



Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 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 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed 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, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

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.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



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

[620 029]

Comments The figure related to the number of inhabitants according to the 2011 population census. No new census organized in the reporting period.

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

[8 002]

Comments

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

[10 596]

[] NA

Comments

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

[1]

Allow decimals : 5

[] NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources:

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 budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to 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)	26 041 953 [] NA [] NAP	27 646 460 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	21 114 970 [] NA [] NAP	20 247 520 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	187 258 [] NA [] NAP	121 013 [] NA [] NAP

2.1 Investments in computerisation	103 019 [] NA [] NAP	64 613 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	84 239 [] NA [] NAP	56 399 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	[X] NA [] NAP	[X] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	50 392 [] NA [] NAP	21 381 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	135 481 [] NA [] NAP	14 791 [] NA [] NAP
6. Annual public budget allocated to training	28 422 [] NA [] NAP	11 399 [] NA [] NAP
7. Other (please specify)	4 525 431 [] NA [] NAP	7 230 357 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: -Differences relate to the enforcements via the Ministry of Finance (court experts and lawyers expenses) paid through enforcement procedures (e.g. bailiffs etc.)

- Other costs are other personal incomes, jubilee awards, severance payments, one time assistance payments, separate family life bonus, administrative/office material, fuel costs, energy bills, communication services, lawyer services, consulting services, banking services, licenses, insurances, employment contracts, utilities etc.

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

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

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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



	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

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

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

-- In civil proceedings, the fee is paid according to the value of the case.
 In the enforcement proceedings, the fee is paid according to the value of enforcement or security.
 In a non-contentious proceedings, criminal proceedings based on a private lawsuit, administrative dispute and insolvency proceedings of companies, a tax shall be paid at a tariff fee.
 Law on Court Fees states fee tariff for pleadings, decisions and court settlements in civil and enforcement proceedings, the amount of fees for non-contentious proceedings, the fees in proceedings on insolvency of companies, the amount of fees for pleadings and decisions in criminal proceedings conducted by private prosecution and in an administrative dispute

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

[70]

NA

NAP

Comments For claims in civil proceedings with dispute value amounting over € 500 and up to € 5,000, a fee in the amount of € 20 and 2% is payable on the difference of the amount exceeding € 500. This means that the court fee for filing a debt claim in the amount of € 3,000 would be € 70.

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

[1 028 558]

NA

NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	<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 for cases brought to court (court fees and/or legal representation)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	<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 in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

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)	108 776 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: in 2022 no separate amount for legal aid for courts was allocated, but that was a part of the budget section 4146 - lawyer services. In 2022 for legal aid the amount implemented is 108.776 Eur

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	9 207 899 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 752 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP

13.1. Annual public budget allocated to training of public prosecution services

NA
 NAP

NA
 NAP

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

A2. Please indicate the sources for answering the questions in this part

Sources:

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	54 590 196 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

	Included
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Legal aid	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

015-3. Other budgetary elements

Included

Prison system	(X) Yes () No <input type="checkbox"/> NAP
Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP
High Prosecutorial Council	(X) Yes () No <input type="checkbox"/> NAP
Constitutional court	(X) Yes () No <input type="checkbox"/> NAP
Judicial management body	() Yes (X) No <input type="checkbox"/> NAP
Service for legal representation of the State	() Yes (X) No <input type="checkbox"/> NAP
Enforcement services	() Yes (X) No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	() Yes (X) No <input type="checkbox"/> NAP
Judicial protection of juveniles	() Yes (X) No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP
Refugees and asylum seekers services	() Yes (X) No <input type="checkbox"/> NAP
Immigration Service	() Yes (X) No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No <input type="checkbox"/> NAP
Other	(X) Yes () No <input type="checkbox"/> NAP

If "Other", please specify: Centre for Training in Judiciary and State Prosecution Office
Centre for Alternative Dispute Resolution (ADR)

A3. Please indicate the sources for answering the questions in this part

Sources: .

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country.

- Free legal aid implies providing the necessary funds to fully or partially cover the costs of legal advice, drafting letters, representation in court, the State Prosecutor's Office and the Constitutional Court of Montenegro and in out-of-court dispute resolution and enforcement proceedings as well as exemption from payment of court costs. The financial situation of the applicant for free legal aid shall be determined on the basis of his/her income and property and the income and property of his family members, unless otherwise prescribed by this Law.

The body responsible for granting free legal aid is the president of the basic court, or the judge authorized by the president, in which territory the applicant has a domicile or residence. Professional and administrative tasks in the process of approving free legal aid, are organized within the Service or Office for free legal aid. The Service provides information and advice to the interested parties on the possibilities and conditions for exercising the right to free legal aid assistance and other issues related to the granting of free legal aid and assistance to the applicant when submitting the application. Free legal aid is provided by lawyers in the order from the list of the Bar Association of Montenegro, which is compiled according to local jurisdiction of the basic courts. The Bar Association shall submit the list to the Service.

Free legal aid is not provided in: 1) the procedure before the commercial courts and the procedure for the registration of the form of performing economic activity; 2) proceedings for damages in connection with defamation and insult; 3) the procedure for a lawsuit to reduce the amount of child support in the case when the person who is obliged to pay maintenance has not fulfilled that obligation, unless that obligation was not fulfilled through his fault; 4) enforcement procedure on the basis of an authentic document.

The Law on free legal aid prescribes in detail all the conditions which shall be met for exercising the right to free legal aid.

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

- Yes
 No
 NAP

If yes, please specify: Law on free Legal Aid, Article 24a: Free legal aid in the proceedings before public bailiff includes exemption from paying expenses for preparation of enforcement proposals and from paying deposit for expenses to the public bailiff. See also general comment

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

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

Comments - If yes, please specify: According to the Law on Legal Aid, Article 25, Granting any form of legal aid implies also the exemption from paying costs of proceedings stipulated in law, with the exception of the costs for defence counsels or attorney.

2.1.2 Information on legal aid

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

	Total	Cases brought to court	Cases not brought to court
TOTAL	396 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<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
In other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
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
In criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

In other than criminal cases	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please specify when appropriate:

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

- Yes
 No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	<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

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

- Yes
 No

Comment: If yes, please specify for which categories of cases:

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

- Yes
 No

Comment: If yes, please specify:

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	<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

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:

Time in days

Maximum duration prescribed in law/regulation	15 [] NA [] NAP
Actual average duration	[X] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information:

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

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

Comments - If yes, please specify:

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

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

Comments

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

(X) Yes

() No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: see general comment

023. If yes, please specify in the table:

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

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

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

Yes

No

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

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

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments president of the court or other judge he designates.

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

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: Law on Legal Aid

2.2. Court users and victims

2.2.1 Rights of the users and victims

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

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) sudovi.me gov.me	()
Case-law of the higher court/s	(X) sudovi.me	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) sudovi.me	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) sudovi.me gov.me	()

Comment - Please specify what documents and information are included in "Other documents"

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

(X) Yes, always

() No

() Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided: Though the websites of institutions. Also there are telephone lines and help lines for special categories such as victims of violence, minors etc. In person contact is also available with designated services and professionals from the relevant institutions.

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	() Yes (X) 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	() Yes (X) No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	() Yes (X) No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Persons with disabilities	() Yes (X) No	() Yes (X) No	(X) Yes () No
Juvenile offenders	() Yes (X) No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children’s Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	() Age threshold [Comment] () Capacity for discernment (X) Other [] NAP	(X) Age threshold [Comment]16 () Capacity for discernment () Other [] NAP

To be a witness	<input type="checkbox"/> Age threshold	<input checked="" type="checkbox"/> Age threshold
	[Comment]	[Comment]16 and less
	<input type="checkbox"/> Capacity for discernment	<input checked="" type="checkbox"/> Capacity for discernment
	<input checked="" type="checkbox"/> Other	<input type="checkbox"/> Other
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please specify if you selected "Other". Civil proceedings

1. Other - A minor, who has not acquired full legal capacity is legally capable within the limits within which his/her legal capacity is recognized.
2. Other - A child may be heard as a witness if the Court determines that he/she is capable to be a witness, according to the expert opinion.

