	No
Other function	No	No	No

122) If other function, please specify:

123) Can prosecutors combine their work with any of the following other functions ?

	Yes with remuneration	Yes without remuneration	No
Teaching	Yes	Yes	No
Research and publication	Yes	Yes	No
Arbitrator	Yes	Yes	No
Consultant	No	No	No
Cultural function	Yes	Yes	No
Other function	No	No	No

124) If other function, please specify:

125) Do judges receive bonus based on the fulfilment of quantitative objectives relating to the delivering of judgments?

Yes

No

If yes, please specify:

Please indicate the source for answering the question 118

MINISTRY OF JUSTICE, TRANSPARENCY & HUMAN RIGHTS

5. 2. 2. Disciplinary procedures

126) Which authority is authorized to initiate disciplinary proceedings against judges and/or prosecutors? Please specify:

THE COMPETENT AUTHORITIES TO INITIATE DISCIPLINARY PROCEEDINGS AGAINST JUDGES

AND/OT PROSECUTORS ARE:

- THE MINISTER OF JUSTICE FOR ALL JUDGES
- THE PROSECUTOR OF CASSATION COURT (HIGH COURT) AND THE CHIEF INSPECTOR FOR ALL JUDGES AND PROSECUTORS OF CIVIL AND PENAL COURTS, EXCEPT THE MEMBERS OF CASSATION COURT
- THE CHAIRMEN OF COURTS OF APPEAL FOR JUDGES UNDER THEIR AUTHORITY
- THE PROSECUTORS OF COURTS OF APPEAL FOR PROSECUTORS UNDER THEIR AUTHORITY
- THE YOUNGER VICE-PRESIDENT OF THE COUNCIL OF STATE (HIGH ADMINISTRATIVE COURT) FOR JUDGES OF ADMINISTRATIVE COURTS

127) Which authority has the disciplinary power on judges and prosecutors? Please specify:

THE DISCIPLINARY JURISDICTION IS EXERCISED BY COURTS AND DISCIPLINARY COUNCILS.

128) Number of disciplinary proceedings initiated against judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 128:

	Judges	Prosecutors
Total number (1+2+3+4)		
1. Breach of professional ethics		
2. Professional inadequacy		
3. Criminal offence		
4. Other		

Comment :

129) Number of sanctions pronounced against judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 129

	Judges	Prosecutors
Total number (total 1 to 9)		
1. Reprimand		
2. Suspension		
3. Withdrawal of cases		
4. Fine		
5. Temporary reduction of salary		
6. Degradation of post		
7. Transfer to another geographical (court) location		
8. Dismissal		
9. Other		

Comment :

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning disciplinary procedures for judges and prosecutors and the main reforms that have been implemented over the last two years

6. Lawyers

6. 1. Statute of the profession

6. 1. 1. Profession

130) Total number of lawyers practising in your country. If there is no data available, please indicate it (NA).

39312

(SOURCE: PLENARY SESSION OF THE PRESIDENTS OF THE BAR ASSOCIATIONS OF GREECE)

131) Does this figure include legal advisors (solicitors or in-house counsellor) who cannot represent their clients in court? If no go to question 133.

- Yes
- No
- Not applicable

132) Number of legal advisors. If there is no data available, please indicate it (NA)

NA

133) Do lawyers have a monopoly of representation in (multiple options are possible):

- Civil cases*?
- Criminal cases - Defendant*?
- Criminal cases - Victim*?
- Administrative cases*?

* If appropriate, please specify if it concerns first instance and appeal. And in case there is no monopoly, please specify the organisations or persons which may represent a client before a court (for example a NGO, family member, trade union, etc) and for which types of cases:

IT CONCERNS FIRST INSTANCE AND APPEAL

134) Is the lawyer profession organised through?

- a national bar?
- a regional bar?
- a local bar?

