



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE  
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2011

**Country: Greece****National correspondent**

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## 1. Demographic and economic data

### 1. 1. General information

#### 1. 1. 1. Inhabitants and economic information

#### 1) Number of inhabitants (if possible on 1 January 2011)

11 309 885

#### 2) Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €) - (If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP)

	Amount
State level	114 213 000
Regional / federal entity level (total for all regions / federal entities)	NA

#### 3) Per capita GDP (in €)

20 108

#### 4) Average gross annual salary (in €)

24 460

#### 5) Exchange rate from national currency (non-Euro zone) to € on 1 January 2011

#### A.1

**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

Ms Nektaria Tsiligkaki, Head of Section of Provision of Statistical Information,

tel. :0030 2104852022, 00302131352022, fax:00302104852312, 00302131352312, email:data.dissem@statistics.gr

internet site: <http://www.statistics.gr>)

### 1. 2. Budgetary data concerning judicial system

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

#### 6) Annual approved public budget allocated to the functioning of all courts, in €(if possible without the budget of the public prosecution services and without the budget of legal aid):

TOTAL annual approved budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	<input checked="" type="checkbox"/> Yes	620 970 911
1. Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	597 275 000
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	330 000
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	<input checked="" type="checkbox"/> Yes	3 400 000
4. Annual public budget allocated to court buildings (maintenance, operating costs)	<input checked="" type="checkbox"/> Yes	10 416 000
5. Annual public budget allocated to investments in new (court) buildings	<input checked="" type="checkbox"/> Yes	9 379 911
6. Annual public budget allocated to training		2 100 000

and education

 Yes

7. Other (please specify):

NAP

**7) If you cannot separate the budget of the public prosecution services and the budget of legal aid from the budget allocated to all courts, please indicate it clearly. If "other", please specify:**

Including the budget of the public prosecution services.

Not including the budget of legal aid.

**8) Are litigants in general 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 to the rule to pay court a tax or fee? Please provide comments on those exceptions:

Free access to all courts applies only for those who have been provided with legal aid.  
(cf CN 04/07)**9) Annual income of court taxes or fees received by the State (in €)**

141 950 000

**10) Annual approved public budget allocated to the whole justice system, in €(this global budget does not include only the court system as defined under question 6, but also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.)** NA

714 721 911

**11) Please indicate the budgetary elements that are included in the whole justice system. If "other", please specify in the "comment" box below.**

Court system	Yes
Legal aid	Yes
Public prosecution services	Yes
Prison system	Yes
Probation services	Yes
Council of the judiciary	Yes
Judicial protection of juveniles	Yes
Functioning of the Ministry of Justice	Yes
Refugees and asylum seekers services	NAP
Other	No

Comment :

**12) Annual approved public budget allocated to legal aid, in €- If one or several data are not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Total annual approved public budget allocated to legal aid (12.1 + 12.2)	12.1 Annual public budget allocated to legal aid in criminal law cases	12.2 Annual public budget allocated to legal aid in non criminal law cases
Amount (in €)	2500000	NA	NA

**13) Total annual approved public budget allocated to the public prosecution services (in €). Please indicate in the "comment" box below any useful information to explain the figures provided.**

NA

Comment :

**14) Authorities formally responsible for the budgets allocated to the courts (multiple options possible) :**

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the individual courts	Evaluation of the use of the budget at a national level
Ministry of Justice	Yes	No	Yes	No
Other ministry	Yes	Yes	No	Yes
Parliament	No	Yes	No	Yes
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

**15) If any other Ministry and/or inspection body and/or other, please specify (considering question 14):**

Ministry of Finance

**A.2**

**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

The budget of 2010 was drawn under the context of program budgeting.

Question 6#2#2 : The answer given for 2008 had not included the respective budget approved for the Court of Auditors.

The increase noted between 2008 and 2010 is the effect of the implementation of the law 3691/08 (A 166/8.8.08), which set an increase in judges' gross salaries.

Q#6#2#4: The answer given for 2008, according to the general formulation of the question "justice expenses" included the payments of lawyers, experts and interpreters. (4.500.000 euro, of which 2.000.000 for payments of lawyers -or else legal aid- and 2.500.000 euro for experts and interpreters).

The answer given for 2010, according to the stricter formulation of the question "justice expenses without legal aid" included only the payments of experts and interpreters. (5.900.000 euro in total, of which 2.500.000 for payments of lawyers -or else legal aid- and 2.500.000 euro for experts and interpreters).

The increase of the budget for both lawyers and experts-interpreters derived from the increased need and relative requests of payment

(That is also the answer to Q12)

Q#6#2#5:

The answer given for 2008 had not included the respective budget approved for the Court of Auditors:

2008: Courts: 8.245.000 euro Court of Auditors: 1.276.000 euro

2010: Courts: 8.747.000 euro Court of Auditors: 1.669.000 euro

The slight increase noted is due to increases of rents, heating fuel etc..

Note: The total amount for 2010 is actually 10.416.000 euro, instead of 10.143.000 euro which was given in the past.

Q#6#2#6:

The answer given for 2008 had not included the respective budget of a supervised (by the Ministry) entity of public law (Court Buildings Fund-CBF):

2008: Public Investments Program: 862.000 euro CBF: 15.380.004 euro

2010: Public Investments Program: 0 euro CBF: 9.379.911 euro

The decrease noted is not due to a specific cause. It simply depends on the investment programming of the political hierarchy.

Note: The right amount for the CBF budget for 2010 is the one given above and not the one initially given.

Q#6#2#7:

In that question was mistakenly given the amount of another expenses category. The right amount is 200.000 euro.

The increase between 2008 and 2010 (70.000 euro) was decided in order to support the potential demand.

Q10: The formulation of that question was different this year, as it clearly determined that in the judicial system also includes

2008: Judicial System+legal aid+Council of the Judiciary: 409.266.004 euro Prison System: 101.304.000 euro Head Division: 16.452.000

2010: Judicial System+legal aid+Council of the Judiciary: 584.010.911 euro Prison System: 113.565.000 euro Head Division: 17.146.000

Note 1: For 2008 the first field includes:

- a. 366.800.000 (answer in Q 1.6.)
- b. 27.086.000 (gross salaries and operating expenses of the Court of Auditors)
- c. 15.380.004 (Budget of the Courts Building Fund allocated to new court buildings)

Note 2: The right amount for the Head Division for year 2010 is actually 17.146.000 euro, instead of 48.112.000 euro which was initially given.

The increase noted is mostly due to the increase of judges' gross salaries as explained in Q#6#2#2.

**Please indicate the sources for answering the questions 6, 9, 10, 11, 12 and 13.**

State budget 2010

Question 8 : 8: Public Prosecutor's office of Areios Pagos (Supreme Court)

## 2. Access to Justice and to all courts

### 2. 1. Legal aid

#### 2. 1. 1. Principles

#### 16) Does legal aid apply to:

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

#### 17) Does legal aid include the coverage of or the exemption from 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.