Criminal proceedings

For minors and persons who are completely deprived of legal capacity, a private lawsuit shall be filled by their legal representative. Exceptionally, a minor who has reached the age of 16 may also file a private lawsuit by himself/herself.

2. Capacity for discernment - A minor who, given his/her age and mental development is unable to understand the significance of the right not to have to testify.

Age threshold - The summoning as a witness of a minor who has not reached the age of 16 is made through his/her parents, ie. legal representative, unless this is not possible due to the need for urgent action or other circumstances.

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- 14]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

[16]

[] NA

[] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

-

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

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences
- [] NAP

Comment - Please specify: The Law defines compensation for violent crimes

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

- Yes
- No

Comments The condition is that the criminal offence of violence has been reported to the police or prosecution not existence of the court decision.

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences
- [] NAP

Comment - Please specify: The Law defines compensation for violent crimes

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

- Yes
- No

Comments The condition is that the criminal offence of violence has been reported to the police or prosecution not existence of the court decision.

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences

Comment - Please specify: The Law defines compensation for violent crimes

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

() Yes

(X) No

Comments The condition is that the criminal offence of violence has been reported to the police or prosecution not existence of the court decision.

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?

() Yes

(X) 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: ad hoc basis

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

(X) Yes

() No

Comments - If yes, please specify:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

(X) Yes

() No

Comment - If yes, please specify: According to the Law, a prosecutor for minors must be a person who gained special knowledge in the area of the child rights and minors in criminal proceedings. Also, for the purpose of provision of assistance, a specific expert services are organised within the high courts and Supreme State Prosecutor's Office. These expert services are comprised of employees of specific professional backgrounds such as social workers, psychologists, pedagogues etc. which may provide expert opinions, information and other assistance to the minors in criminal proceedings. These services cooperate with relevant institutions.

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

(X) Yes

() No

Comment - If necessary, please specify: See general comments. Prosecutor can decide to discontinue the case (drop charges) until the end of the main hearing. Injured person in that case has the right to continue the prosecution as a private prosecutor.

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (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	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP	52 200 <input 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/detention	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 813 <input 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 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 - 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):

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other court	<input type="checkbox"/>	<input type="checkbox"/>
Ministry of Justice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
High Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

Comments

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Victims recognised as such by the court	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Perpetrators of criminal offences	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

Yes

No

If yes, please specify:

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2 Total number of specialised courts - legal entities	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 1.1 First instance courts of general jurisdiction - legal entities = Basic Courts

1.2 Second instance courts of general jurisdiction - legal entities = 2 High Courts and Appellate court

1.3 Highest instance courts of general jurisdiction - legal entities = Supreme Court

2 Total number of specialised courts - legal entities = Administrative Court, Commercial Court and 3 Offense courts

043. Number of specialised courts – legal entities.

First instance	Higher instances
-----------------------	-------------------------

Total number of specialised courts - legal entities	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify: High Misdemeanor Court, Misdemeanour Court in Podgorica, Budva and Bijelo Polje

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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)

16
 NA
 NAP

Comments There are 25 courts on 16 geographic locations.

Podgorica (Basic court, Administrative court, Commercial court, High court, Appellate court, Supreme court, Misdemeanour court, High misdemeanour court) Bijelo Polje (Basic court, High court, Misdemeanour court)

Basic courts: Ulcinj, Bar, Cetinje, Kotor, Herceg Novi, Nikši, Žabljak, Pljevlja, Danilovgrad, Kolašin, Berane, Plav, Rožaje

Budva: Misdemeanour court

C. Please indicate the sources for answering the questions in this part

Sources: Law on Courts

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 posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	263 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112 <input type="checkbox"/> NA <input type="checkbox"/> NAP	151 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance professional judges	184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP	102 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	63 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court professional judges	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above: some of the judges were retired and in the meantime new judges were elected

=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

Yes

No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<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

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Temporary reduction of the working time / special leave	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other measures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care

- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	263 <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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
First instance	184 <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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Second instance	63 <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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Supreme Court	16 <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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

If "Other", please explain which types of cases:

=

047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance court presidents	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court presidents	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

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

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

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

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

() No

[X] NAP

Comments

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

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

Comments

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

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	()	()
Criminal cases (misdemeanour and/or minor)	()	()	()
Family law cases	()	()	()
Labour law cases	()	()	()
Social law cases	()	()	()
Commercial law cases	()	()	()

Insolvency cases	()	()	()
Other civil cases	()	()	()

NAP

Comments - If "Other civil cases", please specify:

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

() Yes

(X) No

Comments

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

Criminal cases

Other than criminal cases

Comments

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

[]

NA

NAP

Comments

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1 110 <input type="checkbox"/> NA <input type="checkbox"/> NAP	283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	827 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	687 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP	629 <input type="checkbox"/> NA <input type="checkbox"/> 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)	134 [] NA [] NAP	52 [] NA [] NAP	82 [] NA [] NAP
4. Technical staff	127 [] NA [] NAP	58 [] NA [] NAP	69 [] NA [] NAP
5. Other non-judge staff	162 [] NA [] NAP	115 [] NA [] NAP	47 [] NA [] NAP

Comments - If "Other non-judge staff", please specify:

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

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	1 110 [] NA [] NAP	283 [] NA [] NAP	827 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	865 [] NA [] NAP	238 [] NA [] NAP	627 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	210 [] NA [] NAP	38 [] NA [] NAP	172 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	35 [] NA [] NAP	7 [] NA [] NAP	28 [] NA [] NAP

Comments

=

053. If there are Rechtspfleger (or similar bodies), please specify in which fields 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
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

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

Yes

No

Comments

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

IT services

Training of staff

Security

Archives

Cleaning

Other types of services (please specify):

Comments - If “Other types of services”, please specify: For the maintenance and optimal conditions of our data center, we've engaged a specialized firm to handle the storage of critical equipment as a preventive measure against incidents(including servers and storage...). Our engagement with external vendors also covers the maintenance of generators, air conditioning, alarm, and fire suppression systems. For the Commercial Court, due to space constraints, an external vendor has been contracted for archiving and digitizing old case files. This activity is specific only for the Commercial Court and does not apply to other courts.

NA

C1. Please indicate the sources for answering the questions in this part

Sources: Judicial Council Secretariat

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 posts actually filled.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	103 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of prosecutors at Supreme Court level	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP



=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. At Supreme Court level	<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

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

Adjustment of working time or conditions with or without reduced remuneration

Temporary reduction of the workload	() Yes (X) No
Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? For child care - parental leave there is no reduction in the legal period of one year after a birth of the child, and it means a full leave from work.

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify:
- NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	17 [] NA [] NAP	8 [] NA [] NAP	9 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	13 [] NA [] NAP	6 [] NA [] NAP	7 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- () Yes
- (X) No

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

057-1. If yes, please provide the number (in full-time equivalent):

- []
- [] NA

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

Yes

No

NAP

Comments

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

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify

=

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	270 <input type="checkbox"/> NA	77 <input type="checkbox"/> NA	193 <input type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply: According to internal organization and systematization acts in state prosecutor’s offices, there are employees with the following titles: secretary, head of cabinet, advisor, chief, head of registry office, independent advisor I, independent advisor II, independent advisor III, senior advisor I, senior advisor II, senior advisor III, advisor I, advisor II, advisor III, independent clerk, clerk, senior employee, employee and trainee.

C2. Please indicate the sources for answering the questions in this part

Sources: .

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: Decisions of the Judicial Council shall be final and unless otherwise provided by the present Law, an administrative dispute may be

initiated against them. When making a decision on the appointment of judges and court presidents, the Judicial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

The similar regulation is a part of the Law on State Prosecution: When making a decision on the appointment of judges and court presidents, the Prosecutorial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify: Decisions of the Judicial Council shall be final and unless otherwise provided by the present Law, an administrative dispute may be

initiated against them. When making a decision on the appointment of judges and court presidents, the Judicial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

The similar regulation is a part of the Law on State Prosecution: When making a decision on the appointment of judges and court presidents, the Prosecutorial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	(X) Yes If “yes”, please specify:[Comment]see comment () No
Head of prosecution services	(X) Yes If “yes”, please specify:[Comment]see comment () No

Comments Decisions of the Judicial Council shall be final and unless otherwise provided by the present Law, an administrative dispute may be

initiated against them. When making a decision on the appointment of judges and court presidents, the Judicial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

The similar regulation is a part of the Law on State Prosecution: When making a decision on the appointment of judges and court presidents, the Prosecutorial Council shall take into account the proportional representation of minorities and other minority communities and gender balanced representation.