Please specify:

THERE ARE 63 BAR ASSOCIATIONS (PER FIRST INSTANCE COURT)

Please indicate the source for answering the questions 130 and 132:

REGISTERS OF MEMBERS OF THE COUNTRY'S BAR ASSOCIATIONS

6. 1. 2. Training

135) Is there a specific initial training and/or examination to enter the profession of lawyer?

Yes

No

136) Is there a mandatory general system for lawyers requiring continuing professional training?

Yes

No

137) Is the specialisation in some legal fields tied with a specific level of training/ qualification/ specific diploma or specific authorisations?

Yes

No

If yes, please specify:

6. 1. 3. Fees

138) Can users establish easily what the lawyers' fees will be?

Yes

No

Please provide comments to explain the answer under question 138

139) Are lawyers fees

regulated by law?

regulated by Bar association?

freely negotiated?

Please provide comments to explain the answer under question 139:

PURSUANT TO THE PROVISIONS OF LAW 2753/1999, THE MINIMUM FEES OF LAWYERS ARE DETERMINED BY JOINT DECISION BETWEEN THE MINISTERS OF FINANCE AND JUSTICE ON THE BASIS OF THE LEVEL OF INFLATION. THE DECISION IS ISSUED EVERY TWO YEARS.

6. 2. Evaluation

6. 2. 1. Complaints and sanctions

140) Have quality standards been formulated for lawyers?

Yes

No

141) If yes, who is responsible for formulating these quality standards:

- the bar association?
- the legislature?
- other?

Please specify (including a description of the quality criteria used):

142) Is it possible to complain about

- the performance of lawyers?
- the amount of fees?

Please specify:

143) Which authority is responsible for disciplinary procedures

- the judge?
- the Ministry of justice?
- a professional authority or other?

Please specify:

THE COMPETENT AUTHORITIES FOR DISCIPLINARY PROCEDURES ARE:
 A) THE DISCIPLINARY BOARDS OF BAR ASSOCIATIONS AND B) SUPREME DISCIPLINARY BOARD OF LAWYERS CHAIRED BY THE PRESIDENT OF THE SUPREME COURT BY LAW

144) Disciplinary proceedings initiated against lawyers: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 141:

	Breach of professional ethics	Professional inadequacy	Criminal offence	Other
Annual number				

Comment :

THE TOTAL NUMBER IS 890 BUT THERE NO DETAILED DATA FROM BAR ASSOCIATIONS

145) Sanctions pronounced against lawyers : please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 145:

	Reprimand	Suspension	Removal	Fine	Other
Annual number					

		51 decisions		
--	--	--------------	--	--

Comment :

A) THE ATHENS BAR ASSOCIATION HAS ISSUED: 33 ACQUITTING DECISIONS
120 DECISIONS ON NON-ISSUANCE OF INDICTMENT
14 DECISIONS ON THE SUSPENSION OF DISCIPLINARY
PROCEEDINGS UNTIL THE CONCLUSION OF THE
CRIMINAL PROCEEDINGS

B) THERE ARE NO DETAILED DATA CONCERNING THE OTHER BAR ASSOCIATIONS

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system concerning the organisation of the Bar and the main reforms that have been implemented over the last two years**

7. Alternative Dispute Resolution

7. 1. Mediation and other forms of ADR

7. 1. 1. Mediation

146) Does the legal system provide for mediation procedures? If no go to question 151

- Yes
 No

147) If applicable, please specify, by type of cases, the organisation of mediation

	Possibility for private mediation proposed by the judge or court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Prosecutor
Civil and commercial cases	No	Yes	No	No	No
Family law cases (ex. Divorce)	No	Yes	No	No	No
Administrative cases	No	No	No	No	No
Employment dismissals	No	No	No	No	No
Criminal cases	No	No	No	No	No

148) Is there a possibility to receive legal aid for mediation procedures?