#### 18) 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

If yes, please specify:

See above (Court bailiffs fees)

#### 19) Can legal aid be granted for other costs (different from questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc ? If yes, please specify it in the "comment" box below).

	Criminal cases	Other than criminal cases
	Yes	Yes

Comment :

In administrative courts there is not any such legislative provision because of the nature of cases.

#### 20) Number of cases referred to the court and for which legal aid has been granted. Please specify in the "comment" box below, when appropriate. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

[This question concerns only the annual number of cases for which legal aid has been granted to those referring a case to a court. It does not concern legal advice provided for cases that are not brought before the court.]

	Number
Total	NA
in criminal cases	NA
other than criminal cases	NA

Comment :

NA

#### 21) 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? Please specify in the "comment" box below.**

Accused individuals	Yes
Victims	Yes

Comment :

**22) If yes, are individuals free to choose their lawyer within the framework of the legal aid system**

Yes

No

**23) Does your country have an income and assets evaluation for granting legal aid to the applicant ? Please provide in the "comment" box below any information to explain the figures provided. If you have such a system but no data available, please indicate NA. If you do not have such a system, please indicate NAP.**

	amount of annual income (if possible for one person) in €	amount of assets in €
for criminal cases	NA	NA
for other than criminal cases?	NA	NA

Comment :

NA

**24) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?**

Yes

No

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

The provision for legal aid is general, so it concerns all the cases.

**25) Is the decision to grant or refuse legal aid taken by :**

the court?

an authority external to the court?

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

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

Yes

No

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

The private insurance covers also legal procedures when there is an agreement between the person and the company.

**27) Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared, in:**

criminal cases?	Yes
other than criminal cases?	Yes



**B.1**

**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

**Please indicate the sources for answering the questions 20 and 23**

Ministry of Justice, Transparency and Human Rights

## 2. 2. Users of the courts and victims

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

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

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**The websites mentioned could appear in particular on the internet website of the CEPEJ. Please specify in the "comment" box below what documents and information the addresses for "other documents" include:**

- |   |   |                          |
|---|---|--------------------------|
| <input type="checkbox"/> legal texts (e.g. codes, laws, regulations, etc.)? Internet address(es): | <input checked="" type="checkbox"/> Yes | www.ministryofjustice.gr |
| <input type="checkbox"/> case-law of the higher court/s? Internet address(es):                    | <input checked="" type="checkbox"/> Yes | www.areiospagos.gr       |
| <input type="checkbox"/> other documents (e.g. downloadable forms, online registration)?          | <input checked="" type="checkbox"/> Yes | www.ministryofjustice.gr |

Comment :

There is limited access in recent jurisprudence.

**29) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?**

- Yes  
 No

If yes, please specify:

**30) Is there a public and free-of-charge specific information system to inform and to help victims of crime?**

- 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.

**31) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons. If "other vulnerable person" and/or "other special arrangements", please specify it in the "comment" box below.**

**[This question does not concern the police investigation phase of the procedure and does not concern compensation mechanisms for victims of criminal offences, which are addressed under questions 32 to 34.]**

	Information mechanism	Special arrangements in court hearings	Other
Victims of rape	No	No	No
Victims of terrorism	No	Yes	No

Children (witnesses or victims)	Yes	Yes	No
Victims of domestic violence	Yes	Yes	No
Ethnic minorities	No	No	No
Disabled persons	No	No	No
Juvenile offenders	No	No	No
Other (e.g. victims of human trafficking)	Yes	Yes	No

Comment :

Art. 226A Code of Penal Procedure (examination as witnesses of children victims of affronts to the personal and sexual freedom): A child psychologist or child psychiatrist and, in the event of lack thereof, a psychologist or psychiatrist, who prepares the child for the examination, cooperates to this end with preliminary investigation officers and judicial officers and attends the examination, is appointed as an expert by the Court. The deposition of the child shall be made in writing and shall be recorded on an audiovisual medium, when possible.

Art. 108A CPP: children victims of the offences described above shall be entitled to take knowledge of the documents of the preliminary and main investigations and take copies of such documents, even if they are not the civil claimants.

Art. 330 CPP: In case that the child's presence during the hearing is considered to be necessary, the Court may decide for a hearing in camera, if the publicity of the hearing regarding offences against sexual freedom and financial exploitation of sexual life can psychologically hurt the child victim or result to the insult of his/her dignity.

In cases of children victims of the abovementioned acts investigations are conducted as a matter of absolute priority. The hearing date shall be set, at first instance, six months after the referral of the case to court at the latest and, at second instance, within four months of the lodging of the appeal.

**32) Does your country allocate compensation for victims of crime?**

- Yes  
 No

If yes, for which kind of offences

There are no specific offences provided for in law 3811/2009 "on compensation to violent crime victims and other provisions". All victims of violent crimes have the right to apply for compensation if they fulfil the criteria of law.

**33) If yes, does this compensation consist in:**

- a public fund?  
 damages to be paid by the responsible person (decided by a court decision)?  
 a private fund?

**34) Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?**

- Yes  
 No

If yes, please inform about the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

**35) Do public prosecutors have a specific role with respect to the victims (protection and assistance)?**

- Yes  
 No

If yes, please specify:

In cases where the victims denounce the perpetrator of criminal offences of 1)slave-trade,2) trafficking in human beings, 3) child pornography, 4)procuring, 5)trafficking for exploitation purposes, 6) lewdness of minor age against remuneration,7) organised crime that the perpetrator committed against them, the public prosecutor of Magistrates' Court defers the prosecution against victims of illegal entry and exit of foreigners, illegal use of travel documents, illegal employment and prostitution until the irrevocable decision for the aforementioned crimes has been issued. If the complaint can be proved valid the abstention from criminal prosecution becomes final.

**36) Do victims of crime have the right to dispute a public prosecutor’s decision to discontinue a case?**  
-----

**Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a judicial decision".**

- Yes
- No
- NAP (the public prosecutor cannot decide to discontinue a case on his/her own. A judicial decision is needed).