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

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

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

The promotion of non-judge staff	()	(X)
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Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

3.4.3 At court/public prosecution services level

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

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

Comments - Please specify the details of this person/institution, in particular its titles and function:

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

have been already implemented (please specify) :

are planned (please specify) :

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

[X] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- [] Recruitment procedures, please specify:
- [] Appointment to the position of court president, please specify:
- [] Appointment to the position of head of prosecution services, please specify:

Promotion procedures and access to the functions of responsibility, please specify:

Other studies, please specify:

NAP

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

Yes

No

Comments <https://www.gov.me/en/documents/7af1b58d-a6aa-4e62-8de2-75979dd42d0c>

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify)

NA

NAP

Comments Administration for Enforcement of Criminal Sanctions, Ministry of Public Administration

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

Yes

No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify

NA

[] NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS



062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

Yes

No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Security and risk management	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA

Other, please specify in comments 	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
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Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify creation of new internal rules and work procedures
- NA
- NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments

SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA

Comments Courts sometimes receive certain documents via email from parties, lawyers or expert witnesses but there is no statistical data for these option.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input checked="" type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA

Comments Certain information about the specific case such as dates and places of scheduled hearings, acting judges, parties etc. are available at the website sudovi.me

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Certain information about the specific case such as dates and places of scheduled hearings, acting judges, parties etc. are available at the website sudovi.me Access available for citizens, parties, general public

Format - online via website sudovi.me E.G. scheduled hearings at the link <https://sudovi.me/sdvi/rocista>

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA
-----------------	---	---

Comments Regarding remote hearings, the equipment for remote hearings is not available in the courtrooms or offices, but that is provided by the Secretariat of the Judicial Council in each particular situation. In civil cases remote hearings are mostly organised in the inheritance proceedings and in criminal matters mostly before the specialized unit of the High Court. In administrative matters there are no remote hearings. We are not able to provide statistics for the remote hearings, but hope that will be able in future period.

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

	Functionalities	Modalities
Civil	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

Comments

ELECTRONIC ARCHIVES

062-18. If electronic archives of cases exist, what are the deployment and usage rates?

Deployment rate	Usage rate
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Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Civil	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
Administrative	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA

Comments As for the writing assistance, e.g. templates are used in courts, but there is no statistical data available on usage and deployment rates

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA

Comments There are tools that may be used for recording of court hearings but no statistical data available

062-26. If a tool to record court hearings exist, please specify its functionalities:

Functionalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
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Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments Notice: In the CMS are stored all court decisions except those from misdemeanor courts. However, it should be noted that at the website of courts final judgements are published, and with with anonymization. So it is about percentage of final decisions. It is also important to know that some types of court decisions are not published regardless of anonymization, e.g. decision on minors and similar categories with the privacy sensitive aspects.

The percentage of decisions published bz the supreme court is around 85%

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe. After becoming final, anonymized judgements are published at the website <https://sudovi.me/sdvi/odluke> available on search.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

Comments When it comes to a statistical tools, CMS is able to generate predefined statistical reports, control screens, other tools etc. but we are not able to define percentage of use or deployment. However we can say that these possibilities are being used by all courts and instances.

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

Yes, please specify the maximum value

No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

Small claim litigation

Undisputed claim

Payment order

Misdemeanour criminal cases

Enforcement of civil cases

Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-36. If yes, please specify the following information:

The computerised record includes biometric data (ex. fingerprint data, picture)

The computerised record is linked to other European records of the same nature (ex. ECRIS)

The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)

The content is directly available for purposes other than criminal (ex. civil and administrative matters)

The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

Yes

No

Comment: If yes, please provide details on the purposes and usage of this system.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

Yes

No

Comment: If yes, please list and describe these ICT tools.

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

3.6.2 Measuring court/public prosecution services

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

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

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

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

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

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

Yes

No

Comments

073-2. If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments

=



079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

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

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3 Information regarding courts /public prosecution services activity

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

- Yes (please indicate the name and the address of this institution):
- No

Comments

080-1. Are the statistics on the functioning of each court published?

- Yes, on the internet (please provide the link)
- No, only internally (on an intranet website)
- No

Comments

=

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

- Yes (please indicate the name and the address of this institution):
- No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet (please provide the link)

No, only internally (on an intranet website)

No

Comments

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

- Annual
- Less frequent
- More frequent

Comments

3.6.4 Performance and evaluation of judges and public prosecutors

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

- Yes
- No

Comments

083-1. Who is responsible for setting these 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):
- NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment]indirectly, not meeting a target can under a certain condition pose a severe disciplinary offence which can result with dismissal.
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

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

	Existence of a system of individual evaluation of the judges' work
Quantitative	(X) Yes () No
Qualitative	(X) Yes () No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: Criteria are: expert knowledge general capability for performing a judicial function.

Competent authority for carrying assessment is Commission for Evaluation, formed by the Judicial Council.

Purpose of evaluation: to measure level of expertise, quantity and quality of work, ethical aspects and need for training as well as for promotion to a court of higher instance.

114-1. Please specify the frequency of this evaluation:

- () Annual
- (X) Less frequent
- () More frequent
- () Different frequencies used, please specify:
- [] NAP

=

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

- (X) Yes
- () No

Comments As regards to quantity of work, the state prosecutor shall be evaluated "not satisfactory" if the results of work are more than 20% below average benchmarks for quantity of work in particular category of cases which are determined by Prosecutorial Council according to the size of subject prosecution office, and unless a prosecutors do not provide justified reasons for that.

083-3. Who is responsible for setting these targets for each public prosecutor?

- [] Executive power (for example the Ministry of Justice)
- [] Prosecutor General /State public prosecutor
- [X] Public Prosecutorial Council
- [] Head of the organisational unit or hierarchically superior public prosecutor
- [] Other (please specify):
- [] NAP

Comments

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment]if quantitative targets are not met it can indirectly lead to disciplinary responsibility and possible dismissal. <input type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input type="checkbox"/> NAP

Comments

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

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: General criteria are: expert knowledge general capability for performing a prosecutorial function.

Competent authority for carrying assessment is Commission for Evaluation, formed by the Prosecutorial Council.

Purpose of evaluation: to measure level of expertise, quantity and quality of work, ethical aspects and need for training as well as for promotion to a prosecutor's office of higher instance.

120-1. Please specify the frequency of this evaluation:

- Annual
 Less frequent
 More frequent
 Different frequencies used, please specify:
 NAP

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: Law on State Prosecution Service

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial

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

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

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

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	2 765 [] NA [] NAP
The total number of recusals pronounced in the reference year	2 705 [] NA [] NAP

Comment - 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?

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

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

086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

[X] For civil cases

For criminal cases

For administrative cases

NAP

Comments

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

Sources: Judicial Council, relevant legislation

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

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

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

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

Yes

No

Agreement on general arrangements	()	(X)
Agreement in specific cases	()	(X)

Comments



4.2.2 Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	29 500 [] NA [] NAP	41 465 [] NA [] NAP	30 049 [] NA [] NAP	40 535 [] NA [] NAP	4 646 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	18 887 [] NA [] NAP	22 160 [] NA [] NAP	18 992 [] NA [] NAP	21 677 [] NA [] NAP	4 223 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1 319 [] NA [] NAP	3 570 [] NA [] NAP	3 404 [] NA [] NAP	1 485 [] NA [] NAP	252 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1 041 [] NA [] NAP	2 596 [] NA [] NAP	2 474 [] NA [] NAP	1 163 [] NA [] NAP	170 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	278 [] NA [] NAP	974 [] NA [] NAP	930 [] NA [] NAP	322 [] NA [] NAP	82 [] NA [] NAP

3. Administrative law cases	9 040 [] NA [] NAP	13 341 [] NA [] NAP	5 287 [] NA [] NAP	17 092 [] NA [] NAP	140 [] NA [] NAP
4. Other cases	254 [] NA [] NAP	2 394 [] NA [] NAP	2 366 [] NA [] NAP	281 [] NA [] NAP	31 [] NA [] NAP

Comments The significant increase of administrative cases is predominantly generated due to the high number of initiated cases before the Administrative Court against the decisions of the public authorities. This is also related to the application of the Law on Free Access to Information and there have been high number of requests towards the authorities (institutions) for free access to information which ended by decisions against which the complaints are not allowed or there have been requests which remained unanswered, the institution did not decide on request or complaint in the administrative procedure. According to the Law on Administrative dispute, such or similar situations provide legal basis that administrative dispute may be initiated, which means a law suit to the Administrative court may be filed. In practice, many law suits were initiated by different subjects such as civil society organizations dealing with promotion of the right to free access to information, citizens or legal persons.

