

1. Evaluation of the judicial systems (2016-2018 cycle)



Hungary

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Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

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

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

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[9797561]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	53529408856 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

[11200]

Comments

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

[10537]

NA

Comments

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

[309.4]

Allow decimals : 5

NAP

Comments Source: Magyar Nemzeti Bank (Hungarian National Bank) exchange rate of 02. January 2017

<https://www.mnb.hu/arfolyam->

[tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1](https://www.mnb.hu/arfolyam-tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1)

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

Sources: Q 1. Hungarian Central Statistical Office https://www.ksh.hu/docs/hun/eurostat_tablak/tab/tps00001.html

Q 2. Act C. of 2015 on the central state expenditure

Q 3. Hungarian Central Statistical Office https://www.ksh.hu/docs/hun/eurostat_tablak/tab/tsdec100.html Q 4. Hungarian Central Statistical Office <https://www.ksh.hu/docs/eng/xftp/gyor/ker/eker1612.html>

Q 5. Hungarian National Bank

<https://www.mnb.hu/arfolyam->

[tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1](https://www.mnb.hu/arfolyam-tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1)

1.1.2. Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	299893343 <input type="checkbox"/> NA <input type="checkbox"/> NAP	351868612 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Annual public budget allocated to (gross) salaries	148579949 <input type="checkbox"/> NA <input type="checkbox"/> NAP	142639803 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	5512977 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10923684 <input type="checkbox"/> NA <input type="checkbox"/> NAP
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.	31675598 <input type="checkbox"/> NA <input type="checkbox"/> NAP	31937176 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	6555265 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11396947 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Annual public budget allocated to investments in new (court) buildings	26142534 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3521798 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Annual public budget allocated to training	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
7. Other (please specify)	81427020 <input type="checkbox"/> NA <input type="checkbox"/> NAP	151449204 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The main difference between the approved and the implemented budgets derives from the following:

1. Some positions are not filled (at least for a while) during the year and some people are on a leave for a longer time (e.g. serious illness, maternity leave) and get benefits from other sources.
2. The approved budget was modified during the year.
4. The approved budget was modified during the year. The reason of the increase in the implemented annual public budget allocated to court buildings is that many small and some large building reconstruction and modernization projects have been implemented during the year.
5. Some new court building projects take more years to finish, so although the budget has been provided specially for these it takes more years to finish these projects.
7. "Other" includes taxes, unpredicted personal (salary) expenditures, trainings, other maintenance costs. The implemented public budget allocated to the category "other" increased between 2015 and 2016 because there has been an increase in the basis of the salary of judicial employees in 2016 and it was included in this category.

Explanations on variations observed between 2014 and 2016:

- 1) The increase in the implemented budget allocated to computerization is the result of an increase in the number of implemented projects (not part of the budget of the court system).
- 2) The increase in the implemented public budget allocated to "court buildings" is due to the

fact that some developments were carried out from funds approved during the previous years, but implemented in later years. 3) With regard to the decrease in the budget allocated to "new courts", it should be noticed that some court buildings projects take more years to be finalized. 4) As concerns the approved budget allocated to "justice expenses", it should be mentioned that justice expenses are not exactly foreseeable as they mainly depend on the number of incoming cases.

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments:

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

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?

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

- The general amount of the court fee in a first instance civil case is 6% of the value of the case, but the minimum amount is approximately 58 Euro and maximum is approximately 4762 Euro. In some cases laws define different percentage or fix amount, e.g. the court fee of a litigious divorce case is a fix amount of approximately 95 Euro.

The general amount for a second instance case (paid by the appealing party) is 8% of the value of the case but the minimum amount is approximately 58 Euro and maximum is approximately 7936 Euro.

The general amount for a review of the case at the Supreme Court (Kúria) (paid by the party asking for the review of the case) is 10% of the value of the case but the minimum amount is approximately 159 Euro and maximum is approximately 9524 Euro.

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

[180]

NA

NAP

Comments The calculation method is described under 008-1.

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

[8625404]

NA

NAP

Comments No comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	804784 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments No comments.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	1140272 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	128900776 <input type="checkbox"/> NA <input type="checkbox"/> NAP	133882353 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public

prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences:

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: The President of the National Office for the Judiciary (NOJ):

- draws up – after having consulted with the National Judicial Council (NJC) and the President of the Supreme Court (Kúria) – his/her proposal concerning the budget of courts and the report on the implementation of the budget, which the Government shall transmit to the Parliament without amendment,

- exercises the duties related to the financial management of the courts and directs the internal control of the courts,

The NJC:

- forms an opinion on the proposal on the budget of the courts and on the report on the implementation of the budget, - controls the financial management of the courts The Parliament decides upon the budget of the courts as the part of the national budget, with the restriction, that the budget of the courts cannot be lower as it was in the previous year.

The State Audit Office controls the financial management of the court system.

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

Sources: Q6: National Office for the Judiciary

Q 9, Q12 and Q13: Act C of 2015 on the state annual budget of 2016

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	1341550100 [] NA [] NAP	1481702163 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences:

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP
Public prosecution services (see question 13)	(X) Yes () No [] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	(X) Yes () No [] NAP
Probation services	() Yes (X) No [] NAP

Council of the judiciary	(X) Yes () No [] NAP
Constitutional court	(X) Yes () No [] NAP
Judicial management body	(X) Yes () No [] NAP
State advocacy	() Yes () No [X] NAP
Enforcement services	() Yes (X) No [] NAP
Notariat	() Yes (X) No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP
Functioning of the Ministry of Justice	(X) Yes () No [] NAP
Refugees and asylum seekers services	(X) Yes () No [] NAP
Immigration Service	() Yes () No [X] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No [] NAP
Other	() Yes (X) No [] NAP

Comments - If "other", please specify:

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

Sources: Act C of 2015 on the state annual budget of 2016

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments

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

(X) Yes

() No

Comments - If yes, please specify:

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

(X) Yes

() No

Comments - If yes, please specify:

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

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	() Yes () No [] NA [X] NAP	() Yes () No [] NA [X] NAP

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid

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

Cases brought to court	Cases not brought to court / non-litigious cases
------------------------	--

TOTAL	4988 [] NA [] NAP	8677 [] NA [] NAP
In criminal cases	225 [] NA [] NAP	352 [] NA [] NAP
In other than criminal cases	4763 [] NA [] NAP	8325 [] NA [] NAP

Comments - Please specify when appropriate: Official statistics of the Ministry of Justice

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

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

Comments - If yes, please specify: Representation by a lawyer may be granted to victims, civil suitors and private parties, whereas, personal exemption from costs and fees as well as representation by a lawyer may be granted to substitute civil suitors. On the other hand, the appointment of public defenders for accused individuals is not handled by the Legal Aid Service, but by the criminal courts and investigative authorities.