If necessary, please specify:

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

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

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

Where appropriate, please give details on the compensation procedure, the number of cases, the result of the procedures and the existing mechanism for calculating the compensation (e.g. the amount per day for unjustified detentions or convictions):

**38) Does your country have surveys aimed at legal professionals and court users to measure their trust and/or satisfaction with the services delivered by the judicial system? (multiple options possible)**

- (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 the parties
- (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)
- (Satisfaction) surveys aimed at victims

If possible, please specify their titles, object and websites where they can be consulted:

**39) If possible, please specify:**

	Surveys at a regular interval (for example annual)	Occasional surveys
Surveys at national level	No	No
Surveys at court level	No	No

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

- Yes

No

**41) Please specify which authority is responsible for dealing with such complaints and inform whether there is or not a time limit to respond and/or a time limit for dealing with the complaint (multiple options possible). Please give information concerning the efficiency of this complaint procedure in the "comment" box below.**

	Time limit to respond (e.g. to acknowledge receipt of the complaint, to provide information on the follow-up to be given to the complaint, etc.)	Time limit for dealing with the complaint	No time limits
Court concerned	No	No	No
Higher court	No	No	No
Ministry of Justice	No	No	No
High Council of the Judiciary	No	No	No
Other external bodies (e.g. Ombudsman)	No	No	No

Comment :

According to Law 3327/2005 it is provided that after a period of eight 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

**42) Number of courts considered as legal entities (administrative structures) and geographic locations. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Total number
42.1 First instance courts of general jurisdiction (legal entities)	462
42.2 First instance specialised Courts (legal entities)	4
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)	462

**43) Number (legal entities) of first instance specialised courts (or specific judicial order). If "other specialised 1st instance courts", please specify it in the "comment" box below. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

Total (must be the same as the data given under question 42.2)	NAP
Commercial courts	NA
Labour courts	NA
Family courts	NA
Rent and tenancies courts	NA
Enforcement of criminal sanctions courts	NA
Administrative courts	NA
Insurance and / or social welfare courts	NA
Military courts	NA
Other specialised 1st instance courts	NA

Comment :

**44) 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

If yes, please specify:

**45) Number of first instance courts (geographic locations) competent for the following cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Number of courts
a debt collection for small claims	NAP
a dismissal	NAP
a robbery	NAP

Please give the definition for small claims and indicate the monetary value of a small claim:

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

Ministry of Justice, Transparency and Human Rights

### 3. 1. 2. Judges and non-judge staff

**46) Number of professional judges sitting in courts (if possible on 31 December 2010) (please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

Please provide in the "comment" box below any useful comment for interpreting the data above.

\*\*\*\*\*

[Please make sure that public prosecutors and their staff are excluded from the following figures (they will be part of questions 55-60). If a distinction between staff attached to judges and staff attached to prosecutors cannot be made, please indicate it clearly.]

Please indicate the number of posts that are actually filled at the date of reference and not the theoretical budgetary posts.]

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	3313	710	1331
1. Number of first instance professional judges	1179	347	832
2. Number of second instance (court of appeal) professional judges	592	207	385
3. Number of supreme court professional judges	270	156	114

Comment :

- 2041 Associate Judges – First Instance Judges – Second Instance (Court of Appeal) Judges – Supreme Court Judges
- 159 judicial officials of the Council of State
- 551 Magistrates
- 562 First Instance Court Presidents, Second Instance Court (Court of Appeal) Presidents and Supreme Court Presidents

**47) Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	563	185	378
1. Number of first instance court presidents	398	101	297
2. Number of second instance (court of appeal) court presidents	162	81	81
3. Number of supreme court presidents	3	3	NA

**48) Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December 2010). If necessary, please provide in the "comment" box below any information to explain the answer under question 48.**

Gross figure

NAP

If possible, in full-time equivalent

NAP

Comment :

**49) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December 2010) (e.g. lay judges and "juges consulaires", but not**

**arbitrators and persons sitting in a jury).**

Gross figure

NAP

**50) Does your judicial system include trial by jury with the participation of citizens?** Yes No

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

There is a mixed jury of judges and jurors which tries certain felonies.

**51) Number of citizens who were involved in such juries for the year of reference:**

NA

**52) Number of non-judge staff who are working in courts for judges (if possible on 31 December 2010) (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). If "other non-judge staff", please specify it in the "comment" box below.**Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)  Yes 6760

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	NAP
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2. Non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) such as registrars	NA
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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)	NA
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4. Technical staff	NA
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5. Other non-judge staff	NA
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Comment :

There is no differentiation between the staff that assists the work of judges and the staff that assists the work of prosecutors.

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

NAP

**54) Have the courts delegated certain services, which fall within their powers, to private providers (e.g. IT services, training of staff, security, archives, cleaning)?** Yes No

If yes, please specify:

IT services, security, cleaning.

**C.1****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 have been implemented over the last two years****Please indicate the sources for answering questions 46, 47, 48, 49 and 52**

## 3. 1. 3. Public prosecutors and staff

**55) Number of public prosecutors (if possible on 31 December 2010) (please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.**

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	543	278	265
1. Number of prosecutors at first instance level	380	159	221
2. Number of prosecutors at second instance (court of appeal) level	144	101	43
3. Number of prosecutors at supreme court level	19	18	1

Comment :

**56) Number of heads of prosecution offices. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.**

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	83	NA	NA
1. Number of heads of prosecution offices at first instance level	63	NA	NA
2. Number of heads of prosecution offices at second instance (court of appeal) level	19	NA	NA
3. Number of heads of prosecution offices at supreme court level	1	NA	NA

Comment :

The number of Head of Public Prosecutor's officers is included in the total number of Public Prosecutors' officers referred to in question 55.

**57) Do other persons have similar duties to public prosecutors?**

Yes

No

Number (full-time equivalent)

**58) If yes, please specify their title and function:**

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

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

Yes

No

**60) Number of staff (non-public prosecutors) attached to the public prosecution service (if possible on 31 December 2010) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).**

Number

NAP



**C.2**

**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 have been implemented over the last two years

see above (question 52)

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

Ministry of Justice, Transparency and Human Rights

### 3. 1. 4. Court budget and new technologies

**61) Who is entrusted with responsibilities related to the budget within the court? If "other", please specify it in the "comment" box below.**

	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

Comment :

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

Word processing	-50% of courts
Electronic data base of jurisprudence	-50% of courts
Electronic files	-50% of courts
E-mail	-50% of courts
Internet connection	-50% of courts

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

Case registration system	-50% of courts
Court management information system	-50% of courts
Financial information system	-10% of courts
Videoconferencing	-10% of courts

**64) For the electronic communication and exchange of information between the courts and their environment, what are the computer facilities used by the courts?**

Electronic web forms	-10% of courts
Website	-10% of courts
Follow-up of cases online	0 % of courts
Electronic registers	-10% of courts
Electronic processing of small claims	0 % of courts
Electronic processing of undisputed debt recovery	0 % of courts
Electronic submission of claims	0 % of courts
Videoconferencing	0 % of courts
Other electronic communication facilities	-10% of courts

**65) The use of videoconferencing in the courts (details on question 65). Please indicate in the "comment" box below any clarification on the legal framework and the development of videoconferencing in your country.**