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

<p>. Basic and commercial courts deal with:</p> <ul style="list-style-type: none"> - Civil cases (P) - Civil cases - small value (Mal) - Complex non-litigious cases (Rs) - Other civil and non-litigious cases (R) - Legacy cases (O)

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

<p>. Basic and commercial courts</p> <ul style="list-style-type: none"> - Execution cases (I)
--

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	40 070 [] NA [] NAP	75 005 [] NA [] NAP	60 720 [] NA [] NAP	52 136 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	2 428 [] NA [] NAP	3 543 [] NA [] NAP	3 304 [] NA [] NAP	2 656 [] NA [] NAP	371 [] NA [] NAP

2. Misdemeanour and / or minor criminal cases	18 532 [] NA [] NAP	52 755 [] NA [] NAP	40 349 [] NA [] NAP	30 695 [] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	19 110 [] NA [] NAP	18 707 [] NA [] NAP	17 067 [] NA [] NAP	18 785 [] NA [] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Higher inflow (number of received cases by misdemeanour courts due to the fact in practice that the subject with jurisdiction of issuing misdemeanour orders (fines) were using the legal possibility to initiate misdemeanour proceedings before the courts instead. That led to higher inflow of cases which reflected to the number of unresolved cases. This was mainly the issue related to the slowdown of public procurance system (major cyber attacks etc.) in the refence year and a lack of relevant forms for issuing misdemeanour orders (fines).

4.2.3 Case flow management – second instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	2 044 [] NA [] NAP	9 452 [] NA [] NAP	8 415 [] NA [] NAP	3 044 [] NA [] NAP	964 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 762 [] NA [] NAP	8 077 [] NA [] NAP	7 155 [] NA [] NAP	2 649 [] NA [] NAP	938 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	53 [] NA [] NAP	210 [] NA [] NAP	190 [] NA [] NAP	73 [] NA [] NAP	26 [] 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)	40 [] NA [] NAP	160 [] NA [] NAP	151 [] NA [] NAP	49 [] NA [] NAP	17 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	220 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 011 <input type="checkbox"/> NA <input type="checkbox"/> NAP	316 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	56 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	296 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 439 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 871 <input type="checkbox"/> NA <input type="checkbox"/> NAP	863 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 463 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 198 <input type="checkbox"/> NA <input type="checkbox"/> NAP	477 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	84 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 976 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 673 <input type="checkbox"/> NA <input type="checkbox"/> NAP	386 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify: During 2021 the High Court in Podgorica operated with 6 judges less. In the same year there were no new appointments to fill the missing judicial positions in the court. That affected the efficiency of the court, which is the one with the highest number of criminal cases in the second instance.

4.2.4 Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	1 126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 002 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 720 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 406 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 016 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	877 [] NA [] NAP	873 [] NA [] NAP	685 [] NA [] NAP	1 065 [] NA [] NAP	994 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	28 [] NA [] NAP	18 [] NA [] NAP	23 [] NA [] NAP	23 [] NA [] NAP	20 [] 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)	28 [] NA [] NAP	16 [] NA [] NAP	23 [] NA [] NAP	21 [] NA [] NAP	18 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	0 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP	2 [] NA [] NAP	2 [] NA [] NAP
3. Administrative law cases	220 [] NA [] NAP	1 109 [] NA [] NAP	1 011 [] NA [] NAP	316 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	1 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP	2 [] NA [] NAP

Comments - If "Other cases", please specify By decision of the Judicial Council in August 2021, the function of the acting president and 5 judges of the Supreme Court ended, so the Supreme Court at the end of 2021 remained with 6 judges out of 19 (including president). This situation significantly affected workload and as a consequence the backlog of cases increased.

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

(X) Yes, please indicate the number of cases closed by this procedure: not possible

() No

Comments

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	13 [] NA [] NAP	143 [] NA [] NAP	151 [] NA [] NAP	5 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	10 [] NA [] NAP	24 [] NA [] NAP	33 [] NA [] NAP	1 [] 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
3. Other criminal cases	3 [] NA [] NAP	119 [] NA [] NAP	118 [] NA [] NAP	4 [] NA [] NAP	0 [] NA [] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify section 2. does not include misdemeanour cases, no such cases before Supreme Court

Other cases can be: cases upon requests to expedite the proceedings (the control request) and a claim for just satisfaction, cases of solving issues of jurisdiction etc.

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases 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	Pending cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	330 [] NA [] NAP	1 089 [] NA [] NAP	934 [] NA [] NAP	455 [] NA [] NAP	27 [] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	351 [] NA [] NAP	635 [] NA [] NAP	510 [] NA [] NAP	476 [] NA [] NAP	107 [] NA [] NAP
Robbery case	29 [] NA [] NAP	39 [] NA [] NAP	34 [] NA [] NAP	34 [] NA [] NAP	6 [] NA [] NAP
Intentional homicide	35 [] NA [] NAP	21 [] NA [] NAP	8 [] NA [] NAP	48 [] NA [] NAP	23 [] NA [] NAP

Comments

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101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	33 [] NA [] NAP	26 [] NA [] NAP	41 [] NA [] NAP	18 [] NA [] NAP	0 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Law on International and Temporary Protection of Foreigners governs the principles, conditions, and procedures for granting international and temporary protection to a foreigner seeking international protection; the rights and duties of a foreigner seeking international protection, an asylee, a foreign granted subsidiary protection, a granted temporary protection; as well as the conditions and the procedure for the withdrawal and cessation of asylee status, subsidiary and temporary protection. This Law shall apply from 1 January 2018.

- Asylum shall be granted to a foreigner seeking international protection, who is outside the country of his origin, and owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.

- The procedure upon an application for international protection, as well as the reception and accommodation of a foreigner seeking international protection, temporary protection, subsidiary protection shall be conducted by the state administration authority responsible for internal affairs (Ministry of the Interior).

- The tasks regarding the accommodation and reception of a foreigner above shall be carried out by the Ministry through its unit for providing accommodation to foreigners seeking international protection (the Reception Centre). The tasks regarding the accommodation of asylees, foreigners granted subsidiary protection and foreigners granted temporary protection shall be carried out by the state administration authority through its unit for providing help for integration of these persons into society.

- The Ministry of the Interior decides on the asylum application. Against the decision of the Ministry a lawsuit can be filed to the Administrative Court.

The procedure for granting asylum is a administrative procedure and body of the state administration charged with interior affairs shall conduct the procedure in the first instance, receive applications and take decisions on applications, conduct the procedure and take decisions on the cessation and revocation of asylum and perform other tasks. The State Asylum Appeals Commission shall adjudicate appeals lodged against decisions of the first-instance body. The State Commission shall take a decision on each appeal by a majority of votes of the total number of members, within two months from the day on which the appeal was lodged, unless a shorter period is provided by this Law. The State Commission is made up of a president and four members. The president, deputy president and members of the State Commission shall be appointed by the Government of the Republic of Montenegro (hereinafter: Government) for a four-year term. An administrative dispute can not be initiated against the decision of the second-instance body.