- Yes
 No

If yes, please specify:

149) Number of accredited mediators. If there is no data available, please indicate it (NA)

NA

150) Please Indicate the total number of judicial mediation procedures per case category. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

- civil cases? Yes
family cases? Yes
administrative cases? Yes
employment dismissals? Yes
criminal cases? Yes

Please indicate the source for answering the question 150:

7. 1. 2. Other forms of alternative dispute resolution

151) Can you give information concerning other forms of alternative dispute resolution (e.g. arbitration, conciliation)? Please specify:

ARBITRATION

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning ADR and the main reforms that have been implemented over the last two years

8. Enforcement of court decisions

8. 1. Execution of decisions in civil matters

8. 1. 1. Functioning

152) Do you have in your system enforcement agents (judicial officers)? If no go to question 154

- Yes
 No

153) Number of enforcement agents. If there is no data available, please indicate it (NA).

2108

154) Are enforcement agents (multiple options are possible):

- judges?
 bailiff practising as private profession ruled by public authorities?
 bailiff working in a public institution?
 other enforcement agents?

Please specify their status and powers:

COURT DECISIONS ARE ENFORCED BY COURT BAILIFF AND POLICE, AS WELL AS PUBLIC NOTARIES. ESPECIALLY FOR PUBLIC AUCTION AFTER SEIZURE, NOTARIES ARE RESPONSIBLE FOR THE ENFORCEMENT.

155) Is there a specific initial training or examination to enter the profession of enforcement agent?

- Yes
 No
 Not applicable

156) Is the profession of enforcement agent organised by?

- a national body?
 a regional body?
 a local body?
 not applicable

157) Can users establish easily what the fees of the enforcement agents will be?

- Yes
 No
 Not applicable

158) Are enforcement fees:

- regulated by law?
 freely negotiated?
 not applicable

Please indicate the source for answering the question 153:

MINISTRY OF JUSTICE, TRANSPARENCY AND HUMAN RIGHTS

8. 1. 2. Supervision**159) Is there a body entrusted with the supervision and the control of the enforcement agents?**

- Yes
 No
 Not applicable

160) Which authority is responsible for the supervision and the control of enforcement agents:

- a professional body?
 the judge?
 the Ministry of justice?
 the prosecutor?
 other?

Please specify:

161) Have quality standards been formulated for enforcement agents?

- Yes
 No
 Not applicable

If yes, who is responsible for formulating these quality standards and what are the quality criteria used?

162) Is there a specific mechanism for executing court decisions rendered against public authorities, including the follow up to this execution?

- Yes
 No

if yes, please specify

ACC. TO ART. 2 OF LAW 3068/2002 'THE COMPETENCE FOR TAKING THE MEASURES PROVIDED FOR IN ART.3 OF THE PRESENT LAW, FOR THE COMPLIANCE OF THE PUBLIC ADMINISTRATION WITH JUDICIAL DECISIONS IS GRANTED TO A THREE MEMBER COUNCIL: A) TO THE SPECIAL HIGHEST COURT FOR ITS DECISIONS, B)TO THE COUNCIL OF STATE FOR ITS DECISIONS AS WELL AS FOR DECISIONS OF THE ORDINARY ADMINISTRATIVE COURTS AND ANY OTHER SPECIAL COURT, C)THE SUPREME COURT, FOR DECISIONS OF THE CIVIL AND CRIMINAL COURTS OF ALL DEGREES AND D) THE COURT OF AUDITORS FOR ITS DECISIONS.

163) Is there a system for monitoring the execution?

- Yes
 No

If yes, please specify

8. 1. 3. Complaints and sanctions

164) What are the main complaints of users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all?
 non execution of court decisions against public authorities?
 lack of information?
 excessive length?
 unlawful practices?
 insufficient supervision?
 excessive cost?
 other?

Please specify:

165) Has your country prepared or has established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
 No

If yes, please specify:

WITH LAW 3068/2002 ON THE COMPLIANCE OF THE PUBLIC ADMINISTRATION WITH JUDICIAL DECISIONS, COMPULSORY ENFORCEMENT AGAINST THE PUBLIC SECTOR IS PROVIDED FOR, AS WELL AS A FINANCE PENALTY AGAINST AN AUTHORITY, TO THE BENEFIT OF THE INDIVIDUAL FOR NON ENFORCEMENT OR INEFFICIENT ENFORCEMENT OF JUDICIAL DECISIONS

166) Is there a system measuring the timeframes of the enforcement of decisions :

- for civil cases?

for administrative cases?