	65.1 In criminal cases, do courts or prosecution offices use videoconferencing for hearings in the presence of defendants or witnesses?	65.2 Can such court hearing be held in the police station and/or in the prison?	65.3 Is there any specific legislation on the conditions for using videoconferencing in the courts / prosecution offices, especially in order to protect the rights of the defence?	65.4 Is videoconferencing used in other than criminal cases?
	No	No	No	No

Comment :

### C.3

**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. Performance and evaluation

### 3. 2. 1. Performance and evaluation

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

- Yes  
 No

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

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

- Yes  
 No

**68) Do you have, within the courts, a regular monitoring system of court activities concerning:**

-----  
**The monitoring system aims to assess the day-to-day activity of the courts (namely, what the courts produce) thanks in particular to data collections and statistical analysis (see also questions 80 and 81).**

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

If other, please specify:

**69) Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?**

-----  
**The evaluation system refers to the performance of the court systems with prospective concerns, using indicators and targets. The evaluation may be of more qualitative nature (see questions 69-77). It does not refer to the evaluation of the overall (good) functioning of the court (see question 82).**

- Yes  
 No

Please specify:

There is a system of regular inspection by judges serving in the Supreme Court mainly;  
there is also the Council of Inspection of civil and penal courts.

**70) Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 72)**

- Yes  
 No

**71) Please select the 4 main performance and quality indicators that have been defined:**

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

If other, please specify:

**72) Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?**

- Yes  
 No

**73) Who is responsible for setting the targets for each judge?**

- 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 court (if no please skip to question 77)?**

- Yes  
 No

**75) Who is responsible for setting the targets for the courts?:**

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

If other, please specify:

**76) Please specify the main targets applied to the courts:**

Main targets applied to the courts:

- Rationalization and reorganization of courts
- Mediation and alternative dispute resolution with a view to the decongestion of courts from a large number of cases.
- E-justice: An electronic registration and monitoring system of individual cases in all courts of our country.
- Reduce of pending cases, tax cases and non.

**77) Who is responsible for evaluating the performance of the courts (see questions 69 to 76)? (multiple options possible)**

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

If other, please specify:

**78) Are quality standards determined for the whole judicial system (are there quality systems for the judiciary and/or judicial quality policies)?**

- Yes
- No

If yes, please specify:

According 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 that is entrusted with these quality standards?**

- Yes
- No

**80) Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:**

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

**81) Do you monitor waiting time during court procedures?**

- Yes
- No

If yes, please specify:

**82) Is there a system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?**  
-----

**This question does not concern the specific evaluation of performance indicators.**

Yes

No

Please specify the frequency of the evaluation:

Annual inspection of the evaluators (inspectors) of courts.

**83) Is there a system for monitoring and evaluating the performance of the public prosecution service?**

Yes

No

If yes, please give further details:

Annual inspection of the evaluators (inspectors) of courts.

#### **C.4**

**You can indicate below:**

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

There is a regular evaluation system of judicial effectiveness by inspectors and inspection board.

## 4. Fair trial

### 4. 1. Principles

#### 4. 1. 1. General information

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

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):

**86) Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non-execution. If data is not available, please indicate NA.**

	Cases declared inadmissible by the Court	Friendly settlements	Judgements establishing a violation	Judgements establishing a non violation
Civil proceedings - Article 6§1 (duration)	4	NA	19	4
Civil proceedings - Article 6§1 (non-execution)	NA	NA	6	NA
Criminal proceedings - Article 6§1 (duration)	1	3	14	1

**Please indicate the sources:**

Legal Council of the State

#### D.1

**You can indicate below any useful comments for interpreting the data mentioned in this chapter**

Question 86: The data given for the "cases declared inadmissible by the Court" and "judgements establishing a non violation" refer to the same cases.

### 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?

there is no specific procedure

If yes, 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 disputes)?

criminal cases (small offences)?

administrative cases?

there is no simplified procedure

If yes, please specify:

In administrative cases there is a simplified procedure for legal means which are clearly inadmissible.

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

Yes

No

If yes, please specify:

#### 4. 2. 2. Caseflow management and timeframes of judicial proceedings

**90) Comment:**

The national correspondents are invited to pay special attention to the quality of the answers to questions 91 to 102 regarding case flow management and timeframes of judicial proceedings. The CEPEJ agreed that the subsequent data would be processed and published only if answers from a significant number of member states – taking into account the data presented in the previous report – are given, enabling a useful comparison between the systems.

**91) First instance courts: number of other than criminal cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**Note 1:** cases mentioned in categories 3 to 5 (enforcement, land registry, business register) should be presented separately in the table. Cases mentioned in category 6 (administrative law) should also be separately mentioned for the countries which have specialised administrative courts or separate administrative law procedures or are able to distinguish in another way between administrative law cases and civil law cases.

**Note 2:** check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means: "(pending cases on 1 January 2010 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2010. Vertical consistency of data means that the sum of the individual case categories 1 to 7 should reflect the total number of other than criminal law cases.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)*	567 685	551 700	436 484	609 306
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	159 031	455 831	359 607	187 360
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	NA	NA	NA	NA
3. Enforcement cases	NA	NA	NA	NA
4. Land registry cases**	NA	NA	NA	NA
5. Business register cases**	NA	NA	NA	NA
6. Administrative law cases (litigious and non-litigious)	408 654	95 869	76 877	421 946
7. Other cases (e.g. insolvency registry cases)	NA	NA	NA	NA

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

**93) If "other cases", please indicate the case categories included:**

**94) First instance courts: number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**Note: please check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means that: "(pending cases on 1 January 2010 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2010. Vertical consistency of data means that the sum of the categories 8 and 9 for criminal cases should reflect the total number of criminal cases.**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	NA	NA	NA	NA
8. Criminal cases (severe criminal offences)	NA	NA	NA	NA
9. Misdemeanour and / or minor offences cases	NA	NA	NA	NA

**95) The classification of cases between severe criminal cases and misdemeanour and/or minor criminal cases may be difficult. Some countries might have other ways of addressing misdemeanour offences (for example via administrative law procedures).**

**Please indicate, if feasible, what case categories are included under "severe criminal cases" and the cases included under "misdemeanour and /or minor criminal cases".**

As severe criminal cases are considered the felonies which are offences punished by the law by a sentence of incarceration (5 to 20 years) or death penalty.

As misdemeanour cases are considered the crimes punished by the law by a sentence of imprisonment (10 days to 5 years).