The Law on Aliens regulates conditions for the entry, movement and the work of aliens and the conditions of stay and work. An administrative dispute may be started against an administrative or other act that has been passed in second instance before the Administrative Court of Montenegro. An administrative or other act may be disputed: in the case of violation of the codes of procedure, in the case of inaccurate and incomplete establishment of the facts; in the case of inaccurate application of the material law. The complaint shall be accepted, or refused as unsubstantial by a judgment. If the complaint is accepted, the Administrative Court shall nullify the disputed act. When found that the disputed act shall be nullified, the Administrative Court may, if the character of affairs allows so and if the established facts offer a reliable ground for it, settle the matter by a judgment, under the rules stated in Law

on Administrative Dispute. Against the legally binding decision of the Administrative Court the following extraordinary legal remedies may be submitted: a request for exceptional reconsideration of a court decision and request for repeat of the procedure. The request for extraordinary reconsideration of a court decision shall be decided on by the Supreme Court in a panel of three judges, in a non public session, The request for extraordinary reconsideration of a court decision may be filed in the following cases: violation of the material law; violation of the codes of procedure in the administrative dispute, which might affect the deciding on the matter. Upon request for a repeat of the procedure decides Administrative Court, in a panel of three judges, in a non-public session. A procedure concluded by a judgment or a decision shall be repeated upon request of a party: if the party discovers new facts, or finds or acquires the possibility to use new evidence, on which grounds the dispute might be settled more favorably for him/her, had these facts, i.e. evidence been put forward or used in the previous court procedure; if the court decision was reached due to a criminal act of the judge or an employee of the court, or the decision was achieved by deceit of the representative or attorney of the party, his/her opponent or the opponent's representative or attorney, and such a proceeding represents a criminal act; if the decision had been based on a judgment passed in a criminal or civil matter, and this judgment was later cancelled by another legally binding court decision; if a

document, on which the decision is based, was false or altered falsely, or if a witness, assessor or party, has given a false statement during the hearing before court, and the court decision is based on that statement; if a party finds or acquires the possibility to utilize an earlier decision passed in the same administrative dispute; if an interested party had not been granted the possibility to participate in the administrative dispute; if the decision of the Administrative Court contradicts the judgment of the European Court of Human Rights in the same matter.

Ministry of the Interior:

Law on International and Temporary Protection of Foreigners governs the principles, conditions, and procedures for granting international and temporary protection to a foreigner seeking international protection; the rights and duties of a foreigner seeking international protection, an asylee, a foreign granted subsidiary protection, a granted temporary protection; as well as the conditions and the procedure for the withdrawal and cessation of asylee status, subsidiary and temporary protection.

The tasks regarding the accommodation and reception of a foreigner above shall be carried out by the Ministry through its unit for providing accommodation to foreigners seeking international protection (the Reception Centre).

The decision on the restriction or deprivation of the right to reception in cases referred to (if: fails to stay at the Reception Centre he has been assigned to; leaves the Reception Centre for more than 24 hours without permission; has the means to afford an adequate standard of living; violates the rules of stay and house rules at the Reception Centre;) shall be issued by the Ministry of interior.

Administrative dispute may be initiated before the Administrative Court against the decision referred to within eight days from the receipt of the decision.

The Ministry of the Interior also issues a decision which may impose measures in order to limit the freedom of movement of a foreigner seeking international protection, in cases prescribed by law. Administrative dispute may be initiated before the Administrative Court against the decision referred to within three days from the receipt of the decision.

The Law on International and Temporary Protection of Foreigners defines the following institutes of European legislation: acts of persecution; perpetrators of persecution; reasons for exclusion; safe country of origin; safe third country; a secure European third country; border procedure. This law implements the standards of international humanitarian law and human rights standards in the development and implementation of reception policy and the need to create a safe and dignified environment for foreigners seeking international protection, recognizes the need to establish and apply fair and expeditious international protection procedures, so that those who need international protection and those for whom this is not the case are identified in a timely manner. As in previous normative decisions, the State Commission for Resolving Asylum Appeals was a second-instance body for dealing with appeals filed against decisions of the Ministry of the Interior; in line with international standards in the field of international and temporary protection of the right to an effective remedy provided by the judiciary, this law introduced judicial protection, i.e. the right to file a lawsuit with the Administrative Court, against decisions made in the first instance, thus ensuring compliance with these standards.

processed by first instance courts.

	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
Child sexual abuse	8 [] NA [] NAP	9 [] NA [] NAP	4 [] NA [] NAP	13 [] NA [] NAP	2 [] NA [] NAP
Child pornography	4 [] NA [] NAP	7 [] NA [] NAP	6 [] NA [] NAP	5 [] NA [] NAP	1 [] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system:

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. 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 investigation phase in criminal cases as well as 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 length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 32 [] NA [] NAP	336 [] NA [] NAP	75 [] NA [] NAP	0 [] NA [] NAP	348 [] NA [] NAP	_____ Allow decimals : 2 69 [] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 6 [] NA [] NAP	137 [] NA [] NAP	42 [] NA [] NAP	0 [] NA [] NAP	139 [] NA [] NAP	_____ Allow decimals : 2 0 [] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 51 [] NA [] NAP	318 [] NA [] NAP	65 [] NA [] NAP	0 [] NA [] NAP	335 [] NA [] NAP	_____ Allow decimals : 2 0 [] NA [] NAP
Insolvency cases	_____ Allow decimals : 2 7 [] NA [] NAP	240 [] NA [] NAP	7 [] NA [] NAP	0 [] NA [] NAP	240 [] NA [] NAP	_____ Allow decimals : 2 2 [] NA [] NAP
Robbery cases	_____ Allow decimals : 2 61 [] NA [] NAP	182 [] NA [] NAP	84 [] NA [] NAP	0 [] NA [] NAP	208 [] NA [] NAP	_____ Allow decimals : 2 0 [] NA [] NAP

Intentional homicide cases	Allow decimals : 2	509	81	0	542	Allow decimals : 2
	71 [] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	0 [] NA [] NAP

Comments

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

. The length of the proceedings shall be counted from the moment when the judge is designated with a single case until the moment of hand in.

4.2.6 Case flow management – public prosecution

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

- to conduct or supervise investigation
- 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):in comments

Comments In accordance with the Criminal Procedure Code, the state prosecutor issues a binding order or directly manages the activities of the law-enforcement competent authority during the preliminary investigation stage and files request for the protection of legality against the final decision and, also concludes plea agreements with the accused after gathering evidence in accordance with law.

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

=

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	9 004 [] NA [] NAP
2.Incoming/received cases	11 681 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	8 853 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	3 508 [] NA [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	501 [] NA [] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	2 671 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	222 [] NA [] NAP
3.1.4 Discontinued for other reasons	114 [] NA [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	853 [] NA [] NAP
3.3.Cases brought to court	4 492 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	13 137 [] NA [] NAP

Comments

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	187 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	133 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	54 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Statistics of cases are shown per number of persons reported for criminal offences.

109. Do the figures provided in Q107 include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: Prosecutorial Council

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges



110. How are judges recruited?

through a competitive exam (open competition)

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

other (please specify):

Comments Judicial Council is an independent body regulates appointment and termination of office of judges in Montenegro. Article 128 of the Constitution of Montenegro states the jurisdiction of the Judicial Council. Article 28 of the Law on Judicial Council states that judges and Presidents of the Courts are elected on the bases of public announcement. The candidates' applications shall be submitted to the Judicial Council within 15 days as of the day of the public announcement. Article 32 of the Law determines criteria for elections of judges to be appointed for the first time, namely: 1. Acquired knowledge with established sub criteria; 2. Ability to perform judicial function on the basis of established sub criteria; 3. Worthiness to perform judiciary function being valued based on established sub criteria. For judges to be elected for the first time, the law prescribes the written examination of candidates by the Commission. Written examination shall be anonymous, and potential questions can be found on the Judicial Council website. After the written examination conducted, interviews shall be organized with the candidates who passed the written test. Members of the Judicial Council evaluate candidates based on the interview, applicants' documentation and opinions, applying the criteria and sub-criteria from Article 32, 32a and 32b of the Law on Judicial Council and shall fill out standardized candidate assessment forms, which they submit to the Commission. The Commission establishes the average number of points, based on the evaluation of each member of the Judicial Council. Based on an average score, the Commission makes a list of candidates for election to be submitted to the Judicial Council for decision - making. The Decision on the Selection the Judicial Council issues a secret ballot and the same has to hold a written statement of reasons. Each candidate shall have the right to inspect his documentation, as well as a written test, the opinion and the final grade of other candidates who have applied for the selection of the judge within 30 days from the date after the decision. The decision of the Judicial Council on the election of a judge is final and an administrative dispute can be initiated against it. The Judicial Council publishes an internal notice for filling vacancies of judges on its website. The right to apply for an internal vacancy shall have judges who want to be permanently allocated to another court of the same or lower instance. The Judicial Council shall form a list of candidates for deployment from paragraph 2 of this Article, according to the results of the work in the last three years, or according to the evaluation of the work performed by the judge in accordance with this Law. The Judicial Council on the basis of a list of candidates referred to in paragraph 3 of this Article, shall decide on the assignment of judges to another court of the same instance, taking into account the needs of the court in which a judge performs a judicial function and court in which it is seconded.