167) As regards a decision on debts collection, can you estimate the average timeframe to notify the decision to the parties which live in the city where the court sits:

- between 1 and 5 days
 between 6 and 10 days
 between 11 and 30 days
 more

If more, please specify

168) Number of disciplinary proceedings initiated against enforcement agents. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Total number of disciplinary proceedings	<input checked="" type="checkbox"/> number:	74
for breach of professional ethics	<input checked="" type="checkbox"/> number:	70
for professional inadequacy	<input type="checkbox"/> yes, number:	
for criminal offence	<input checked="" type="checkbox"/> number:	4
Other	<input type="checkbox"/> number:	

169) Number of sanctions pronounced against enforcement agents. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Total number of sanctions	<input checked="" type="checkbox"/> number:	1
Reprimand	<input type="checkbox"/> number:	
Suspension	<input checked="" type="checkbox"/> number:	1
Dismissal	<input type="checkbox"/> number:	
Fine	<input type="checkbox"/> number:	
Other	<input type="checkbox"/> number:	

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
 the characteristics of your enforcement system of decisions in civil matters and the main reforms that has been implemented over the last two years

Please indicate the source for answering the questions 167, 168 and 169:

MINISTRY OF JUSTICE, TRANSPARENCY & HUMAN RIGHTS
SECTION OF LAWYERS AND COURT BAILINES

8. 2. Execution of decisions in criminal matters

8. 2. 1. Functioning

170) Is there a judge who is in charge of the enforcement of judgments? Yes No

If yes, please specify his/her functions and activities (e.g. Initiative or control functions). If no, please specify which authority is entrusted with the enforcement of judgements (e.g. prosecutor):

IN CASES OF ENFORCEMENT AGAINST PUBLIC AUTHORITY, THE THREE MEMBER COUNCIL CAN APPOINT A JUDGE AT THE COURT OF APPEAL WHO IS AUTHORIZED TO FORMULATE EX OFFICIO OPINIONS AND TO PROVIDE THE NECESSARY ASSISTANCE WITH REGARD TO THE ADVISABLE COMPLIANCE WITH THE DECISION, TO THE AUTHORITY WITH THE OBLIGATION TO COMPLY (ART.3 PAR.2 OF LAW 3068/2002)

171) As regards fines decided by a criminal court, are there studies to evaluate the effective recovery rate? Yes No

If yes, please specify:

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your enforcement system of decisions in criminal matters and the main reforms that have been implemented over the last two years

9. Notaries

9. 1. Statute

9. 1. 1. Functioning

172) Do you have notaries in your country? If no go to question 177

- Yes
 No

173) Is the status of notaries (if the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations):

- | | |
|-------------------------------------------------------------|--------------------------------------------|
| a private one (without control from public authorities)? | <input type="checkbox"/> number |
| a status of private worker ruled by the public authorities? | <input checked="" type="checkbox"/> number |
| a public one? | <input type="checkbox"/> number |
| other? | <input type="checkbox"/> number |

Comment :

NOTARIES ARE HONORARY PUBLIC OFFICIALS. THEY PERFORM THE DUTIES PRESCRIBED IN ARTICLE 1 OF LAW 2830/2000 (GOVERNMENT GAZETTE 96 A) ON THE CODE OF NOTARIES.

THEIR FEES ARE DETERMINED BY A JOINT DECISION, ISSUED AT LEAST EVERY THREE YEARS, BY THE MINISTERS OF FINANCE AND OF JUSTICE, FOLLOWING THE RECOMMENDATION OF THE COORDINATION COMMITTEE OF THE NOTARIES ASSOCIATIONS OF THE COUNTRY (ARTICLE 40 OF LAW 2830/2000).