**96) Comments on questions 91 to 95. You can indicate, for instance, the specific situation in your country, give explanations on NA or NAP answers or explain the calculation of the total number of other than criminal law cases or differences in horizontal consistency, etc.**

**97) Second instance courts: total number of "other than criminal law" cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**Note: the total of "other than criminal" cases includes all of the following categories (categories 1 to 7).**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)	64 525	65 305	48 484	69 009
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	29 935	43 526	34 162	27 898
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	NA	NA	NA	NA
3. Enforcement cases	NA	NA	NA	NA
4. Land registry cases	NA	NA	NA	NA
5. Business register cases	NA	NA	NA	NA
6. Administrative law cases (litigious and non-litigious)	34 590	21 779	14 322	41 111
7. Other cases (e.g. insolvency registry cases)	NA	NA	NA	NA



**98) Second instance courts: total number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	NA	NA	NA	NA
8. Criminal cases (Severe criminal offences)	NA	NA	NA	NA
9. Misdemeanour and/or minor offences cases	NA	NA	NA	NA

Comment :

**99) Highest instance courts: total number of "other than criminal law" cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**Note: the total of "other than criminal law cases" includes all of the following categories (categories 1 to 7).**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)	NA	NA	NA	NA
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)	NA	NA	NA	NA
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)	NA	NA	NA	NA
3. Enforcement cases	NA	NA	NA	NA
4. Land registry cases	NA	NA	NA	NA
5. Business register cases	NA	NA	NA	NA
6. Administrative law cases (litigious and non-litigious)	NA	NA	NA	NA
7. Other cases (e.g. insolvency registry cases)	NA	NA	NA	NA

**100) Highest instance courts: total number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	NA	NA	NA	NA
8. Criminal cases (severe criminal offences)	NA	NA	NA	NA
9. Misdemeanour cases (minor offences)	NA	NA	NA	NA

Comment :

**101) Number of litigious divorce cases, employment dismissal cases, robbery cases and intentional homicide cases received and processed by first instance courts. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Jan. '10
Litigious divorce cases	NA	NA	NA	NA
Employment dismissal cases	NA	NA	NA	NA
Robbery cases	NA	NA	NA	NA
Intentional homicide				

	NA	NA	NA	NA
--	----	----	----	----

**102) Average length of proceedings, in days (from the date the application for judicial review is lodged). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

-----  
**[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. New: the question concerns first, second and third instance proceedings.]**

	% of decisions subject to appeal	% pending cases more than 3 years	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)
Litigious divorce cases	NA	NA	NA	NA	NA	NA
Employment dismissal cases	NA	NA	NA	NA	NA	NA
Robbery cases	NA	NA	NA	NA	NA	NA
Intentional homicide	NA	NA	NA	NA	NA	NA

**103) Where appropriate, please inform about the specific procedure as regards divorce cases (litigious and non-litigious):**

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.

**104) 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.

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

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to 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 discontinue a case without requiring a judicial decision (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers

If "other significant powers", please specify:

In temporary measures, cases which concern the possession of real estate, when one of the litigants is the State or a public corporation or municipalities.  
 Supervision and control of correctional facilities.

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

- Yes
- No

If yes, please specify:

Mainly in family law cases and in temporary measures cases ,as mentioned in the question above.

In cases of voluntary jurisdiction the Public Prosecutor is entitled to be present in the procedure.

**107) Case proceedings managed by the public prosecutor: total number of 1st instance criminal cases. If**

**data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

	Received by the public prosecutor	Cases discontinued by the public prosecutor (see 108 below)	Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	NA	NA	NA	NA

**108) Total cases which were discontinued by the public prosecutor. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

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

**109) Do the figures include traffic offence cases?**

- Yes  
 No

## D.2

**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

Questions 91 and 97 : Regarding the increase in the amounts in questions 91 (91#1#1, 91#4#1) and 97 (97#1#1, 97#4#1) is due to the fact that in 2008 the responses of the Administrative Courts were not calculated.

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

Question 109 : Ministry of Justice. Transparency & Human Rights

## 5. Career of judges and public prosecutors

### 5. 1. Recrutement and promotion

#### 5. 1. 1. Recrutement and promotion

##### 110) How are judges recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
- Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- A combination of both (competitive exam and working experience)
- Other

If other, please specify:

##### 111) Authority(ies) in charge: are judges initially/at the beginning of their carrier recruited and nominated by:

[This question strictly concerns the authority entrusted with the decision to recruit (not the authority formally responsible for the nomination if different from the former)].

- An authority made up of judges only?
- An authority made up of non-judges only?
- An authority made up of judges and non-judges?

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 competent for the promotion of judges?

- Yes
- No

If no, which authority is competent for the promotion of judges ?

Judicial Council

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

1) The existence of vancancy post 2) The competition of legal time of poswsessed degree 3) The assistance of essential qualification that are required for the higher degree.

##### 114) Is there a system of qualitative individual assessment of the judges' activity?

- Yes
- No

##### 115) Is the status of prosecution services:

- Indépendant?
- Under the authority of the Minister of justice ?
- Other?

Please specify:

Given that according to the Greek Constitution the judicial power is independent, prosecution services are under the authority of the Minister of Justice only for matters such as the budget and the recruitment of the Public Prosecutors.

##### 116) How are public prosecutors recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
- Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- A combination of both (competitive exam and working experience)
- Other

If "other", please specify:

**117) Authority(ies) in charge: are public prosecutors initially/at the beginning of their carrier recruited by:**

**[This question concerns the authority entrusted with the responsibility to recruit only (not the authority formally responsible for the nomination if different from the former).]**

- 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?

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:

Ministry of Justice, Transparency and Human Rights and National School of Judges

**118) Is the same authority formally responsible for the promotion of public prosecutors?**

- Yes
- No

If no, please specify which authority is competent for promoting public prosecutors:

Highest Judicial Court

**119) Which procedures and criteria are used for promoting public prosecutors? Please specify:**

As in question 113

**120) Is there a system of qualitative individual assessment of the public prosecutors' activity?**

- Yes
- No

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

- Yes
- No

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

Dismissal as a disciplinary sanction, dismissal after an irrevocable conviction, dismissal for incapacity due to illness or for professional incompetence.

**122) If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period? If the situation is not applicable in your country, please indicate NAP.**

	Duration of probation period (in years)
	1.5

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

- Yes

No

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

As in question 121

**124) If there is a probation period for public prosecutors, how long is this period? If the situation is not applicable in your country, please indicate NAP.**

	Duration of the probation period (in years)
	1.5

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

NAP

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

NAP

### E.1

**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

Q 122, 124 : The duration of the probation period is 18 months (law 3689/2008, art. 31, par. 4)

## 5. 2. Training

### 5. 2. 1. Training

#### 127) Training of judges

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

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

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

#### 129) Training of public prosecutors

Initial training	Compulsory
General in-service training	Compulsory
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Compulsory
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	No training offered
In-service training for the use of computer facilities in office	Optional

### 130) Frequency of the in-service training of public prosecutors

General in-service training	Annual
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Occasional (e.g. at times)
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	No training offered
In-service training for the use of computer facilities in office	Occasional (e.g. at times)

### 131) Do you have public training institutions for judges and / or prosecutors? If yes, please indicate in the "comment" box below the budget of such institution(s). If your judicial training institutions do not correspond to these criteria, please specify it.