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. Judicial Council is an independent body regulates appointment and termination of office of judges in Montenegro. Article 28 of the Law on Judicial Council states that judges and Presidents of the Courts are elected on the bases of public announcement. The candidates' applications shall be submitted to the Judicial Council within 15 days as of the day of the public announcement. Article 32 of the Law determines criteria for elections of judges to be appointed for the first time, namely: 1. Acquired knowledge with established sub criteria; 2. Ability to perform judicial function on the basis of established sub criteria; 3. Worthiness to perform judiciary function being valued based on established subcriteria.

For judges to be elected for the first time, the law prescribes the written examination of candidates by the Commission. Written examination shall be anonymous, and potential questions can be found on the Judicial Council website. After the written examination conducted, interviews shall be organized with the candidates who passed the written test. Members of the Judicial Council evaluate candidates based on the interview, applicants' documentation and opinions, applying the criteria and sub-criteria from Article 32, 32a and 32b of the Law on Judicial Council and shall fill out standardized candidate assessment forms, which they submit to the Commission. The Commission establishes the average number of points, based on the evaluation of each member of the Judicial Council. Based on an average score, the Commission makes a list of candidates for election to be submitted to the Judicial Council for making decision.

Judicial Council issues a secret ballot and the same has to hold a written statement of reasons. Each candidate shall have the right to inspect his documentation, as well as a written test, the opinion and the final grade of other candidates who have applied for the selection of the judge within 30 days from the date after the decision. The decision of the Judicial Council on the election of a judge is final and an administrative dispute can be initiated against it.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: bar exam

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

Total	Males	Females

Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	67 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments 67 judges were elected in 2022 Of that number, 17 candidates were elected for the first time as a judge. Other figures are related to the promotions and election of the court presidents.

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", 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/authorities made up of judges and non-judges
- Other

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

111-1. How many members compose this authority?

	Total	Males	Females
Members	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

Yes

No

Comments - No, please specify which authority is competent for promoting judges

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

Competitive test / Exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: public call and determined vacant judicial positions

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	42 <input type="checkbox"/> NA	26 <input type="checkbox"/> NA	16 <input type="checkbox"/> NA

Comments

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

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”):
interview by the judicial council

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

Has an independent status as a separate entity among state institutions

Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the executive power (without functional independence)

Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.).Furthermore, if "mixed model" or "other", please specify.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

Yes

No

Comments - If yes, please specify:

115-2. If they are prohibited by law or other regulation, are there exceptions?

Yes

No

NAP

Comments - Please describe these exceptions:

115-3. Which authority can issue such specific instructions?

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify:

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

115-5. In that case, are the instructions:

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

115-6. What is the frequency of this type of instructions:

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

=

116. How are public prosecutors recruited?

- through a competitive exam (open competition)
- through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- other (please specify):public call

Comments Law on State Prosecutor's Office, Article 57 - Advertising vacancies:

Vacant posts of state prosecutors in basic state prosecutor's office shall be filled in on the basis of the internal advertisement for voluntary reassignment of state prosecutors from one basic state prosecutor's office to another.

If a vacant post of the state prosecutor is not filled in according to paragraph 1 of this Article, state prosecutors in basic state prosecutor's offices shall be elected on the basis of a public advertisement. Vacancies of the state prosecutors in the basic state prosecutor's offices on the level of Montenegro shall be advertised by the Prosecutorial Council in the Official Gazette of Montenegro and in one of the printed media based in Montenegro.

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. Prosecutorial Council publishes call, determines the existence of requirements, conducts exams and interviews. Publishes the list of candidates and decides on the selection.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)

- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: bar exam

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	57 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	24 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments

116-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If "other", please, specify:

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
- Other

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

117-1. How many members compose this authority?

	Total	Male	Female
Members	11 [] NA [] NAP	7 [] NA [] NAP	4 [] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: Law on State Prosecution Service

Composition of the Prosecutorial Council

Article 18

Prosecutorial Council shall have a president and ten members.

The Supreme State Prosecutor shall be the President of the Prosecutorial Council.

Members of the Prosecutorial Council shall be:

- 1) four state prosecutors who have a permanent position and at least five years of work experience in performing the prosecutorial function, of which three from the Supreme State Prosecutor's Office, Special State Prosecutor's Office and higher state prosecutor's offices, and one from basic state prosecutor's offices elected and dismissed by the Conference of State prosecutors;
- 2) four eminent lawyers elected and dismissed by the Parliament of Montenegro (hereinafter referred to as the Parliament), at the proposal of the competent working body;
- 3) one representative of the state administration body responsible for judicial affairs (hereinafter referred to as the Ministry of Justice), appointed by the Minister of Justice from among the employees of the Ministry of Justice;
- 4) one eminent lawyer as a representative of non-governmental organizations in the field of rule of law, work of the state prosecutor's office or fight against corruption and organized crime, proposed by non-governmental organizations that meet the requirements of this law, and elected and dismissed by the Parliament.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

Yes

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

Comments

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

Competitive test / exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: public call, interview

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the

number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	13 [] NA	[X] NA	[X] NA
Number of promoted persons	5 [] NA	[X] NA	[X] NA

Comments

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

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

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

5.1.3Mandate 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:66
- No

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

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

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards):
- No

Comments

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

- Yes, duration of the probation period (in years):
- No

Comments

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

Yes, please indicate the compulsory retirement age:

No

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

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

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

No

Comments

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

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

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: .

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 a court)	<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 judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" 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 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
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<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 on gender equality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other in- service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

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

In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<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:

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 128 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Comments

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

	Frequency of the in-service training
General in-service training	<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 in 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 (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training on gender equality	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<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:

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 128 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

5.2.3 Training institutions

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

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

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

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	374 440 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Out of the total amount of the implemented budget of the Centre for Training in Judiciary and State Prosecution (CTJSP) stated in the table above, the funds in amount of 21,296.00€ come from the donation - THE GRANT AGREEMENT BETWEEN THE COUNCIL OF EUROPE AND THE CENTRE FOR TRAINING IN JUDICIARY AND STATE PROSECUTION OF MONTENEGRO. Note: The amount of 240.540,51 € represents financial support from international and domestic partners for training activities organized in cooperation with the CTJSP). The total amount includes also donor support.

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

. nap

5.2.4 Number of trainings

131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	71 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75 <input type="checkbox"/> NA <input type="checkbox"/> NAP	135 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
For judges	67 <input type="checkbox"/> NA <input type="checkbox"/> NAP	71 <input type="checkbox"/> NA <input type="checkbox"/> NAP	128 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
For prosecutors	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	104 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
For non-judge staff	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
For non-prosecutor staff	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - In cooperation with HELP Programme for the Western Balkans and Turkey, Council of Europe (The European Programme for Human Rights Education for Legal Professionals), the Centre organized 2 (two) HELP e-learning courses and participated in 1 (one) regional HELP online course:

- The first HELP online course – e-learning (21 February to 21 April 2022) - The total of 40 participants successfully completed this course (in effective duration of 12 hours) - 8 judges, 3 state prosecutors, 12 advisors from courts, 3 advisors from state prosecution offices, 3 trainees from courts, 2 candidates for judges, 4 candidates for state prosecutors, 2 lawyers and 3 representatives of the Ministry of Justice and Human and Minority Rights of Montenegro.