174) Do notaries have duties:

- within the framework of civil procedure?
 in the field of legal advice?
 to authenticate legal deeds?
 other?

Please specify:

THE DUTIES OF NOTARIES INCLUDE:

- A) PREPARATION OF SAFEKEEPING OF DOCUMENTS THAT ESTABLISH OR EVIDENCE LEGAL TRANSACTIONS AND STATEMENTS OF INTERESTED PARTIES, WHEN THE PREPARATION OF SUCH DOCUMENTS IS MANDATORY BY LAW OR WHEN INTERESTED PARTIES WISH TO ASSIGN TO SUCH DOCUMENTS THE VALIDITY OF PUBLIC DEEDS;
- B) ISSUANCE OF OFFICIAL COPIES OR DUPLICATES OF THE DOCUMENTS REFERRED TO IN PARAGRAPH (A) ABOVE AND COPIES OF DOCUMENTS ATTACHED THERETO AND MENTIONED THEREIN;
- C) CERTIFICATION OF PRIVATE DOCUMENTS FOR ACQUISITION OF POSITIVE DATE. A RELEVANT NOTARIAL DEED IS PREPARED FOR THIS CERTIFICATION;
- D) CERTIFICATION OF GENUINE SIGNATURE, PLACED BEFORE THEM ON ANY DOCUMENT RELATING TO THE ATTACHED DEED;
- E) ANY OTHER ACT ASSIGNED THERETO BY LAW AND ANY OTHER ACT RELATING TO THEIR DUTIES.

NOTARIES MAY TRANSLATE, ON THEIR OWN RESPONSIBILITY, INTO GREEK DOCUMENTS PREPARED IN A FOREIGN LANGUAGE, WHICH ARE USEFUL FOR ONE OF THE ACTS REFERRED TO ABOVE, AND CERTIFY THE TRANSLATION AND THE ACCURACY THEREOF (ARTICLE 1 OF LAW 2830/2000).

Please indicate the source for answering the question 173

MINISTRY OF JUSTIC, TRANSPARENCY AND HUMAN RIGHTS

9. 1. 2. Supervision

175) Is there an authority entrusted with the supervision and the control of the notaries?

- Yes
- No

176) Which authority is responsible for the supervision and the control of the notaries:

- a professional body?
- the judge?
- the Ministry of justice?
- the prosecutor?
- other?
- not applicable

Please specify:

THE MINISTRY OF JUSTICE, TRANSPARENCY AND HUMAN RIGHTS IS RESPONSIBLE FOR SUPERVISING AND THE PUBLIC PROSECUTOR IS RESPONSIBLE FOR INSPECTING NOTARIES.

THE CHARACTERISTICS OF GREECE'S SYSTEM OF NOTARIES SUBSTANTIALLY SUPPORT THE NOTARIAL INSTITUTION AS REGARDS THE SECURITY OF TRANSACTIONS AND THE OFFICIAL POSITION OF NOTARIES.

SPECIFICALLY THEY CONCERN:

- A) SIMPLIFICATION OF THE PROCEDURE OF PREPARATION OF NOTARIAL DEEDS;
- B) ENHANCED SECURITY OF THE PARTIES;
- C) SCIENTIFIC DEVELOPMENT AND PROFESSIONAL IMPROVEMENT OF NOTARIES, WITH THE ORGANIZATION OF TRAINING SEMINARS FOR NEW AND PRACTICING NOTARIES;
- D) ENSURING TRANSPARENCY AND OBJECTIVITY IN THE INSTITUTION OF THEIR ADMISSION EXAMINATIONS;
- E) STRICTER DISCIPLINARY PROVISIONS; AND
- F) DELINEATION OF PUBLIC CONTRACTS

THE MAIN REFORMS INTRODUCED IN THE CODE OF NOTARIES (LAW 2830/2000), AS ALTERATED BY LAW 3689/2008, GOVERNMENT GAZETTE A 164/5-8-2008) COVER THE FOLLOWING AREAS:

- A) BLOCKING OF CAMOUFLAGED CAGES OF SYSTEMATIC EMPLOYMENT OF NOTARIES OF THE REGION OF ATTICA IN COUNTY COURTS OF REGIONS OTHER THAN THOSE FOR WHICH THEY WERE APPOINTED AND PREVENTION OF CONFLICTS ARISING FROM THE CONTINUOUS AND SYSTEMATIC PRESENCE AND EMPLOYMENT OF NOTARIES IN COUNTRY COURTS OF REGIONS OTHER THAN THOSE FOR WHICH THEY WERE APPOINTED, WHICH CONFLICTS LED TO COURT PROCEEDINGS IN SOME CASES (ARTICLE 4 OF LAW 2830/2000);
- B) COMPLETE LIST OF IDENTITY PARTICULARS OF THE PARTIES THAT MUST BE INCLUDED IN NOTARIAL DEEDS (ARTICLE 8 OF LAW 2830/2000);
- C) THE COORDINATION COMMITTEE OF NOTARIAL ASSOCIATIONS OF GREECE EXPRESSES ITS OPINION ON THE DETERMINATION OF THE LEVEL OF NOTARIAL FEES (ARTICLES 13 AND 40 OF LAW 2830/2000);
- D) OLDER PERSONS ARE ADMITTED IN THE PROFESSION, IN ORDER TO ENSURE SOCIAL EXPERIENCE AND CONTACT WITH THE LEGAL KNOWLEDGE OF CANDIDATES (ARTICLE 21 OF LAW 2830/2000);
- E) ADMISSION EXAMINATIONS ARE HELD IN FULL TRANSPARENCY, OBJECTIVITY, CLEAR DEFINITION OF SUBJECTS AND CREDITS FOR PERSONS SPEAKING FOREIGN LANGUAGES (ARTICLE 25 OF LAW 2830/2000, AS CURRENTLY IN FORCE); THE EXAMINATIONS ARE FOLLOWED BY MANDATORY TRAINING SEMINARS, ORGANIZED BY NOTARIAL ASSOCIATIONS (ARTICLE 39 OF LAW 2830/2000).

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system of notaries and the main reforms that have been implemented over the last two years**

10. Court interpreters

10. 1. function

10. 1. 1. Statute

177) Is the title of court interpreter protected?

- Yes
 No

178) Is the function of court interpreter regulated?

- Yes
 No

179) Number of certified court interpreters. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations

NAP

180) Are there binding provisions regarding the quality of court interpreting in judicial proceedings?

- Yes
 No

If yes, please specify:

181) Are the courts responsible for the selection of court interpreters?

- Yes
 No

Please provide comments to explain the answers to question 178 (in particular, if no, which authority selects court interpreters?) :

11. Functioning of justice

11. 1. Foreseen reforms

11. 1. 1. Reforms

182) Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? For example changes in legislation, changes in the structure of the judiciary, innovation programmes, etc. Please specify:

1. PROFESSIONAL EDUCATION OF NEW FUNCTIONARIES ENTERING THE BODY AND LIFE TIME EDUCATION FOR JUDGES AND PROSECUTORS.
2. ESTABLISHMENT OF A DATABASE IN COURTS WITH A RECORD OF JUDICIAL DECISIONS.
3. SPECIFIC EDUCATION OF JUDGES AND PROSECUTORS. THE TRAINING OF JUDGES AND PROSECUTORS INCLUDES THE INTRODUCTION OF COURSES, CONCERNING TRAFFICKING IN HUMAN BEINGS IN THE CURRICULUM OF THE NATIONAL SCHOOL OF JUDGES AND THE ORGANIZATION OF TRAINING SEMINARS FOR THEM, WHICH ARE HELD EVERY YEAR IN KOMOTINI, NORTHERN GREECE.
4. MEASURES OF STRENGTHENING OF THE INDEPENDENCE OF THE JUDICIARY.