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	No	No	No
One institution for prosecutors	No	No	No
One single institution for both judges and prosecutors	Yes	No	No

Comment :

Budget of the National School of Judicial Officers: 7.409.949,10 €

## E.2

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. 3. Practice of the profession

#### 5. 3. 1. Practice of the profession

### 132) Salaries of judges and public prosecutors.

	Gross annual salary in €, on 31 December 2010	Net annual salary in €, on 31 December 2010
First instance professional judge at the beginning of his/her career	32 704	24 300
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a	87 240	54 600

judge at this level, and not the salary of the Court President)		
Public prosecutor at the beginning of his/her career	32 704	24 300
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 Public prosecutor General)	87 240	54 600

**Comment :**

It is extremely difficult to verify the figures given in 2008, as the Ministry of Justice, Transparency and Human Rights keeps payroll data

of judges since the end of 2010. However, by this year we can provide reliable statistical data.

Below, we submit the gross and net annual salaries (in €) for the financial year 2010 of the President of the Supreme Court (Areios Pagos),

the Public Prosecutor of the Supreme Court and the First Instance professional judge at the beginning of his career respectively.

The reduction of salaries is due to the financial crisis in our country: law 3833/ 2010 "Protection of national economy-urgent measures in order to tackle the fiscal crisis" and law 3845/2010 "Measures for the application of the support mechanism for the Greek economy by euro area Member States and the International Monetary Fund", imposed the lowering of public servants' salaries by approximately 17%.

Please disregard the salary of the President of the Supreme Court (Areios Pagos). (cf CN 06/07)

**133) Do judges and public prosecutors have the following additional benefits?**

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

**134) If other financial benefit, please specify:**

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

	With remuneration	Without remuneration
Teaching	Yes	Yes
Research and publication	Yes	Yes
Arbitrator	Yes	Yes
Consultant	No	No
Cultural function	No	No
Political function	No	No
Other function	No	No

**136) If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.**

According to art. 41 of Law 1756/1988 'The Code on the Organization of the Courts and the Status of Judicial Functionaries' note the following:

1. The rendering of any other paid service and the qualification for an other occupation other is prohibited for the judicial officers.



2. Exceptionally, the judicial officers are allowed to be elected as members of the Academy of Athens or the teaching staff of higher educational institutions and to participate in councils or committees that have disciplinary, auditing or jurisdictional duties, and also to participate in legislative committees, provided that their participation is explicitly defined by law. The judicial officer who will participate is indicated by the judge or the public prosecutor or the three-member board that directs the civil or administrative court or the prosecution, following a question of the Minister of Justice. The judicial officer chairs the aforementioned Boards or committees, unless the Minister, the Deputy Minister or the Secretary General is participating.

Especially in legislative committees, provided that the judicial officer is not participating, judicial officer with the rank of President or Vice President of the Supreme Court or equivalent, as a Chairman of the Committee may be designated a member who has no judicial capacity.

3. The assignment of administrative duties to judicial officers is prohibited; duties on training of judicial officers are considered judicial.

The conduct of arbitrations by judicial officers is only allowed in the context of their official duties in accordance with the provisions of Articles of the Code of Civil Procedure and the relevant provisions of laws.

4. The participation of the judicial officers in the government is prohibited.

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

	With remuneration	Without remuneration
Teaching	Yes	Yes
Research and publication	Yes	Yes
Arbitrator	Yes	Yes
Consultant	No	No
Cultural function	No	No
Political function	No	No
Other function	No	No

**138) Please specify existing rules (e.g. authorisation to perform the whole or a part of these activities). If "other function", please specify:**

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

- Yes  
 No

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

**5. 4. Disciplinary procedures**

**5. 4. 1. Disciplinary procedures**

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

- Citizens  
 Relevant Court or hierarchical superior  
 High Court / Supreme Court  
 High Judicial Council  
 Disciplinary court or body  
 Ombudsman  
 Parliament  
 Executive power  
 Other?  
 This is not possible

If "executive power" and/or "other", please specify:

The Chairman of the disciplinary council is also authorised to initiate disciplinary proceedings.

By "executive power" we mean the Minister of Justice, Transparency and Human Rights.

**141) Who has been 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 (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power
- Other?
- This is not possible

If "executive power" and/or "other", please specify:

The Chairman of the disciplinary council is also authorised to initiate disciplinary proceedings.

By "executive power" we mean the Minister of Justice, Transparency and Human Rights.

**142) Which authority has disciplinary power on judges? (multiple options possible):**

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power
- Other?

If "executive power" and/or "other", please specify:

**143) Which authority has the disciplinary power on public prosecutors? (multiple options possible):**

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power
- Other?

If "executive power" and/or "other", please specify:

**144) Number of disciplinary proceedings initiated against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.**

**[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]**

	Judges	Public prosecutors
Total number (1+2+3+4)	51	17
1. Breach of professional ethics	38	10
2. Professional inadequacy	13	7
3. Criminal offence	NAP	NAP
4. Other	NAP	NAP

Comment :

**145) Number of sanctions pronounced against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.**

	Judges	Public prosecutors
Total number (total 1 to 9)	8	19
1. Reprimand	5	2
2. Suspension	1	1
3. Removal of cases	NAP	NAP
4. Fine	1	12
5. Temporary reduction of salary	NAP	NAP
6. Position downgrade	NAP	NAP
7. Transfer to another geographical (court) location	NAP	NAP
8. Resignation	1	4
9. Other	NAP	NAP

Comment :

Two of the sanctions regarding public prosecutors refer to cases of previous years.

### E.3

**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

**Please indicate the sources for answering questions 144 and 145**

The above mentioned data result from the Electronically Kept Book of Issued Decisions of the 7 membered and 9 membered Disciplinary Councils of the Supreme Court (Areios Pagos) as well as of the Plenary Session of Areios Pagos.

## 6. Lawyers

### 6. 1. Status of the profession and training

#### 6. 1. 1. Status of the profession and training

**146) Total number of lawyers practising in your country.**

41 794

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

Yes

No

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

NAP

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

- Civil cases?
- Criminal cases - Defendant?
- Criminal cases - Victim?
- Administrative cases?
- There is no monopoly

If there is no monopoly, please specify the organisations or persons that may represent a client before a court (for example a NGO, a family member, a trade union, etc) and for which types of cases:

The litigant may appear in person in cases of competence of Magistrates' Courts, interim protective measures, in special procedures and in some types of penal cases.

**150) Is the lawyer profession organised through? (multiple options possible)**

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

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

- Yes
- No

If not, please indicate if there are other specific requirements as regards diplomas or university degrees :

**152) Is there a mandatory general system for lawyers requiring in-service professional training?**

- Yes
- No

**153) Is the specialisation in some legal fields tied with specific training, levels of qualification, specific diploma or specific authorisations?**

- Yes
- No

If yes, please specify:

**F.1****Please indicate the sources for answering questions 146 and 148:**

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**Comments for interpreting the data mentioned in this chapter:**

Plenary Session of the Presidency of the Bar Associations of Greece.