In criminal proceedings, the suspect or the accused may receive free legal representation if he/she is free of charges based on his or her personal conditions. The income threshold in case of persons living alone is the double of the net minimum pension and in case of persons living in one household the threshold refers to the net minimum pension per person. Besides, in the case of obligatory legal representation, if the accused does not have a defense attorney and is sentenced in the proceeding, he/she has to pay back the fee of service to the State. In respect of victims, the income threshold is 86% of the average national income. Legal assistance for victims includes legal representation. Besides the set income thresholds, the victim must fulfil two other conditions, namely make an impeachment/complaint and obtain a certificate from the authority responsible for assisting victims. The certificate must contain proof of certain conditions (that he/she turned to the relevant authority within the time limit foreseen in law).

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

(X) Yes

() No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	[X] NA [] NAP	[X] NA [] NAP

Full legal aid for other than criminal cases	1104 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid for criminal cases	1104 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid for other than criminal cases	4140 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: The rules concerning the objective and personal scope of the Act LXXX of 2003 on Legal Aid define a number of criteria to be taken into account for the granting of legal aid. For example: no legal aid may be granted in cases connected with entrepreneurial activities conducted by private persons or in cases connected with the establishment or functioning of social organizations.

According to the Act LXXX of 2003 on Legal Aid, legal aid in extrajudicial cases provided for the applicants can be granted in two basic forms: as free assistance, or by advancing the fees of the assistance. The criteria for granting legal aid are mainly concerning the amount of income of the applicant as well as his financial situation. Legal aid in criminal procedures provided only by advancing the fees of the assistance.

Extrajudicial cases:

The fees of legal aid shall be covered by the Hungarian State instead of the client if the net monthly income per capita of the client does not exceed the current minimum amount of the retirement pension established on the basis of the term of employment (HUF 28.500 in 2017). The fees of legal aid provided by the registered legal aid providers shall be covered by the Hungarian State instead of the client if the net monthly income of the single client does not exceed the 150 percent of the current minimum amount of the retirement pension established on the basis of the term of employment (HUF 42.750 in 2017), provided that he does not possess properties other than assets necessary for everyday life; objects, instruments, equipment used for work (e.g. for a taxi driver the car shall be regarded as such); and the real estate he lives in. The State shall advance the fees of legal aid for those who became victims of crime. The victim status is declared by the Victim Support Service. Victim may be granted for the above type of legal aid if his net monthly income does not exceed the 86 percent of the gross monthly average earnings of employees in the national economy of the second year before the current year (HUF 213.214 in 2017).

The State shall advance the fee of legal services in lieu of the individual if the monthly net income available to him does not exceed the 43 percent of the gross monthly average earnings of employees in the national economy of the second year before the current year (HUF 106.607 in 2017).

Criminal procedures

The State shall advance the fee of legal services in lieu of the individual if the net monthly income per capita of the client does not exceed the current minimum amount of the retirement pension established on the basis of the term of employment (HUF 28.500 in 2017). The State shall advance the fee of legal services in lieu of the individual if the net monthly income of the single client does not exceed the 150 percent of the current minimum amount of the retirement pension established on the basis of the term of employment (HUF 42.750 in 2017), provided that he does not possess properties other than assets necessary for everyday life; objects, instruments, equipment used for work (e.g. for a taxi driver the car shall be regarded as such); and the real estate he lives in. The State shall advance the fees of legal aid for those who became victims of crime. The victim status is declared by the Victim Support Service. Victim may be granted for the above type of legal aid if his net monthly income does not exceed the 86 percent of the gross monthly average earnings of employees in the national economy of the second year before the current year (HUF 213.214 in 2017).

In the calculation of the amount of income available, the income of persons sharing the same household with the applicant shall also be taken into account, except when such persons are adverse parties in a legal debate or government procedure with the applicant, and that amount shall be divided by the number of those living together with him. The rules define the items of property that could not be taken into consideration. In particular, the following items:

- a) customary necessities and furnishings;
- b) real estates of the applicant that serve for his residential purposes, and those of his dependants;
- c) vehicle used by the applicant if he is with limited mobility, or without which he would become unable to practise his profession; and
- d) items of property necessary for the earning of the income specified in Sections 5 and 6, respectively.

For the purposes of this rule, no account may be taken of assets, the use of which would result in a loss disproportionately exceeding the benefits that could be achieved through taking advantage of the legal service.

In some special circumstances there is no need to evaluate the financial situation of the applicant, because he shall be considered being in lack of financial means. These cases are the following: the applicant

- a) receives regular social benefit for persons under the age required for old age pension, or shares the same household with his close relative who receives regular social benefit for persons under the age required for old age pension;
- b) receives public health provision, or whose entitlement to medical services has been established; or c) is a homeless person spending nights at temporary lodgings;
- d) is a refugee or temporarily protected person or a person seeking recognition as a refugee or temporarily protected person, and, on the basis of the statement he has made concerning his pecuniary situation and earning status, is entitled to the care and benefits he has been granted;
- e) is an applicant for visa, residence permit or permanent residence permit or is a subject to a naturalization process and whose ascendant are/were Hungarian nationals; is a subject to a renaturalization process
- f) cares a child in his family and therefore receives regular child protection allowance;
- g) is according to the Section 46. of the Council Regulation (EC) No 4/2009. entitled for the legal aid specified in Section 56.

The State also shall pay the fee of legal services in lieu of an applicant if the single and resourceless applicant's monthly net income does not exceed 150% of the current minimum old-age pension.

The State shall advance the fees of legal aid for those who became victims of crime. The victim status is declared by the Victim Support Service. Victim may be granted for the above type of legal aid if his net monthly income does not exceed the 86 percent of the gross monthly average earnings of employees in the national economy of the second year before the current year (HUF 213.214 in 2017).

024. 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

Comments - If yes, please explain the exact criteria for denying legal aid: It is possible to refuse legal aid for malicious action and for the presumptive lack of chance of success.

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

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

Comments

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

- Yes
- No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? In spite of the fact that this type of insurance is not yet a well-known one in Hungary, a growing number of companies offer such kind of products, so this segment's development is dynamic.

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

Judicial decisions direct how legal costs will be shared
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in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments In its final decision, the court requires that the losing party pay the costs incurred by the winning party within a period of 30 days. The losing party pays the costs directly to the winning party and, if she or he fails to do so, enforcement proceedings are initiated. As a general rule, the experts' fees are paid by the losing party, and if (in specific cases) the State is responsible for paying the costs, it also bears the costs of experts. Where the costs are prepaid by the State, experts' fees are also included.