- The second HELP online course - e-learning (21 September – 21 November 2022) - The total of 38 participants successfully completed this course (in effective duration of 18 hours) – 7 judges, 1 state prosecutor, 11 advisors from courts, 5 trainees from courts, 1 candidate for a judge, 3 lawyers, 6 representatives of the Ministry of Justice of Montenegro, 3 representatives of LGBTQ organizations and 1 representative of the Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).

- The regional HELP online course (29 March – 29 May 2022) organized by the Council of Europe HELP Programme and the United Nations High Commissioner for Refugees (UNHCR) – the participants herein attended separate courses in relation to the country they come from, which were translated into all languages of the Western Balkan countries and adapted to respective national legislation. The total of 11 participants successfully completed this course – 2 judges, 3 advisors from courts, 2 trainees from courts, 2 representatives of the Ministry of Justice of Montenegro, 1 representative of the Notary Office in Cetinje and 1 representative of the Ministry of Finance and Social Welfare.

The Centre participates in the activities offered by the European Judicial Training Network (EJTN) despite its status of an observer.

During 2022, owing to the Centre’s role of an intermediary and the invitation to participate in training activities, 19 representatives of the Montenegrin judiciary (14 judges, 2 state prosecutor, 2 trainees from courts and 1 advisor from a court) participated herein. These training activities encompassed 6 one-hour online seminars, 1 two-and-a-half-hour online seminar, 1 two-day online workshop, 2 two-day virtual study visits to the ECtHR and 1 in-person seminar.

- Finally, in 2022, owing to the role of the Centre as an intermediary and the invitation to participate in online training activities and face-to-face activities organised by foreign partners (at the regional and European level), the total of 108 representatives of Montenegrin judiciary participated in 38 training activities (51 judges, 15 special prosecutors, 18 state prosecutors, 13 candidates for a judge, 4 advisors from Special State Prosecution Office, 4 advisors from state prosecution offices, 1 advisor from a court and 2 trainees in courts). –

PLEASE NOTE : This number DOES NOT include unique participants. Note: (comment ref. column 5) In total, 16,5 training days: (3 HELP courses: two 12-hour courses (4 training days) and one 18-hours course (3 training days) + EJTN two-day online workshop (2 training days), 2 EJTN two-day virtual study visits to the ECtHR (4 training days), 1 EJTN two-day in-person seminar (2 training days) + 6 one-hour online seminars and 1 two-and-a-half-hour online seminar (1 and a half training day))

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	1 242 [] NA [] NAP	[] NA [X] NAP
Judges	801 [] NA [] NAP	[] NA [X] NAP
Prosecutors	306 [] NA [] NAP	[] NA [X] NAP
Non-judge staff	77 [] NA [] NAP	[] NA [X] NAP
Non-prosecutor staff	58 [] NA [] NAP	[] NA [X] NAP

Comments In addition, as per the column one 121 other participants (representatives of state institutions, law enforcement officers, lawyers, etc) undergone through training. Comment: The participants in the training activities also included other legal professionals, i.e. the representatives of the Ministry of Justice (and Human and Minority Rights), notary public offices, the Ministry of Finance and Social Welfare, LGBTQ organizations and Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman). Note: (comment ref. column 3 - Total): The total of 108 participants in training activities includes: 31 judges, 6 prosecutors, 42 non-judge staff (3 candidates for judges + 27 advisors from courts + 12 trainees from courts), 7 non-prosecutor staff (4 candidates for state prosecutors + 3 advisors from state prosecution offices), 22 legal professionals from other public institutions (5 lawyers, 11 the Ministry of Justice (and Human and Minority Rights) + 1 notary public offices + 1 the Ministry of Finance and Social Welfare + 3 LGBTQ organizations + 1 Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman).

E2. Please indicate the sources for answering the questions in this part

Sources: .

5.3.Practice of the profession

5.3.1Salaries 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	19 557 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 167 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	32 864 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 678 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	18 310 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 840 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	32 650 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 150 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

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

Comments

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

. Special allowance, salary supplements for work in commissions and other bodies (source: Judicial Council)
 All state prosecutors in the Special and Supreme State Prosecutor’s Office, as a result of their work on specific tasks in cases of organized crime, corruption, moneylaundering terrorism and war crimes, are entitled to a special allowance in the amount of 45% compared to the basic salary, and from December29,2022 of 60%. Also, state prosecutors exercise the right to an increase in salary for each hour spent on "standby" and "on-call" time. (source: Prosecutorial Council)

[] NAP

=

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

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

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

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

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

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

() Yes

(X) No

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

5.3.2 Body/institution of ethics

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

(X) Yes

() No

Comment - Please specify:

138-1. If yes, who are the members of this institution/body?

() Only judges

(X) Judges and other legal professionals

() Other, please specify:

Comments

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

Yes

No

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

138-2-1. How many guidelines and/or opinions were given during the reference year?

[1]

NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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

Yes

No

Comment: Please specify

138-4. If yes, who are the members of this institution/body?

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments

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

Yes

No

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

138-5-1. How many guidelines and/or opinions were given during the reference year?

[0]

NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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 replies possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

- High Judicial Council
- Disciplinary court
- Disciplinary 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 replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary 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 replies possible)?

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

Comments

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

- Supreme Court
- Head of the organisational unit or hierarchical superior

- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	37 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Related to the failure to report property and income related to the legislation on prevention of conflict of interest.

Remark- 14 initiated proceedings for ethical responsibility are not related to disciplinary proceedings. That is why the total number would not match. Proceedings related to disciplinary and ethical responsibility are not under the same statistics of disciplinary proceedings. These are not the same processes. But we have corrected totals

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

	Judges	Prosecutors
Total number (total 1 to 10)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	[] NA [X] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	[] NA [X] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP
10. Dismissal	0 [] NA [] NAP	0 [] 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. Some of the proceedings are still ongoing.

E3. Please indicate the sources for answering the questions in this part

Sources: Annual reports of the Judicial and Prosecutorial Council

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	980 [] NA	628 [] NA	352 [] NA

Comments

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

Yes ()

No (X)

Comments

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

[]

[] NA

[X] NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP
Dismissal cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP
Criminal cases – Defendant	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP
Criminal cases – Victim	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP
Administrative cases	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP	() Yes always () Yes in some cases (X) No [] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

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

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

Comments - If "other", please specify. In addition, for the categories selected please specify 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 (please specify):

Comments

149-2. Professional lawyers may have the status of:

- 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 - Please indicate if there are other specific requirements as regards diplomas or university degrees: State bar exam, lawyers exam organised by bar association

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

- Yes
- No

Comments

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

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Bar association, legislation, previous cycle responses

6.1.2 Practicing the profession of lawyer

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 standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments There is a official regulation called Fees of Lawyers or Lawyer's Tarrif.

6.1.3 Quality standards and disciplinary procedures for lawyers

157. Have quality standards been determined for lawyers?

Yes

No

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

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

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):disciplinary Court of the Bar Association

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)	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: 5) failure to return court files to the client
6) inappropriate behavior in court proceeding

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	1 [] NA [] NAP
5. Other	0 [] NA [] NAP

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

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

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

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

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

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: As explained in the previous question general comment, in accordance with new Law on ADR and Amendments to the CPC.