Sources Question 153 : Ministry of Justice. Transparency &amp; Human Rights

**6. 2. Practising the profession****6. 2. 1. Practising the profession****154) Can court users establish easily what the lawyers' fees will be (i.e. do users have easy access to prior information on the foreseeable amount of fees, is the information transparent and accountable)?** Yes No**155) Are lawyers' fees freely negotiated?** Yes No**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**F.2****Useful comments for interpreting the data mentioned in this chapter:**

Question 155: In case there is no agreement in writing, the legal provisions regarding the fee for the initiation and the carrying out of the procedure are in force.

**6. 3. Quality standards and disciplinary proceedings****6. 3. 1. Quality standards and disciplinary proceedings****157) Have quality standards been determined for lawyers?** Yes No

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?

If "other", please specify:

**159) Is it possible to file a complaint about :**

- the performance of lawyers?  
 the amount of fees?

Please specify:

Complaint reasons:

- negligence or delay to the execution of the mandate  
 -lawyer's fee not exceeding 20% of the litigious object

**160) Which authority is responsible for disciplinary procedures?**

- the judge  
 the Ministry of justice  
 a professional authority  
 other

If other, please specify:

The competent authorities for disciplinary procedures are:

a) The Disciplinary Boards of Bar Associations and b) The Supreme Disciplinary Board of Lawyers composed by the President of the Supreme Court as Chairman, a Judge of the Supreme Court and three lawyers with at least 15 years experience. These decisions are revocable before the Council of State.

**161) Disciplinary proceedings initiated against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.**

**[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]**

	Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	1. Breach of professional ethics	2. Professional inadequacy	3. Criminal offence	4. Other
Number	833	NA	NA	NA	NA

Comment :

There is no detailed data from the Bar Associations.

**162) Sanctions pronounced against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.**

**If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.**

	Total number of sanctions (1 + 2 + 3 + 4 + 5)	1.Reprimand	2. Suspension	3. Removal	4. Fine	5. Other (e.g. disbarment)
Number	76	NA	NA	NA	NA	NA

Comment :

Under "Suspension" is meant the temporary or permanent discharge of the office.

**F.3**

**You can indicate below any useful comments for interpreting the data mentioned in this chapter**

## 7. Alternative Dispute Resolution

### 7. 1. Alternative Dispute Resolution

#### 7. 1. 1. Alternative Dispute Resolution

**163) Does the legal system provide for mediation procedures? If no skip to question 168**

-----

**[Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).]**

- Yes  
 No

**164) Please specify, by type of cases, the organisation of judicial mediation:**

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	Yes	No	No	No	No
Family law cases (ex. Divorce)	No	No	No	No	No
Administrative cases	No	No	No	No	No
Employment dismissals	No	No	No	No	No
Criminal cases	Yes	No	No	No	Yes

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

- Yes  
 No

If yes, please specify:

**166) Number of accredited or registered mediators who practice judicial mediation:**

NA

**167) Number of judicial mediation procedures.**

-----

**Please indicate the source in the "comment" box below:**

Total number of cases (total 1+2+3+4+5)	NA
1. civil cases	NA
2. family cases	NA
3. administrative cases	NA
4. employment dismissals cases	NA
5. criminal cases	NA

Comment :

NA

**168) Does the legal system provide for the following ADR.**

**If "other", please specify it in the "comment" box below:**

Mediation other than judicial mediation?	Yes
Arbitration?	Yes

Conciliation?	Yes
Other alternative dispute resolution?	No

Comment :

Law 3898/2010 about judicial mediation

Sources Question 168 : Ministry of Justice. Transparency & Human Rights

**G.1**

- 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

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



## 8. Enforcement of court decisions

### 8. 1. Execution of decisions in civil matters

#### 8. 1. 1. Functioning

**169) Do you have enforcement agents in your judicial system?**

- Yes  
 No

**170) Number of enforcement agents**

2 110

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

- judges?  
 bailiffs practising as private professionals under the authority (control) of public authorities?  
 bailiff working in a public institution?  
 other enforcement agents?

Please specify their status and powers:

The bailiff is a without pay public officer, a freelancer, appointed by the Minister of Justice and his duty is the service of judicial documents and the enforcement of judgments in civil and commercial cases.

**172) Is there a specific initial training or examination to become an enforcement agent?**

- Yes  
 No

**173) Is the profession of enforcement agents organised by?**

- a national body?  
 a regional body?  
 a local body?  
 NAP (the profession is not organised)

**174) Are enforcement fees easily established and transparent for the court users?**

- Yes  
 No

**175) Are enforcement fees freely negotiated?**

- Yes  
 No

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

- Yes  
 No

**Please indicate the source for answering question 170:**

- 1) Code of Bailiffs
- 2) Code of Civil Procedure

## 8. 1. 2. Efficiency of enforcement services

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

- Yes  
 No

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

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

If other, please specify:

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

- Yes  
 No

If yes, what are the quality criteria used?

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

- a professional body  
 the judge  
 the Ministry of Justice  
 other

If "other", please specify:

**181) Is there a specific mechanism for executing court decisions rendered against public authorities, including for supervising such 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."

**182) Is there a system for monitoring the execution?**

- Yes  
 No

If yes, please specify

**183) What are the main complaints made by users concerning the enforcement procedure?  
Please indicate a maximum of 3.**

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

If other, please specify:

**184) 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, as amended by art. 20 law 3301/2004, 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.

**185) Is there a system measuring the timeframes of the enforcement procedures:**

- for civil cases?  
 for administrative cases?

**186) As regards a decision on debts collection, please estimate the average timeframe to notify the decision to the parties who 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

**187) Number of disciplinary proceedings initiated against enforcement agents. If other, please specify it in the "comment" box below.**

**[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]**

Total number of disciplinary proceedings (1+2+3+4)	<input type="checkbox"/> number:	51
1. for breach of professional ethics	<input type="checkbox"/> number:	45
2. for professional inadequacy		NAP
3. for criminal offence	<input type="checkbox"/> number:	6
4. Other		NAP

Comment :

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

**If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.**

Total number of sanctions (1+2+3+4+5)	<input type="checkbox"/> number:	15
1. Reprimand		NAP
2. Suspension	<input type="checkbox"/> number:	5
3. Dismissal	<input type="checkbox"/> number:	1
4. Fine	<input type="checkbox"/> number:	9
5. Other		NAP

Comment :

### H.1

**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 186, 187 and 188:**

Ministry of Justice, Transparency and Human Rights

## 8. 2. Execution of decisions in criminal matters

### 8. 2. 1. Execution of decisions 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 his/her functions and duties (initiative or monitoring functions). If "other authority", please specify:

**190) Are the effective recovery rates of fines decided by a criminal court evaluated by studies?**

- Yes
- No

**191) If yes, what is the recovery rate?**

- 80-100%
- 50-79%
- less than 50%
- it cannot be estimated

Please indicate the source for answering this question:

### H.2

**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. Notaries

#### 9. 1. 1. Notaries

**192) Do you have notaries in your country? If no go to question 197**

- Yes  
 No

**193) Are notaries:**

-----

**If other, please specify it in the "comment" box below.**

- private professionals (without control from public authorities)?  number
- private professionals under the authority (control) of public authorities?  number
- public agents? NA
- other?  number

Comment :

Notaries in Greece are public officials directly appointed by the Minister of Justice

**194) Do notaries have duties (multiple options possible):**

- within the framework of civil procedure?  
 in the field of legal advice?  
 to certify the authenticity of legal deeds and certificates?  
 other?

If "other", please specify:

In the field of legal advice: Yes, only in reference to the notarial deeds that they draft.  
 They certify documents only in reference to the notarial deeds they draft.

Notaries in Greece are public officials directly appointed by the Minister of Justice, following a national competition rather specialized. Their duties and their status are mainly set by the Law 2830/2000, but also their function as public officials is based on the Constitution itself (Art. 92 para. 4).

According to the L.2830/2000, ar. 1 in Greece civil law notaries are responsible for drafting and keeping documents (public deeds) that constitute or prove transactions and statements of the interested parties whenever the drafting of these public documents is required by law or when the parties wish to give them the authority of a public deed. The notaries issue copies of the above documents as well as copies of the attached documents. They certify the authenticity of the signature that is set before them for any document attached to their instrument. They also sign private documents to provide them with a firm date, for which a deed is drafted.

The notary can translate to the Greek language any documents drafted in a foreign language that are presented to him and are useful for the drafting of his deed and he is responsible for the accuracy of the translation. The notaries can issue enforcement orders of their deeds. The main areas of Law that notaries deal with are Real Property Law, Family Law, Succession Law, Corporate Law.

Greek notaries cannot draft the act in a language other than the Greek language.

**195) Is there an authority entrusted with supervising and monitoring the the notaries' activity?**

- Yes  
 No

**196) Which authority is responsible for supervising and monitoring notaries:**

- a professional body?  
 the judge?

- the Ministry of justice?
- the public prosecutor?
- other?

If other, please specify:

The Ministry of Justice (mainly for issues relative to exams, appointment, transfer and retirement of notaries) and the District Attorney of the Court of First Instance (for disciplinary proceeding)

### I.1

**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**

- In execution of the memorandum of economic and financial cooperation signed by the Greek Government and the International Monetary Fund, the European Bank and European Partners, Law 3845 was initially passed (Government Gazette A 65/06.05.2010), in relation to: "Measures for the implementation of the Greek economy support mechanism by Eurozone Member States and the International Monetary Fund".

- Under this law, the Greek Government committed, among others, to deregulate all regulated professions within 2011, by reducing or eliminating fixed minimum tariffs and removing other restrictions, including, but not limited to:

- - for the legal profession in general, to remove restrictions on minimum tariffs, on the ban on advertising, to remove territorial restrictions on where lawyers can practice in Greece,

- - for the notary profession in particular, to eliminate minimum tariffs, to increase the fixed number of notaries or even to abolish the fixed number, to remove territorial restrictions on where notaries can practice, and to remove the ban on advertising.

- The passage of the Bill of Law on regulated professions has signaled the completion of the first round of implementation of the commitments undertaken by the Greek Government, as these were laid down in the Stability and Growth Pact.

- The law preparatory procedure had led to the elaboration of a bill of law, which, as far as Notaries were concerned, amended Article 40 of the Notaries' Code, by introducing regulations, which were equally enforceable under the existing Code and also by granting the Notaries for the first time the theoretical opportunity to freely negotiate our tariffs, where such tariffs exceed a certain amount.

- The final version of the bill of law, which was brought before the Standing Parliamentary Committee for Financial Affairs, included an addition establishing the Notaries' ability to engage in commercial communications, which will eventually be either passed or rejected by means of a Presidential Decree.

- The Ministry of Finance added a new regulation to the bill, whereby the number of Notaries was subject to a 10-20% increase by derogation to the provisions of Article 17 of the Notaries Code.

The final negotiations and discussion are still pending until this day (29.11.2011).

## 10. Court interpreters

### 10. 1. Court interpreters

#### 10. 1. 1. Court interpreters

**197) Is the title of court interpreters protected?**

Yes

No

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

Yes

No

**199) Number of accredited or registered court interpreters:**

NA

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

Yes

No

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

**201) Are the courts responsible for selecting court interpreters? If no, please indicate in the "comment" box below which authority selects court interpreters.**

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

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

-  No

Comment :

### J.1

**You can indicate below any useful comments for interpreting the data mentioned in this chapter:**

**Please indicate the sources for answering question 199:**

Supreme Court



## 11. Judicial experts

### 11. 1. Judicial experts

#### 11. 1. 1. Judicial experts

**202) In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):**

- "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation
- "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal
- "law 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)

**203) Is the title of judicial experts protected?**

- Yes
- No

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

- Yes
- No

**205) Number of accredited or registered judicial experts (technical experts)**

NA

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

- Yes
- No

If yes, please specify, in particular the given time to provide a technical report to the judge:  
Articles 366-388 Code of Civil Procedure and 159-166 Code of Administrative Procedure.

The given time to provide a technical report is determined by the court decision.

**207) Are the courts responsible for selecting judicial experts?**

-----

**If no, please indicate in the "comment" box below which authority selects 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 .

Comment :

Sources of the question 207 : Ministry of Justice. Transparency and Human Rights

### K.1

**You can indicate below any useful comments for interpreting the data mentioned in this chapter:**

**Please indicate the sources for answering question 205:**

## 12. Foreseen reforms

### 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. If possible, please observe the following categories:**

**1. (Comprehensive) reform plans**

**2. Budget**

**3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

**4. High Judicial Council**

**5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education, etc.**

**6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**

**7. Enforcement of court decisions**

**8. Mediation and other ADR**

**9. Fight against crime and prison system**

**10. Other**

•Reform regarding acceleration of judicial proceedings in criminal, civil and administrative matters (under preparation)

•Budgetary restrictions due to financial crisis in Greece

•Merge of Magistrate's Courts

•Small increase of the number of judges

•Develop strategy on ways of alternative dispute resolution

•Use of e-technology in courts

•Functioning of new prison facilities

•Liberalisation of legal professions such as lawyers

•New judicial appellate courts and prosecution services