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

Sources: Q20: Official statistics of the Ministry of Justice; Q23: Act LXXX of 2003 on Legal Aid

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

028. 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:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) http://njt.hu/ http://igazsagugyhivatal.gov.hu/download/4/c9/11000/aldozatsegitto_%20tajekoztato_2015jul_EN.pdf http://igazsagugyhivatal.gov.hu/aldozatsegites www.complex.hu , https://kereses.magyarorszag.hu/jogszabalykereso http://igazsagugyhivatal.gov.hu/dokumentumok-aldozatsegites www.complex.hu , https://kereses.magyarorszag.hu/jogszabalykereso www.jogszabalykereso.hu http://netjogter.hu	()
case-law of the higher court/s	(X) www.kuria-birosag.hu ; http://www.birosag.hu/ugyfelkapcsolati-portal/anonimhatarozatok-tara http://birosag.hu/ugyfelkapcsolati-portal/anonim-hatarozatoktara	()

other documents (e.g. downloadable forms, online registration)	(X) http://igazsagugyihivatal.gov.hu/download/2/c9/11000/A%2BB_%C3%A9krelemnyomtatv%C3%A1ny_%C3%A1ldozatseg%C3%ADt%C3%A9s.pdf http://birosag.hu/allampolgarok/nak/nyomtatvanyok-urlapok; http://e-ugyintezes.birosag.hu	()
--	--	-----

Comments - Please specify what documents and information the addresses for “other documents” include: “Other documents” include: downloadable forms, general information about court procedures and courts. Court users can submit complaints 24 hours a day, every day of the week, without personal appearance using an electronic form via the e-client portal (<https://e-ugyintezes.birosag.hu/>). A so-called case duration calculator is also available, allowing the clients to submit their case to the court with the shortest case duration where the court of jurisdiction can be selected. A development enables court users logged in the system to receive SMS or e-mail alerts about essential events of their cases since 2014. Using the central website of the court as an example, the courts have developed their own websites, so in 2014 all 5 regional courts of appeal and all 20 regional courts have uniform online appearance. As regards communication, courts opened towards the social media, so the NOJ and several courts have a Facebook profile.

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

- () Yes, always
 () No
 (X) Yes, only in some specific situations

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

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

- (X) Yes
 () No

Comments - If yes, please specify:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	(X) Yes () No	(X) Yes () No	() Yes (X) No

Disabled persons	(X) Yes () No	(X) Yes () No	() Yes (X) No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: The criminal procedural code contains special regulations for criminal procedures against juvenile offenders (offenders between 14-18, or in special cases between 12-18 years of age).

In cases against juvenile offenders:

- the judge and the prosecutor has a special delegation to hear these type of cases
- it is mandatory for the accused person to have a defence attorney
- the parent or legal guardian of the juvenile has every right that a defence attorney has during the procedure
- a juvenile offender can only be arrested if it is necessary according to the seriousness of the crime and the place of the arrest can also be in a special penitentiary institution for juveniles
- the court can order a closed hearing if this is necessary in favor of the juvenile
- a study of the juvenile offender's living conditions shall be obtained, it is prepared by the probation officer

If the victim or witness is a minor (under the age of 18)

- the parent or legal guardian can be present at the hearing
- any minor under 14 can only be questioned as a witness if this evidence could not be substituted with other evidence
- if the victim of a serious crime is a minor the procedure has to be dealt in a fast-track procedure
- the court can order a closed hearing if this is necessary in favor of the minor

For any vulnerable victim or witness it is available to:

- ask for their personal data to be kept secretly from other stakeholders of the procedure (even the name of a witness can be kept secretly if necessary)
- if it is needed the witness or victim can be placed under witness protection program (as a specific arrangement)
- the judge can order the accused person to leave the courtroom while the witness makes his/her testimony if the presence of the accused person would disturb the witness. The testimony later will be read to the accused person.

For disabled persons (either accused person, victim, or witness) as specific arrangement the authorities may hear them at a specific place other than the office of the authority (e.g. in their homes if it would cause serious difficulties for them to be present at the courtroom).

Ethnic minorities (either accused person, victim, or witness) may use the ethnic language during a criminal procedure free of charge (interpretation and translation shall be provided).

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

(X) Yes

() No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.):

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

(X) Yes, please specify for which kind of offences: It is entitled to state compensation if it has been committed a deliberate violent crime against the person whose bodily health and health have been severely impaired.

() No

Comments It is entitled to state compensation if it has been committed a deliberate violent crime against the person whose bodily health and health have been severely impaired.

032-1. (New question) Is a court decision necessary in the framework of the compensation

procedure?

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

036. 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 decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

2.2.2. Confidence of citizens in their justice system

037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: As a regular national survey we

have a permanent satisfaction questionnaire for court users online: <https://e-ugyintezes.birosag.hu/kerdoiv>

Parallely many courts have paper based surveys aimed at either the court staff or the court users.

Furthermore, there is an annual national level survey aimed at judges about the integrity of the judiciary.

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

Yes

No

Comments

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

3.Organisation of the court system

3.1.Courts

3.1.1.Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	111 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	157 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

	Number of courts
Total (must be the same as the data given under question 42.2)	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

Yes

No

Comments - If yes, please specify: Two new district courts will be established (one in 2017 in the city of Szigetszentmiklós, another one in 2019 in the city of Érd).

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

	Number of courts
a debt collection for small claims	111 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a dismissal	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Yes

No, please give your definition for small claims:

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[3232]

Comments

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

Sources: National Office of the Judiciary

3.2. Court staff

3.2.1. Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2811 [] NA [] NAP	871 [] NA [] NAP	1940 [] NA [] NAP
1. Number of first instance professional judges	1678 [] NA [] NAP	472 [] NA [] NAP	1206 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	1051 [] NA [] NAP	358 [] NA [] NAP	693 [] NA [] NAP
3. Number of supreme court professional judges	82 [] NA [] NAP	41 [] NA [] NAP	41 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: There are additional 35 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration), and 9 judges assigned to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	157 [] NA [] NAP	70 [] NA [] NAP	87 [] NA [] NAP
1. Number of first instance court presidents	131 [] NA [] NAP	57 [] NA [] NAP	74 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	25 [] NA [] NAP	12 [] NA [] NAP	13 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

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

Figure

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

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

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

() Yes, please give specifications on the types of cases and an estimate in percentage.

(X) No

Comments There is no such position in Hungary as “judge sitting in court on an occasional basis”.

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

	Figure
Gross figure	4440 [] NA [] NAP
In full time equivalent	[] NA [X] NAP

Comments

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

	Yes	No	Echevinage
in criminal law cases	(X)	()	()
- severe criminal cases	()	()	(X)
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	()	(X)
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()

in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify:

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

() Yes

(X) No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

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

[]

[] NA

[X] NAP

Comments

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	8003 [] NA [] NAP	1256 [] NA [] NAP	6747 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	820 [] NA [] NAP	162 [] NA [] NAP	658 [] NA [] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	897 [] NA [] NAP	120 [] NA [] NAP	777 [] NA [] NAP

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	6286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	974 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5312 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other non-judge staff", please specify: Other non-judge staff includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

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

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

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

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

Comments

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

Sources: National Office for the Judiciary

3.3. Public prosecution

3.3.1. Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1882 [] NA [] NAP	756 [] NA [] NAP	1126 [] NA [] NAP
1. Number of prosecutors at first instance level	1156 [] NA [] NAP	409 [] NA [] NAP	747 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	611 [] NA [] NAP	279 [] NA [] NAP	332 [] NA [] NAP
3. Number of prosecutors at supreme court level	106 [] NA [] NAP	59 [] NA [] NAP	47 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: Another 9 prosecutors were temporarily serving in the Ministry of Justice. They are included in the total number of prosecutors, but we did not take them into account at each level.

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	139 [] NA [] NAP	83 [] NA [] NAP	56 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	112 [] NA [] NAP	60 [] NA [] NAP	52 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	26 [] NA [] NAP	22 [] NA [] NAP	4 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

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

() Yes, please specify their number (in full-time equivalent):

(X) No

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

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

() Yes

(X) No

Comments

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

(X) Yes

() No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	2658 [] NA	[X] NA	[X] NA

Comments

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

Sources: Personal Department of the Prosecutor General's Office

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget

Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court administrative director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify: The State Audit Office audits the use of the budget of the courts.

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

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

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details:

3.6.2.Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

- number of incoming cases
- number of decisions delivered
- number of postponed cases
- length of proceedings (timeframes)
- age of cases
- other (please specify):see in comments

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

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

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments

073-0. (New question) If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

074. Are there performance targets defined at the level of the court?

Yes

No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example High Judicial Council, Higher Court)

President of the court

Other (please specify):

Comments President of the National Office for the Judiciary

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

Yes

No

Comments

078. If yes, please select the 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

number of appeals

other (please specify):

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

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments

3.6.3. Court activity and administration

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

Yes (please indicate the name and the address of this institution):The National Office for the Judiciary (Department of Statistical Data Analysis), H-1055 Budapest, Szalay utca 16.

No

Comments

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

- Yes, on internet
- No, only internally (in an intranet website)
- No

Comments

081. Are individual courts required to prepare an 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

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

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments

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

- Annual
- Less frequent
- More frequent

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

New node

4. Fair trial

4.1. Principles

4.1.1. Principles of fair trial

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

[]

[] NA

[X] NAP

Comments In "in absentia" procedures the accused person always has to be represented by a lawyer according to the criminal procedural code.

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

(X) Yes, number of successful challenges in a year NA

() No

Comments - Please could you briefly specify:

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

	Monitoring system
For civil procedures (non-enforcement)	() Yes (X) No [] NAP
For civil procedures (timeframe)	() Yes (X) No [] NAP
For criminal procedures (timeframe)	() Yes (X) No [] NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations:

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

Sources: National Office for the Judiciary

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

[X] civil cases

[X] criminal cases

[X] administrative cases

[] There is no specific procedure

Comments - If yes, please specify:



088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify:

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: In criminal cases:

In arraignment cases the court decides out of trial with a written order.

If the judgment becomes final on the first instance (because neither the prosecutor, nor the accused person, nor the attorney appeals against it), the judge is allowed to deliver the written reasoning in a shorter form.

In civil cases:

If the defendant is not present at the first hearing and he/she did not submit a written defence the court decides in favor of the petitioner according to the claim.

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

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	148425 [] NA [] NAP	870257 [] NA [] NAP	888592 [] NA [] NAP	138177 [] NA [] NAP	[X] NA [] NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	76124 [] NA [] NAP	184824 [] NA [] NAP	181849 [] NA [] NAP	79099 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	31335 [] NA [] NAP	637091 [] NA [] NAP	650977 [] NA [] NAP	25806 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	30442 [] NA [] NAP	191575 [] NA [] NAP	196915 [] NA [] NAP	25102 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	893 [] NA [] NAP	441767 [] NA [] NAP	450414 [] NA [] NAP	704 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	437387 [] NA [] NAP	445845 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	893 [] NA [] NAP	4380 [] NA [] NAP	4569 [] NA [] NAP	704 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	391 [] NA [] NAP	3749 [] NA [] NAP	3648 [] NA [] NAP	492 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	5776 [] NA [] NAP	19590 [] NA [] NAP	19539 [] NA [] NAP	5827 [] NA [] NAP	[X] NA [] NAP
4. Other cases	35190 [] NA [] NAP	28752 [] NA [] NAP	36227 [] NA [] NAP	27445 [] NA [] NAP	[X] NA [] NAP

Comments In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.1 General civil and commercial non-litigious cases: there was a change in the statistical methodology at the largest regional court that caused a difference in the figures pertaining to pending cases on 1 January 2016.

2.2.3. "other registry cases" include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming "other registry cases" increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved "other registry cases" increased also for the same period. With regard to the category "other non-litigious cases", the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

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

. 2.3. “other non-litigious cases” include court mediation and non-litigious labour cases.

Civil and commercial non-litigious cases include all of those cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure:

- exclusion of a judge,
- preliminary verification,
- issuance of a restraining order and review of that,
- declaring sy legally dead,
- revision of the medical care of mentally disordered patients,
- deposit at the court
- hearing sy on the request of another court
- etc.

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

. 4. Category "other cases" include: insolvency cases, labour cases

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	78761 <input type="checkbox"/> NA <input type="checkbox"/> NAP	394853 <input type="checkbox"/> NA <input type="checkbox"/> NAP	407657 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65957 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2463 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	40913 <input type="checkbox"/> NA <input type="checkbox"/> NAP	136403 <input type="checkbox"/> NA <input type="checkbox"/> NAP	140254 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37062 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	37848 <input type="checkbox"/> NA <input type="checkbox"/> NAP	258450 <input type="checkbox"/> NA <input type="checkbox"/> NAP	267403 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28895 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

4.2.3. Case flow management – second instance

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



	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	11410 [] NA [] NAP	51351 [] NA [] NAP	51037 [] NA [] NAP	11724 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	5607 [] NA [] NAP	16729 [] NA [] NAP	16761 [] NA [] NAP	5575 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	3889 [] NA [] NAP	27741 [] NA [] NAP	27709 [] NA [] NAP	3921 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	3443 [] NA [] NAP	25565 [] NA [] NAP	25449 [] NA [] NAP	3559 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	317 [] NA [] NAP	1619 [] NA [] NAP	1632 [] NA [] NAP	304 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	217 [] NA [] NAP	929 [] NA [] NAP	907 [] NA [] NAP	239 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	100 [] NA [] NAP	690 [] NA [] NAP	725 [] NA [] NAP	65 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	129 [] NA [] NAP	557 [] NA [] NAP	628 [] NA [] NAP	58 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	406 [] NA [] NAP	2151 [] NA [] NAP	2085 [] NA [] NAP	472 [] NA [] NAP	[X] NA [] NAP
4. Other cases	1508 [] NA [] NAP	4730 [] NA [] NAP	4482 [] NA [] NAP	1756 [] NA [] NAP	[X] NA [] NAP

Comments With regard to the pending cases, it is noteworthy specifying that the decrease of the “backlog” of the courts is an overall trend

in the Hungarian judiciary.

As for the other variations observed within the frame of question 97, the “raw” figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	7875 [] NA [] NAP	39808 [] NA [] NAP	40220 [] NA [] NAP	7463 [] NA [] NAP	12 [] NA [] NAP
1. Severe criminal cases	7838 [] NA [] NAP	39074 [] NA [] NAP	39472 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	37 [] NA [] NAP	734 [] NA [] NAP	748 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

4.2.4. Case flow management – Supreme Court



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	2428 [] NA [] NAP	7069 [] NA [] NAP	6311 [] NA [] NAP	3186 [] NA [] NAP	0 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1121 [] NA [] NAP	3301 [] NA [] NAP	2843 [] NA [] NAP	1579 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	47 [] NA [] NAP	707 [] NA [] NAP	650 [] NA [] NAP	104 [] NA [] NAP	0 [] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	38 [] NA [] NAP	626 [] NA [] NAP	596 [] NA [] NAP	68 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	8 [] NA [] NAP	47 [] NA [] NAP	21 [] NA [] NAP	34 [] NA [] NAP	0 [] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	7 [] NA [] NAP	39 [] NA [] NAP	18 [] NA [] NAP	28 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	1 [] NA [] NAP	8 [] NA [] NAP	3 [] NA [] NAP	6 [] NA [] NAP	0 [] NA [] NAP
2.3. Other non-litigious cases	1 [] NA [] NAP	34 [] NA [] NAP	33 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP
3. Administrative law cases	903 [] NA [] NAP	2030 [] NA [] NAP	2009 [] NA [] NAP	924 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	357 [] NA [] NAP	1031 [] NA [] NAP	809 [] NA [] NAP	579 [] NA [] NAP	0 [] NA [] NAP

Comments Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

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

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court

Total of criminal law cases (1+2)	284 [] NA [] NAP	1881 [] NA [] NAP	1880 [] NA [] NAP	285 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	284 [] NA [] NAP	1881 [] NA [] NAP	1880 [] NA [] NAP	285 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

4.2.5. Case flow management – specific cases



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	10682 [] NA [] NAP	27677 [] NA [] NAP	26988 [] NA [] NAP	11371 [] NA [] NAP
Employment dismissal cases	1762 [] NA [] NAP	2452 [] NA [] NAP	2882 [] NA [] NAP	1332 [] NA [] NAP
Insolvency	54 [] NA [] NAP	120 [] NA [] NAP	130 [] NA [] NAP	44 [] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	155 [] NA [] NAP	949 [] NA [] NAP	994 [] NA [] NAP	110 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	238 [] NA [] NAP	854 [] NA [] NAP	822 [] NA [] NAP	270 [] NA [] NAP

Comments With regard to the category “employment dismissal cases”, as the number of incoming cases decreased it resulted in a decrease in the other categories as well. The reason of the decrease in the number of incoming cases might be outside of the court system. With regard to the category “insolvency cases”, the methodology of data collection changed from the year 2015 to 2016. Accordingly, there is a discrepancy between the number of insolvency cases pending on 31 December 2015 and the number of insolvency cases pending on 1 January 2016.

With regard to "robbery cases" and "intentional homicide", currently the database contains some invalid data for these categories, so before solving this problem no valid data may be given.

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the

right of entry and stay for aliens:

. Asylum seekers (refugee status under the 1951 Geneva Convention) – general judicial remedy against rejection resolution: the refugee authority (Bevándorlási és Menekültügyi Hivatal – BMH) shall grant refugee status to aliens to whom Article XIV (3) of the Fundamental Law applies. As EU member, Hungary shall grant subsidiary protection status to an alien who does not qualify as a refugee but in respect of whom substantial grounds exist for believing that the person concerned, if returning to his/her country of origin would face a real risk of suffering serious harm, and is unable, or, owing to such risk, unwilling to avail him/herself of the protection of that country.

The authority's rejection resolution can be appealed through legal remedy in form of judicial supervision (article XXVIII (7) of the Fundamental Law and Section 68 of Act LXXX of 2007 on Asylum (Met.)). The court shall provide a full and ex nunc examination of both the facts and the law and shall hear asylum seekers. The assessment of an application for recognition during the authority's examination shall be based on the individual position and personal circumstances of the applicant concerned. In court procedure the same requirement shall be secured. If the court finds any administrative decision unlawful, the latter shall be abolished - with the exception of any violation of a procedural rule that does not affect the merits of the case. If it is necessary, the court shall order the refugee authority to reopen the case. The petition for judicial review shall be decided by the court - within sixty days following receipt of the petition - in contentious proceedings. If the applicant is subjected to any restriction of personal liberty, the case is heard on a priority basis.

Asylum seekers – judicial remedies against other BMH decisions (not on the merits of the case): the preliminary examination procedure conducted by the BMH shall involve an inquiry on whether the conditions for the application of the Dublin Regulations are fulfilled, whether the application is inadmissible or whether the accelerated procedure should be used. The order on the transfer of an applicant may be subject to judicial review. Also, the decision on refusing the application on the grounds of inadmissibility may be subject to judicial review, if it was adopted in the accelerated procedure. The court may not overturn the decision of the refugee authority, but it may abolish any administrative decision it finds unlawful.

In 2016 the Met. had special provisions for border procedures, airport procedures, for withdrawal of refugee status and subsidiary protection status, and for conditions for subsidiary protection and review of compliance with such conditions. Although the judicial remedies were the same as the above mentioned, the deadlines were shorter in some cases.

The right of entry and stay for aliens: the right of free movement and residence afforded in the Treaty establishing the European Community, and to ascertain equal treatment for the family members of Hungarian citizens who do not have Hungarian citizenship, are regulated in Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence (Szmtv.). The right of entry and stay of third country nationals (from countries within and outside the borders of the European Union) is regulated in Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals. Both statute based on harmonized community law, relevant regulations are implied by these two acts and lower level legislation.

Nearly all types of authority decisions are reviewable by court: all resolutions, and most of the decisions. The main difference between judicial procedures against such resolutions and the asylum cases is that the court review shall not provide for a full and ex nunc examination of both facts and points of law. The court doesn't act ex officio (except for very limited cases, e.g. when the circumstances cause invalidity), just on motions and reviews the authority's resolution in the frame set up by the petition. It is general that the court may not overturn the decision of the authority, but only abolish unlawful administrative decisions (with the exception of any violation of a procedural rule that does not affect the merits of the case). If it is necessary, the court shall order the authority to reopen the case. Most of the decisions not on the merit of the case are also appealable (the deadlines are usually limited).

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Currently, the database contains some invalid data for this type of information. Accordingly, before solving this problem, no valid data may be given.

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

. The provisions of civil procedural law shall apply to matrimonial proceedings subject to the exceptions set out in the Act III of 1952 on the Code of Civil Procedure.

Matrimonial proceedings shall cover actions for dissolution of a marriage or the annulment of a marriage, as well as actions for establishing the validity or the existence or non-existence of marriage. Special provisions for the divorce cases: the court shall examine the parties present during the first hearing. If the plaintiff fails to appear in person at the first hearing, the case shall be dismissed.

The court may attempt at any time during the proceedings to help the parties to reconcile their dispute. If during the first hearing in a divorce case the parties fail to settle their differences, the court shall postpone the hearing, and shall advise the parties of their right to request continuation of the proceedings within three months in writing, otherwise the case shall be dismissed. The court shall set the date of the next hearing thirty days after the time of submission of the application.

If dissolution of the marriage was requested jointly, or the parties have no child of minor age, the court shall proceed to hear the case on the merits during the first session.

It is an important deviation from the general rules, that the court may order the taking of evidence of its own motion where deemed necessary. If the marriage is dissolved, the court shall decide - if deemed necessary - concerning the placement and maintenance of the couple's minor children even in the absence of a claim filed therefor.

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

. The length of the proceeding is calculated similarly for every type of cases. The starting day is the day when the case (the document that starts the cases) arrives at the court. If the decision is repealed and the case continues the starting day will be still the original

arrival of the case.

4.2.6. Case flow management – public prosecution

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

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

Comments Other competencies listed among „most important” ones are

- supervision of imprisonment, detentions, protective education,
- the prosecutor is authorized to demand every civil proceeding and may take part in any ongoing civil litigation as independent party side by side with the interested party, - the prosecutor does not have the right (generally or in special cases) to manage an agreement.

106. (Modified question) Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	188732	25810	10871	162922
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to

court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Before the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
During the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	25810 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	299 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	16683 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	8828 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Q91, 94, 97, 98, 99, 100, 101, 102: National Office for the Judiciary
Q 107, 108: Statistic Department of the Prosecutor General's Office

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

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

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- Yes
- No

Comments - If yes, please specify:

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

- an authority made up of judges only
- an authority made up of non-judges only
- an authority made up of judges and non-judges

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

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

- Yes
- No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

- Yes
- No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

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

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

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

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

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

114. (Modified question) Is there a system of qualitative individual assessment of the judges’ work?

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

- statutory independent
- under the authority of the Minister of justice or another central authority
- other (please specify):

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

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

- Yes
- No

Comments - If yes, please specify: In accordance with the Fundamental Law Act CLXIII of 2011 on the Prosecution Service (Prosecution Service Act) and Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and other Prosecution Employees and the Prosecution Career (Prosecution Employment Status Act) laid down the new rules regarding the organization and employment relations of the Prosecution Service. Pursuant to the Prosecution Service Act and Prosecution Employment Status Act the Prosecutor General and the Prosecution Service perform their duties and responsibilities in accordance with the Fundamental Law, relevant Acts and laws. Prosecutors shall accept instructions only from a superior prosecutor and the Prosecutor General.

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

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

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

Yes

No

Comments - If yes, please specify:

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

Yes

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

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

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

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

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

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65-70

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

Yes, duration of the probation period (in years):3 years

No

NAP

Comments

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

Yes, please indicate the compulsory retirement age:65-70

No

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

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

Yes, duration of the probation period (in years):3 years

No

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

Yes, what is the length of the mandate (in years)?

No

Comments NAP

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

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?NAP

Comments NAP

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The National Office for the Judiciary developed the institutional strategy of the Hungarian Academy of Justice (MIA) in 2013. Its implementation resulted in strengthening the coordinating role of the MIA through the expansion of local and regional training, and to enable the judges and the judicial staff to choose from a wider range of trainings, motivating them for participation in the training courses. It is impossible to provide satisfactory training to the nearly 11,000 persons working in the judicial organisation exclusively in the central premises, so it is important to hold trainings in a coordinated way at local and regional levels of the court system with central coordination offered by the MIA. By fostering a centrally coordinated training system, in 2016 528 central trainings were organised and the number of participants was 25703.

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

Frequency of the judges training

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

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

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

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

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

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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

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

Comments

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

. NAP

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	16916 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11249 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5233734 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3480434 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	37958 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25242 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11744361 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7810001 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	16916 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11249 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5233810 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3480441 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	34750 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22820 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10957679 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7170508 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

133. Do judges and public prosecutors have additional benefits?

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

Comments

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

. Judges and prosecutors have additional benefits such as meal contribution, on-duty bonus, housing allowances, resettlement assistance, social and schooling aid, family support, scholarship, aid for training, contribution for life and pension, supplementary insurance.

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify. According to legal regulations neither professional, nor judges cannot be members of political parties and they are not allowed to carry on any political activities.

Beside their offices, professional judges may only perform scientific and educational, sport, artistic work as paid activities, but this may not jeopardise or give the impression of jeopardising their independence and impartiality, and may not prevent them from fulfilling their official responsibilities.

No authorisation is required, but the judge has to notify the president of the court about his/her activities.

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

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

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

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) or cases examination?

Yes

No

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

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):

This is not possible

Comments

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

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General / State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

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

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

Comments

5.4.2. Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other	14 [] NA [] NAP	1 [] NA [] NAP
-----------------	--------------------------------	-------------------------------

Comments - If “other”, please specify: Prosecutors: "Other" - the authority of the profession is violated or threatened by the prosecutor's conduct or behaviour

Judges: A judge commits a disciplinary breach if he/she violates the obligations stemming from his/her service relationship, or his/her lifestyle and/or his/her behaviour harms or jeopardises the reputation of the judiciary.

"Other": 11 procedures were initiated because of the violation of the obligations stemming from the judicial service; 3 procedures were initiated because of the violation of the obligations stemming from the judicial service and also breaching professional ethics.

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

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

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Prosecutors: - 2 disciplinary proceedings were completed by using a written warning that was not a disciplinary punishment.

- Other: dismissal as a disciplinary sanction

Judges:

Disciplinary sanctions that may be imposed on judges committing disciplinary breaches: reprimand, censure, demotion by one pay grade, demotion by two pay grades, exemption from the court executive position, motion for dismissal from the judge's position.

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

Sources: Prosecutors: Office of the Prosecutor General Human Resource Department
Judges: National Office for the Judiciary

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[11191]
 NA
 NAP

Comments A new act on the attorneys will enter into force, as of January 1, 2018. The next year's report will reflect the changes.

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

Yes ()
 No (X)

Comments

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

[]
 NA
 NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Dismissal cases	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Criminal cases - Defendant	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP

Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
There is no monopoly	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: Lawyers (attorneys) are the only professionals who are entitled to represent a person in legal matters and from this point of view there is a monopoly. There is no general requirement to have legal representation in court or administrative cases, this is only mandatory in certain proceedings, so from this point of view there is no monopoly.

Lawyers have a monopoly of representation of defendants in criminal cases during the whole length of proceedings. Victims may also be represented by family members.

In administrative proceedings, legal representation is not mandatory, and in general any person can represent a party who has the mandate to do so (but the limitation still applies that professionally only an attorney can represent parties). The Code of Criminal Procedure prescribes the presence of a defence attorney in the following cases: a criminal offence for which the law prescribes five or more years of imprisonment; the accused is being detained; the accused is deaf, mute, blind or – regardless of his/her legal capacity – mentally incompetent; the accused does not know the Hungarian language or the language of the proceedings; the accused is not able to personally defend himself/herself for other reasons; it is especially prescribed by law (e.g. in case of an accused minor).

The Code of Civil Procedure prescribes legal representation in the following cases: for the parties submitting an appeal against a judgment in proceedings before the Court of Appeal as well as rulings made on the merits of the case or an appeal or petition for review specified by law in proceedings before the Supreme Court; in other cases defined by law (e.g. company law). Legal representation is mandatory in civil cases before the appeal courts and the Kúria. As a general rule, a case of first instance can be brought to court directly, it is not necessary to have legal representation. Legal representation is mandatory in actions of the first instance before the general court (törvényszék), during all stages of the proceedings (including redress procedures as well), with some exceptions (e.g. the actions, from among the actions relating to rights in property under, where the amount in dispute does not exceed thirty million Hungarian Forints, approx. EUR 10,000). Legal representation is mandatory in cases in connection with appeal procedures to be conducted before higher courts, or cases when special legal expertise is required (for example IP law disputes), or when the subject of the dispute has a higher value. The rules regarding who may be an authorised representative, who is excluded from the list of possible authorised representatives and the exact rules of authorisation are laid down in the Act on the Code of Civil Procedure.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Family member	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Self-representation	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Trade union	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Other	() Yes	() Yes	() Yes
	() No	() No	() No
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

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

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

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

Comments A lawyer can also exercise the following activities: - tax consultancy;
- social security consultancy;
- financial and other business consultancy;
- patent agency;
- services of accredited consultants for public contracts;
- notifier protection.

149-2. What are the statuses for exercising the legal profession in court?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

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

- Yes
- No

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

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

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Hungarian Bar Association

Q146: Database of the Hungarian Bar Association (Magyar Ügyvédi Kamara). This figure excludes those who are currently suspending their attorney practice and the so called trainee lawyers (a trainee lawyer in Hungary is a person who has graduated from law school, works for a law firm but has not passed the BAR exam yet). The figure in Q146 also excludes the European community lawyers and the foreign legal advisors working in Hungary, however the number of such lawyers is insignificant.

Q147 and 148 Legal advisors (jogtanácsos): The fundamental task of legal advisors is to facilitate the operation of the organisation by which they are employed. Legal advisors conduct legal representation within the organisation employing them, provide legal advice and information; prepare applications, contracts and other documents; and participate in organising legal work. As a general rule, legal advisors – in contrast to attorneys – discharge their duties (which are not as extensive as those of attorneys) as employees. Legal advisors compensation is based on the regulations concerning employment. Any person entered in the register maintained by the general court – in Budapest (that is, the Metropolitan Court of Budapest) (Fvárosi Törvényszék) – can become a legal advisor.

Applicants must: - Hold citizenship in one of the member states participating in the Agreement on the European Economic Area (az Európai Gazdasági Térségrl szóló megállapodás); - Have no criminal record; Hold a university degree; - Have passed the Hungarian professional examination in law; and - Be entered in the register. Database of the Hungarian Bar Association

6.1.2. Practicing the profession

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

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules



6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

- Yes
- No

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

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

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

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

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

Comments

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	958 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	73 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	885 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: The local bar associations have conducted 885 preliminary disciplinary proceedings (this preliminary proceeding is conducted in order to clarify the facts of the case, formal sanctions are not imposed in this stage) and have initiated 73 criminal proceedings. A detailed breakdown of the reasons why the proceedings were opened are not available.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	162 [] NA [] NAP
1. Reprimand	47 [] NA [] NAP
2. Suspension	10 [] NA [] NAP
3. Withdrawal from cases	82 [] NA [] NAP
4. Fine	94 [] NA [] NAP
5. Other	0 [] NA [] NAP

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

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned: Since the year 2014 the new Civil Code introduced obligatory mediation in cases concerning child custody. In such cases the judge may order the parties to turn to a mediator and suspend the case.

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	(X) Yes () No	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No
Family law cases (ex. divorce)	(X) Yes () No	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No
Administrative cases	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Employment dismissals	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Criminal cases	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

(X) Yes

() No

Comments - If yes, please specify:

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

[174]

[] NA

[] NAP

Comments There is a continuous training for court secretaries and judges in the field of mediation so that is the reason for the increasing number. To be registered as a court mediator one must finish this training (organized by the National Office for the Judiciary).

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	919 [] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP
2. Family cases	[X] NA [] NAP
3. Administrative cases	[] NA [X] NAP
4. Employment dismissal cases	[X] NA [] NAP

Comments - Please indicate the source: National Office for the Judiciary

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

- mediation other than judicial mediation
- arbitration
- conciliation
- other ADR (please specify):

Comments Today, in Hungary there is a possibility to try to settle a legal dispute with an agreement or part of the disputed issues in any phase of a lawsuit. Our legal procedural rules do also apply conciliation and reconciliation, which provide alternatives within the litigation procedure. Moreover, in B2B disputes, our effective civil law rules stipulate mandatory negotiation: the opposing parties have to try to settle the dispute out of court before submitting the petition. (However, this may be disregarded if the parties prepare jointly minutes on the opinion difference that has arisen between them). The public administration authority procedure also knows settlement procedure that may be ordered by the authority or it may also take place if the nature of the case allows it.

From January 1, 2018, judicial mediation will also be available in Administrative cases.

G1. Please indicate the source for answering question 166:

Source: National Office for the Judiciary

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1. Functioning

169. Do you have enforcement agents in your judicial system?

- Yes
- No

Comments

170. Number of enforcement agents

- [194]
- [] NA
- [] NAP

Comments

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

- judges
- bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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

carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immoveable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

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

- Yes
- No

Comments

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

- a national body
- a regional body
- a local body
- NAP

Comments

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

- Yes
- No

Comments Fees are regulated by Decree of the Minister of Justice 35/2015 (XI.10.) IM

175. Are enforcement fees freely negotiated?

Yes

No

Comments Fees are regulated by Decree of the Minister of Justice 35/2015 (XI.10.) IM

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

Yes

No

Comments Fees are regulated by Decree of the Minister of Justice 35/2015 (XI.10.) IM

H0. Please indicate the sources for answering question 170

Source: Register of the National Order of Judicial Officers of Hungary

8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

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

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

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

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

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

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

- Yes
- No

Comments - If yes, please specify: Amendments to the Enforcements laws based on the practical experiences.
There is no distinction concerning public authorities.

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

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

Comments

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

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):

Comments

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	35 [] NA [] NAP
1. For breach of professional ethics	2 [] NA [] NAP
2. For professional inadequacy	33 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify: data are between 2015-2017

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	9 [] NA [] NAP
1. Reprimand	3 [] NA [] NAP
2. Suspension	2 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	2 [] NA [] NAP

5. Other

2

NA

NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: data are from 2016

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

Source: Register of the National Order of Judicial Officers of Hungary

8.2.Execution of decisions in criminal matters

8.2.1.Functioning of execution in criminal matters



189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

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

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9.Notaries

9.1.Profession of notary

9.1.1.Number and status of notaries



192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	316 [] NA [] NAP
Private professionals (without control from public authorities)	0 [] NA [] NAP
Private professionals under the authority (control) of public authorities	316 [] NA [] NAP
Public agents	0 [] NA [] NAP
Other	0 [] NA [] NAP

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

192-1. What are the access conditions to the profession of notary:

- diploma
- payment of a fee (e.g. purchasing office)
- co-opting of peers
- other

Comments

192-2. (Modified question) What is the duration of appointment of a notary?

- Limited duration, please indicate it in years:
- Unlimited duration

Comments

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
- in the field of mediation
- other (please specify):-issuing order for payment; -issuing European order for payment; -keeping a register of mortgages imposed on movables; -keeping a register of civil partnerships; -keeping a register of wills.

Comments

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

- in civil procedure
- in the field of legal advice
- to authenticate deeds/certificates

in the field of mediation

other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

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

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

other (please specify):

Comments

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

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Hungarian National Chamber of Civil Law Notaries and according to the 15/1991 (XI. 26.) IM Decree Subsection (1) of Section 1.

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments

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

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: National Office for the Judiciary
--

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of 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,
- "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).
- Other (please specify):

Comments

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

- Yes
- No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?) The Ministry of Justice keeps the Register (<https://szakertok.im.gov.hu/szakertok>). Technical experts may be listed upon request, provided they meet all registration criteria. Registration is valid for unlimited period of time and an expert may be stripped off from the list for causes specified by the Law on Technical Experts. Experts take oath in front of the representative of the Minister of Justice. Experts' skills are evaluated by the Chamber of Experts.

203. Is the title of judicial experts protected?

- Yes
- No

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

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

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

Comments

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

- the proceeding
- the profession of expert
- other

Comments

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

Yes

No

Comments The main legal reference is the Act XXIX of 2016 on the function of judicial expert. Besides, the Code of civil procedure provides for that if the Court does not possess that special knowledge, which is needed to judge a significant fact or other circumstances in a legal action it should invite a judicial expert. Other decrees contain rules related to the forensic operation, to the remuneration of forensic experts; to the forensic specialist areas, as well as to the related professional qualifications and other conditions, to legal education and examination rules necessary for the professional activity of judicial expert, rules on training and examination of the basics of forensic etc. All these rules can be found on the website www.magyarorszag.hu.

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

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

4000]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- If appointed by the court or other (investigating) official, the remuneration shall be based on the relevant Ministerial Decree of Experts' remuneration [(3/1986 (II. 21.) decree of the Minister of Justice on the remuneration of forensic experts)]. If appointed by the interested party, the remuneration is subject to the agreement of appointer and appointee.

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

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: The time limit for providing the technical report falls within the core competence of the trial court and is not determined by the law.

In criminal procedures the expert opinion must be submitted within 60 days that can be extended by an additional 30 days upon expert's request under fair reasons.

207. Are the courts responsible for selecting judicial experts?

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

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

No, please specify which authority selects judicial experts Ministry of Justice

Comments The Ministry of Justice is the competent authority in charge of selecting judicial experts and maintaining the register of judicial experts (<https://szakertok.im.gov.hu/szakertok>). On this website searches can be carried out for experts, expert companies, institutions on the basis of name, field of expertise, county, or for registration number, registry court. Likewise, search is possible for natural persons and legal persons on the basis of language skills, name and county of operation, or on the basis of name, abbreviated name, county.

For each specific case, the judge selects an expert from the register of judicial experts maintained by the Ministry of Justice. However, the parties may agree on an expert and submit their choice to the judge whose approval is necessary.

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

() Yes

(X) No

Comments The judge does not control the progress of investigations.

K1. Please indicate the sources for answering question 205

Sources: Ministry of Justice

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

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

1. (Comprehensive) reform plans No plans

2. Budget No plans

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) No plans

3.1. Access to justice and legal aid Current changes of the system of legal aid and victim support in Hungary mainly focus on the victims of terrorism. According to the changes legal aid and state compensation may be granted to the victims of terrorism regardless of his financial situation.

4. High Judicial Council No plans

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Continuous review and amendments of the Enforcement laws.

In 2018 will enter to force news laws:

- Act LXXVIII of 2017 on Attorneys' Activities will enter to force at 1st January 2018
- Act LX of 2017 on arbitration will enter to force at 1st January 2018

The Law on Electronic Administration (Act CXXI of 2016) mandates electronic communications between courts, prisons, prosecution offices and investigative authorities from 1 January 2018. The prosecution will send the indictment and the investigation files electronically to the court.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities In 2018 will enter to force news laws:

- Act of CXXX of 2016 on civil procedure will enter to force at 1st January 2018
- Act I of 2017 on administrative procedure will enter to force at 1st January 2018
- Act XC of 2017 on penal procedure will enter to force at 1st July 2018
- Act XXVIII of 2017 on international private law will enter to force at 1st January 2018

7. Enforcement of court decisions No plans

8. Mediation and other ADR No plans

9. Fight against crime No plans

9.1. Prison system No plans

9.2 Child friendly justice No plans

9.3. Violence against partners No plans

10. New information and communication technologies The e-government system will start in 2018. The essence of this is that public administrations, local governments, courts, public prosecutors, notaries and utilities will be required to provide electronic administration from 1 January 2018. (Government Decree 451/2016 (XII.19.) on the details of electronic administration).

11. Other No plans