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

Private mediator	Public authority (other than the court)	Judge	Public prosecutor

Civil and commercial cases	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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
Family cases	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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
Administrative cases	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Labour cases including employment dismissals	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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

Comments

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

Yes

No

NAP

Comments - If yes, please specify:

=

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

	Total	Males	Females
Number of mediators	201 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	141 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. Requirements and procedure for granting mediators with licence is defined by the Law on Alternative Dispute Resolution (art. 39 and 41)

Licence for the work of mediators shall be granted to the person:

- 1) who holds Montenegrin nationality or nationality of a Member State of the European Union;
- 2) who holds the VIII level of educational qualification;
- 3) who has general health capacity;
- 1) who has minimum five years of work experience in the jobs where the VIII level of education qualification is required;

2)who completed a training programme for mediators; 3)who has not been convicted of any offence which makes him unworthy of conducting mediation; 4)who has not been imposed security measure which involved prohibition to take up occupation, perform activity or duty;

5)against whom no criminal proceedings are conducted for the criminal offence for which prosecution is initiated ex officio. The training for mediators is organized and delivered by the Centre for ADR, after which the Centre issues a certificate on completed training referred to in paragraph 1 item 5 of this Article. The program of training referred to in paragraph 1 item 5 of this Article, the manner of implementing the training and the template for the certificate on completed training shall be stipulated by the Ministry of Justice. The person who meets requirements set out in Article 39 paragraph 1 of this Act, shall be granted with operating licence for mediator by the Ministry of Justice. Licences are issued for a five-year period and they may be extended by the same period in accordance with this Act.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6 + 7)	3 074 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 074 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 397 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	2 395 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 395 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 967 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	154 <input type="checkbox"/> NA <input type="checkbox"/> NAP	154 <input type="checkbox"/> NA <input type="checkbox"/> NAP	102 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	490 <input type="checkbox"/> NA <input type="checkbox"/> NAP	490 <input type="checkbox"/> NA <input type="checkbox"/> NAP	297 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other cases	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: Report on the work of the ADR Centre;

Also, the total number of received requests for mediation in 2022 is 10773. At the end of 2022 there were 2625 cases are pending.

=

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

Mediation other than court-related mediation

Arbitration

Conciliation (if different from mediation)

Other ADR (please specify):

Comments Early Neutral Assessment of a dispute is the procedure where, on the basis of the parties' agreement, a dispute evaluator gives his assessment of the facts and law elements of their dispute.

Arbitration is regulated by the Law on Arbitration.

There is also peaceful resolution of conflicts in the area of labour etc.

G1. Please indicate the sources for answering the questions in this part

Source: .

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals under the authority (control) of public authorities	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. 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 - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

diploma

professional experience

specific exam

appointment procedure by the State

initial training

other

Comments - If "other", please specify:

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

Yes, please indicate the age of retirement: 66

No, please specify the duration of the appointment:

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

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cohabitant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify:

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

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of movable tangible properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" 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, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizures of boats and ships	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

171-3. Apart from 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 or public auctions of moveable or immovable property
- Custody 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

8.1.3 Training and ICT

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

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- Yes
- No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

- Yes
- No

Comments - Please explain:

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

- Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Chamber of Bailiffs of Montenegro

8.1.5 Organisation of profession and efficiency of enforcement services



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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

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

unethical behaviour of enforcement agent

other (please specify):

Comments

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

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

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

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

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

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

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

H1. Please indicate the sources for answering the questions in this part

Source: Law on Enforcement and Security
Law on Bailiffs

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 replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- 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, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	61 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2. Holders of public offices appointed by the State	61 [] NA [] NAP	22 [] NA [] NAP	39 [] NA [] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): clean criminal record, citizen of Montenegro or EU

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement: 66
- no, please specify the duration of the appointment:

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

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible)?

	Please select one option
Authentication	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

Real estate transaction

Family law

Succession law

- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify)
- None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<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
Business registry	<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
Civil status/ Population registry	<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

Succession / Family law registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Any other registry (please specify)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
None	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments

=

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

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

- Yes
- No

Comments

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

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments Chamber of Notaries is a professional body

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

Yes

No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

II. Please indicate the sources for answering the questions in this part

Sources: Chamber of Notaries, Law o Notaries

10.Judicial experts

10.1.Profession of judicial expert

10.1.1Status of judicial experts

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

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

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

202-1-2. Are these lists publicly available?

- Yes, available on the internet
- Yes
- No

Comments

202-2. Which authority is competent for the registration of judicial experts?

- Ministry of justice
- Courts
- Administrative body
- Independent body (association of judicial experts)
- Other

Comments - Please also specify the registration criteria:

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

- Yes, for how long 6 years
- No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

- Yes
- No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

- Yes
- No

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

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

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

Comments

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

- judicial proceedings
- the profession of expert
- other

Comments

=

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	745 <input type="checkbox"/> NA <input type="checkbox"/> NAP	487 <input type="checkbox"/> NA <input type="checkbox"/> NAP	258 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

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

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the court/judge	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Freely agreed between expert and the parties	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	()	(X)

[] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

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

() Yes

(X) No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

[X] Selection processes

[X] Initial or continuous training

[] Disciplinary procedures

[] NAP

Comments The Law on Judicial experts provides that association may organise trainings.

K1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice, Law on Judicial Experts

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: Adoption of the Judicial Reform Strategy 2024-2027 planned in 2023 (This will be a continuation of the long term reform process which started on the year 2000. The Strategy and relevant action plan will cover specific reform goals and activities for the purpos of improving efficiency, professionalism, independence and other important aspects of judiciary as well as keep up the pace of the whole rule of law reform agenda in the scope of EU accession process) Adoption of the Judicial Digital Transformation Strategy 2024-2027 planned in 2024 with the aim of improving all aspects of efficiency of judiciary and related institutions. Strategy will include all relevant aspects such as case management system and related aspects.

Adoption of the Strategy for Execution of Criminal Sanctions 2023-2026 planned in 2023

Adoption of the Program for Alternative dispute resolution 2023-2025 planned in 2023 (New 2 year strategic document creating crucial principles of development of the ADR system)

208-2. Budget

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: Courts and prosecution services were recognised as a separate budget entities in the overall state Budget for 2022. Thus, the relevant provisions of the Law on Courts and Law on Prosecution were implemented. That is also a part of the whole reform process, as a contribution to the independence and autonomous position of judiciary and state prosecution service.

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts,

management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Amendments to the law on Judicial Council and Judges planned in 2023 Amendments to the Law on State Prosecution Service planned in 2023

There is ongoing work on renovation and reconstruction of the buildings of certain courts and prosecution offices and similar activities for other buildings planned. There is ongoing work on the development of Judicial Network Rationalisation plan. In the meantime the existing analysis of the needs for rationalisation of the judicial network has been revised and updated.

208-4. Access to justice and legal aid

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Amendments to the Law on Free Legal Aid planned in 2024. There is ongoing work on amendments to the Law on Free Legal Aid with the aim to provide right to free legal aid to vulnerable groups such as victims of torture, victims of sexual criminal offences, children seeking protection of the right of the child etc.

208-5. High Judicial Council (competent for judges and/or prosecutors)

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Amendments to the law on Judicial Council and Judges planned in 2023 Amendments to the Law on State Prosecution Service planned in 2023. Both law on Judicial Council and Law on Prosecution are planned to be amended with purpose of improving work of Judicial and Prosecutorial councils and selection of heir members.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Amendments to the Law on Enforcement and Security for the purpose of further harmonisation with the EU regulations planned. Amendments to the Law on Judicial Council and Judges are planned to improve the provisions related to

ethical and disciplinary responsibility of judges, selection of judges an court presidents, relocation and secondment of judges as well as evaluation of judges. In 2023 the amendments to the Law on Prosecution are planned with the same goal.

As well as alignment with the relevant Venice Commission recommendations

208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments to the Criminal Procedure Code planned

Amendments to the Law on Mutual Legal Assistance in Criminal Matters planned.

Amendments to the Law on Misdemeanours planned in 2023

Amendments to the Law on Judicial Cooperation in Criminal matters with the EU members states planned (application upon membership to the EU)

Government adopted the Law on ratification of the Second Protocol on Enhanced Cooperation and disclosure of electronic evidence (Budapest Convention)

The Hague Convention on the recognition and enforcement of foreign judgements in civil or commercial matters signed in April 2023

Accession to the Hague Convention on the International Protection of adults planned.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments to the Law on Enforcement and Security for the purpose of further harmonization with the EU regulations planned

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Adoption of the Program on Alternative Dispute resolution 2023-2025 planned

208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments to the Criminal Procedure Code planned

Amendments to the Criminal Code planned

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Adoption of the Strategy for Execution of Criminal Sanctions 2023-2026 planned

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: This category is being considered within the goals of the upcoming Judicial Reform Strategy.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments to the Law on Protection from domestic violence planned

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Adoption of the Judicial Digitalisation Strategy 2024-2027 planned in 2023

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: