

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



Norway

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

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

Objective :

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

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

Instruction :

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

- User manual
- Explanatory note

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

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

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[5258317]

Comments

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

	Amount
State or federal level	174969241134 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Same amount that we have reported to Eurostat

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

[65747]

Comments

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

[57387]

NA

Comments

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

[9.0543]

Allow decimals : 5

NAP

Comments The Central Bank of Norway

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

Sources: The Royal Norwegian Ministry of Finance

Statistics Norway (Statistisk sentralbyrå)

The Central Bank of Norway (Norges Bank)

1.1.2. Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	235000000 [] NA [] NAP	[X] NA [] NAP
1. Annual public budget allocated to (gross) salaries	157000000 [] NA [] NAP	[X] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	14800000 [] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	[] NA [X] NAP	[] NA [X] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	43900000 [] NA [] NAP	[X] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[] NA [X] NAP	[] NA [X] NAP
6. Annual public budget allocated to training	2600000 [] NA [] NAP	[X] NA [] NAP
7. Other (please specify)	13600000 [] NA [] NAP	[X] NA [] NAP

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

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

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

Comments:

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

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions? Pursuant to the Court Fee Act section 10, court fees do not have to be paid in certain cases. Section 10 applies for instance to paternity cases and cases concerning parental responsibility. Pursuant to the Free Legal Aid Act section 24 and 25 legal aid also includes relief of the court fee. Under certain provisions the court fee is relieved although legal aid is refused.

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

- Pursuant to the Court Fee Act, the methodology of calculation of court fees is based on a fixed basic court fee, which is frequently adjusted by law (currently, it is equivalent to approximately 110 EURO). The Court Fee Act then defines how many basic court fees the plaintiff has to pay depending on the case category and the length of court hearings.

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

[]

[X] NA

[] NAP

Comments The Court fee for debt recovery depends on whether the plaintiff already has legal basis for execution (judgment, contract, statement from creditor et cetera) or not. The court fee in execution cases is 1,85 x the Court Fee, which currently amounts to NOK 860 = NOK 1591. The court fee for civil law suit in general is the Court Fee x 5 = NOK 4300, but the Court Fee x 3,5 = NOK 3010 in small claim cases (value below NOK 125 000).

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

[41000000]

[] NA

[] NAP

Comments Please note that the Ministry 18 December 2016 decided to increase the court fees from 860 NOK to 1025 NOK. In addition, please note that other fee income previously was reported under another post in the state budget, but is now reported under chapter 3410, post 01 Court fees. These two components explains the increase. Unfortunately, we do not have the possibility to adjust previous numbers or the reported number to make the numbers comparable.

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)	161000000 [] NA [] NAP	96000000 [] NA [] NAP	65000000 [] NA [] NAP

12.1 for cases brought to court	<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 non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<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 It's difficult to distinguish between expenses for legal aid in cases brought to court and for expenses for legal aid in cases not brought to court.

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)	<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	<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 non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<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 - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences:

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	27966712 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27966712 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences: Please be informed that there has been an increase in the allocation to the public prosecutors. This is due to a political priority.

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level courts
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Supreme Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
High Judicial Council	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: The proposal for the state budget is submitted to the Ministry of Finance before it is further submitted to the Parliament. Preparation of the courts budget is partly done by the Norwegian Courts Administration (NCA). Management and allocation of budget between courts is done by the NCA. The Office of Auditor General is responsible for evaluation and revision, whereas the NCA also is responsible for the use of the court budget.

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

Sources: The Ministry of Justice, Civil Department and the Norwegian Courts Administration

1.1.3. Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	1769005666 [] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: We agree that it is difficult to validate Q15-1, and we share the frustration as we cannot recollect what perimeters lies behind the number we reported in 2013. However, when we use the same perimeters as we have for 2017 for the years 2013, 2014, 2015 and 2016 we can compare the development in costs using Norwegian kroner (NOK). As the table show, there has been an actual increase in the budget allocated to the whole justice system in NOK. The amount in NOK is converted to euro by the exchange rate of 1st of January each year. As you also will see, the number for 2013 in this table is much lower than what we reported in the scheme for 2013. Our conclusion is therefore that the number from 2013 must be flawed. The amount reported in 2013 correspond with some deviation to

the total amount of the Ministry of Justice in 2013 (4,076 bill. euro), comprising every entity (not just the judicial system). We therefore recommend using the 2017 number as base.

Allocated/implemented Budget:Kap-post20172016201520142013

400-01494 247 000339 827 000341 411 000349 404 000372 942 000

4102 409 565 0002 139 592 0001 888 479 0001 780 989 0001 745 603 000

41184 425 00075 023 00074 846 00073 946 00072 889 000

414268 741 0002 436 838 000216 307 000203 328 000189 292 000

4304 838 695 0004 347 077 0003 980 001 0003 886 769 0003 768 828 000

432189 372 000186 247 000185 295 000182 386 000167 684 000

440-25219 621 000115 000 000445244 538 000210 979 000191 205 000162 990 000150 130 000

4661 087 943 000956 792 0001 209 588 0001 087 349 000989 150 000

470736 278 000765 120 000799 444 000790 952 000713 335 000

471192 437 000157 195 000152 765 000202 884 000138 052 000

472390 013 000361 611 000400 814 000481 906 000434 543 000

47346 568 00042 160 00042 554 00042 958 00039 414 000

474122 833 000108 649 00096 417 00093 367 00076 815 000

47583 802 00082 387 00072 927 00082 974 00083 229 000

4904 279 096 0007 988 687 0003 301 234 0004 038 117 0003 260 497 000

491328 934 000278 667 000279 824 000294 050 000291 941 000

NOK16 017 108 00020 591 851 00013 233 111 00013 754 369 00012 494 344 000

EURO1 769 005 665,80 2 140 747 582,901 463 515 925,70 1 636 937 697,101 707 460 744,80

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

	Included
Court (see question 6)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Legal aid (see question 12)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Public prosecution services (see question 13)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments:

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

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

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

Comments - If "other", please specify:

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

Sources: The Royal Norwegian Ministry of Justice and Public Security, Department of Administration and Finance.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

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

Comments

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

(X) Yes

() No

Comments - If yes, please specify: Legal aid regarding a specific case foresees the exoneration of the court fees of the case.

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

(X) Yes

() No

Comments - If yes, please specify: In some cases can legal aid be granted to cover fees related to provisional security and enforcement of judgements.

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	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments - If yes, please specify: Criminal cases: The accused person may have the travel costs covered by the court in case the person is not capable of covering the costs. The State covers expenses related to interpretation and translation of documents.

Civil cases: The state covers inter alia expenses related to the use of experts in child custody proceedings.

2.1.2. Quantitative information on legal aid

Q20. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	48200 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27889 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	39600 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In other than criminal cases	8600 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27889 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: The calculation is based on how many individuals who has benefitted from legal aid in court cases. The definition of a criminal case here is in line with how this is understood in Q94 (ECHR article 6). This means that legal aid in pre trial detention cases are not included.

Cases not brought to Court, includes cases brought before the County Social Welfare Boards. The Boards are a state body and serve as a tribunal. Decisions made by the boards are impartial and pursuant to the Child Welfare Act, the Act Relating to Municipal Health and Care Services, and the Act Relating to the Control of Communicable Diseases.

Q21. 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify: In criminal cases, accused individuals are entitled to be assisted by a free of charge lawyer, regardless of their financial situation. An exception is however made for certain smaller cases, typically cases regarding violation of traffic regulations.

Victims are entitled to be assisted by a free of charge lawyer in certain cases, e.g. cases regarding violence.

Q22. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

Yes

No

Comments

Q23. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Full legal aid for other than criminal cases	27169 [] NA [] NAP	11044 [] NA [] NAP
Partial legal aid for criminal cases	[] NA [X] NAP	[] NA [X] NAP
Partial legal aid for other than criminal cases	27169 [] NA [] NAP	11044 [] NA [] NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: A division is made between matters that are prioritized and matters that are not. Typical prioritized matters are cases regarding children, family and immigration law. In other cases without priority, free legal aid may be granted as an exception if the case seen from an objective point of view, is especially pressing for the applicant.

In addition, a division is made between matters that are subjective to means testing and matters that are not. Cases regarding compulsory mental health care and cases regarding the child welfare authorities are examples where legal aid is granted without means testing.

The income limits which determine whether a person is eligible for means tested legal aid was € 27 169 for a household of one, and € 40 754 for a household of two. It is possible to apply for legal aid if you have an income over the income limits.

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

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid: Pursuant to the Legal Aid Act Section 16, legal representation can be refused if it is considered unreasonable for the assistance to be paid for by public funds.

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

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments The Court can grant or refuse legal aid if the case is being tried in Court. But if the case is not brought in to the Court yet, an authority external to the Court (the County Governor), can grant legal aid.

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

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? Home and care insurance may cover legal expenses, but this is mainly applied to litigation relating to the insured object.

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

Judicial decisions direct how legal costs will be shared

in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

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

Sources: The Royal Norwegian Ministry of Justice and Public Security and the Norwegian Courts Administration.

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

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

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.lovdata.no	()
case-law of the higher court/s	(X) www.lovdata.no, www.hoyesterett.no, www.domstol.no	()
other documents (e.g. downloadable forms, online registration)	(X) www.blanketter.no, www.brreg.no, www.altinn.no	()

Comments - Please specify what documents and information the addresses for "other documents" include: Please note that only the newest case law of the higher courts is available online free of charge. But public instances, e.g. judicial libraries, offers access free of charge to the databases containing all the case law of the higher courts.

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

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: Criminal cases: In criminal cases the prosecuting authority shall send a copy of the indictment and the summary of evidence to the defence counsel together with documents relating to the case. Within a time-limit set by the prosecuting authority, the defence counsel shall return the documents relating to the case with a statement of what evidence they will produce. The procedural rights for victims were strengthened by law on the 7th of March 2008. The Government introduced an obligation for the police authority and the public prosecutors to inform victims of specific crimes about the development in the case, including the timeframe of the proceedings. This obligation applies in particular to victims of sexual offences, serious violence, domestic violence, forced marriage, human trafficking and genital mutilation. These victims may also be assisted by a counsel. The amendments entered into force on 1st of July 2008.

Civil cases: Its fixed time-limits for the procedure. From the case is submitted to court until a decision is made in the first instance, the

time-limit is 6 months for cases following the general process, and 3 months for the small claim process.

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

Yes

No

Comments - If yes, please specify: There are public offices, Norwegian Services for Victims of Crime, that provide assistance and information to victims of crime free of charge. As specified under question 32, some victims are also netitled to a council free of charge to assist them with matters concerning the criminal case, e.g. compensation etc.

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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<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
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<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
Disabled persons	<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
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify: Victims of rape, human trafficking and FGM are entitled to the assistance of counsel if she or he desires, cf. the Criminal Procedure Act Section 107 a.

The spouse, relatives in direct line of ascent or descent, siblings and equeally close relatives by marriage of the person charged are exempted from the duty to testify, cf. the Criminal Procedure Act Srction 122. The exemption does not include children under the age of 12.

According to the Criminal Procedure Act Section 245, the court may decide that the person charged, or other persons, shall leave the court room during the examination of the aggrieved person or of a witness under 18 years of age, if for special reasons this is in the best interest of the aggrieved person or the witness.

If a person charged is under 18 years of age, his guardian shall also have the rights of a party to the case, cf. the Criminal Procedure Act Section 83.

In some serious criminal cases, such as sexual felonies, domestic violence, homicide etc., shall examination of a witness who is under 16 years of age, or a witness who is mentally retarded or similarly handicapped be conducted in special "Children houses", performed by qualified police investigator specially trained un interviewing these persons. The same procedure may also be used in other criminal matters when the interest of the witness so indicate.

The The Juvenile Sentence is a non-custodial sanction for young offenders between 15 and 18 years of age, who have committed serious and/or repeated offences. It entered into force on the 1st of July 2014. This penal sanction is an alternative to a custodial sentence which is

based on a restorative process. The sentence may vary in length from six months up to three years maximum, and is executed by the Mediation Service (Konfliktrådet) instead of the Correctional Service.

To ensure a coherent chain of individualised sanctions, The Norwegian Parliament (Stortinget) concurrently adopted another diversionary sanction for young offenders, so-called Youth/Juvenile Follow-up may be imposed at the local prosecutorial level for a duration of up to one year and is also executed by the Mediation Service (Konfliktrådet).

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

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.): Criminal proceedings: Minors can be party to criminal proceedings from the age of 15.

Civil proceedings: The Dispute Act section 2-2 sets out that minors under the age of 18, do not have procedural capacity, unless procedural capacity is provided by statute. Such capacity is provided inter alia in the Dispute Act section 36-3 in cases of coercive measures related to health and social services.

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

Yes, please specify for which kind of offences: The public fund for compensation is available for all victims of violent crimes, including sexual offences. Compensation by court decision is available in all kinds of cases, either pursued separately in a civil case or jointly with the criminal case.

No

Comments

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

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body: The Norwegian National Collection Agency (NCA) is responsible for the collection, legal enforcement and accountancy of all financial claims, including compensation to the aggrieved party. NCA conducts statistics over the recovery of compensation awarded by the courts. On a general basis, the recovery rate is about 90 %.

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

assistance)?

Yes

No

Comments - If yes, please specify: The Public Prosecutors have some obligations to inform victims about their rights, decisions in the case and provide for their right to acquaint themselves with the documents in the case. In some cases the prosecutors also have an obligation to inform victims if the suspect is remanded in custody, for how long and when the person is released. The above mentioned amendments to strengthening victims' rights, introduced an even more active role for the Public Prosecutors in respect of victims of certain types of crime. Inter alia, obligations to provide information on the development of the case, to inform about certain appeals and to offer a personal meeting with the victim before the court proceedings. It can also be noted that in public cases where the aggrieved person is not entitled to counsel, the prosecutor may on application pursue civil legal claims on behalf of the aggrieved person, cf. the Criminal Procedure Act section 427.

In 2017, the government will establish 12 support offices for victims of crime. The offices will be located in police stations and are financed by the Ministry of Justice and Public Security. These offices give advice and render practical help; they inform and assist the victim in contacting other public services. They also inform on the pending of a criminal case, from the bringing of charge to the court's judgment, and the rights of victims, and they assist with preparing applications for criminal injuries compensation and ex-gratia payment.

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: According to the Criminal Procedure Act section 59a, victims of crime may appeal decisions by the Prosecuting Authority by way of complaint to the immediately superior Prosecuting Authority.

2.2.2. Confidence of citizens in their justice system

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	972 <input type="checkbox"/> NA <input type="checkbox"/> NAP	535 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6361618 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Other	<input 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 - 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): The Norwegian Civil Affairs Authority processes and rules on claims for compensation following prosecution by the state, in accordance with the Criminal Procedures Act Chapter 31. Compensation following prosecution is granted on the basis of a police investigation or other prosecution by the state against individuals and companies. The grounds for the state's liability are objective, i.e. the authorities do not have to be at fault for you to be able to claim compensation following prosecution.

Compensation following prosecution covers:

- Compensation for financial loss
- Standardised redress for detention by the police or being remanded in custody
- Discretionary redress for losses incurred as a result of the prosecution. Criminal Cases: If a person is wrongfully convicted the Criminal Procedure Act section 444 establishes full compensation in addition to any economic loss that the prosecution has caused him. A person who is wrongfully arrested contrary to Art 5 of the European Convention on Human Rights and Art 9 of the UN International Covenant on Civil and Political Rights, is entitled to compensation for any economical loss that the prosecution has caused him. In both cases, certain exceptions is made in section 446. If there is a breach of art 6 (reasonable time) of the European Convention on Human Rights, the Criminal Procedure Act section 445 establishes — as a main rule — compensation regarding a documented economic loss caused by the unlawful delay. Compensation for economic loss is give based on the factual loss as a consequence of the legal proceedings. The Criminal Procedure Act section 447 concerns damage for non-economic loss as a consequence of arrest or remand in custody when the person is acquitted or no legal proceedings are instituted against him. Regulations are given with rixed rates, saying that for periods of less than four hours, no damages for non-economic loss is paid. After that, the first two periods of 24 hours detention is compensated by 166 Euro (1500 NOK) each. If the charged person is transferred to a prison, each following day shall be compensated by 44 Euro (400 NOK). If the person spends custody in remand to complete isolation, the damages should be raised by 25 % of the calculated sum. The compensation claim shall be sent to the police district who investigated the criminal case. When the police have received the claim they make their comments on the case, which are sent to The Norwegian Civil Affairs Authority with the case documents. The plaintiff will receive written notification from The Norwegian Civil Affairs Authority when they have received the compensation claim from the prosecuting authority.

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

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at 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
4. (Satisfaction) surveys aimed at 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
5. (Satisfaction) surveys aimed at 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

6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<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
7. (Satisfaction) surveys aimed at 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
8. 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

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: Not

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

Yes

No

Comments See answers to Q 140 to 144. Parties can forward complaints to the concerned court related to a specific case, for example on the duration of proceedings. In civil cases a party can make a petition to the Chief Judge asking for his/hers interference. The decision of the Chief Judge can be appealed to the Higher court. General complaints regarding the overall functioning of the Judiciary can be forwarded to the National Courts Administration or to the Ministry of Justice. However, there are no established procedures related to the handling of such complaints.

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

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

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

	Number of complaints	Compensations amount granted to users
Court concerned	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: See answers to Q 140 to 144. Parties can forward complaints to the concerned court related to a specific case, for example on the duration of proceedings. In civil cases a party can make a petition to the Chief Judge asking for his/hers interference. The decision of the Chief Judge can be appealed to the Higher court. General complaints regarding the overall functioning of the Judiciary can be forwarded to the National Courts Administration or to the Ministry of Justice. However, there are no established procedures related to the handling of such complaints.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

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

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	63 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

	Number of courts
Total (must be the same as the data given under question 42.2)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

Comments - If “other specialised 1st instance courts”, please specify: The two specialized courts are located in Oslo. Oslo County Court deals with probate, bankruptcy and enforcement cases. Oslo District Court handles criminal cases and civil cases. In addition, there are courts of particular jurisdiction. Examples of courts with particular jurisdiction are the Labour Court and the Land Consolidation Courts. Altogether, there are 34 land consolidation courts in the first instance and 5 appellate land consolidation courts. The courts of particular jurisdiction are not included in the numbers presented above. The Conciliation Boards also form part of the court system. There are approximately 430 Conciliation Boards and 1320 Conciliation Board members.

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

- Yes
 No

Comments - If yes, please specify:

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

	Number of courts
a debt collection for small claims	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP

a dismissal	64 [] NA [] NAP
a robbery	64 [] NA [] NAP

Comments

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

Yes

No, please give your definition for small claims:

Comments Small claims cases are following the same definition as in the Explanatory note, but may also be used in cases not concerning monetary values if the parties agree.

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

[12703]

Comments Small claims cases are commercial litigious cases with claims not exceeding 12 703 EUR. Cases with higher claims may follow the small claims procedure with the consent of the parties, and vice versa.

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

Sources: Norwegian Courts Administration, the Dispute Act Chapter 10.

3.2. Court staff

3.2.1. Judges and non-judge staff

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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	559 [] NA [] NAP	330 [] NA [] NAP	229 [] NA [] NAP
1. Number of first instance professional judges	374 [] NA [] NAP	211 [] NA [] NAP	163 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	164 [] NA [] NAP	105 [] NA [] NAP	59 [] NA [] NAP
3. Number of supreme court professional judges	21 [] NA [] NAP	14 [] NA [] NAP	7 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: In addition, there are deputy judges in the first instance courts. The latter are judges by definition. However, they are temporarily appointed by the Chief Judge for a period of maximum 3 years. With few exceptions they do the same work as judges appointed for lifetime by the King in Council. Due to the fact that they are not appointed on a permanent basis, they are not included in the reporting of professional judges. For example, in 2010 there were 160 deputy judges in the first instance courts. In 2014, these judges make out 30% of the adjudicative positions in the first instance courts.

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

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	79 [] NA [] NAP	54 [] NA [] NAP	25 [] NA [] NAP
1. Number of first instance court presidents	72 [] NA [] NAP	49 [] NA [] NAP	23 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	6 [] NA [] NAP	5 [] NA [] NAP	1 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Comments Change of Supreme court president as we only have one supreme court president.

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	63 [] NA [] NAP
In full-time equivalent	[X] NA [] NAP

Comments - If necessary, please provide comments to explain the answer provided: This category of judges is retired first instance court judges and retired higher level prosecutors who are appointed for a fixed time period to be part of the bench in cases in the Court of appeal which they are appointed to. They are commissioned to adjudicate from case to case. They may work as such until the age of 74.

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

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

(X) No

Comments No, they don't deal with a significant part of cases, and they only sit in as the third member of the panel in the court of appeal cases.

049. (Modified question) Number of non-professional judges who are not remunerated but who

can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	45000 [] NA [] NAP
In full time equivalent	[X] NA [] NAP

Comments

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

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

Comments - If “other”, please specify: Non-professional judges adjudicate as judges in all 1. and 2. Instance criminal cases, with the exception of first instance guilty plea cases and cases where the accused person did not accept to settle the case with a fine offered by the prosecutor. The number does also include jurors in the court of appeal, and these jurors also adjudicate in composite court hearings in the courts of appeal. Hence – it is not possible to extract the exact number of jurors. The number includes also non-professional judges in civil cases, including non-professional expert judges.

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

(X) Yes

() No

Comments

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

Severe criminal cases

Misdemeanour cases

Other cases

Comments All criminal cases in Norway start in first instance courts. The jury system is attached to the second instance appellate proceedings. The jury decides on the question of guilt in appeals where the indictment concerns penal provisions with a sentencing framework exceeding six years. Put differently, in criminal cases a trial by jury is mandatory in the appeal court, when the appeal concerns assessment of evidence for guilt and the prescribed penalty scale for the offence exceeds six years of imprisonment.

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	900 <input type="checkbox"/> NA <input type="checkbox"/> NAP	137 <input type="checkbox"/> NA <input type="checkbox"/> NAP	763 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<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 staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

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

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

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

Comments Contractualisation exists on several levels. Firstly, the court buildings are to a large extent rented from private actors (with the exception of new court buildings exceeding a certain size). Secondly, several services such as cleaning are done by private actors. Thirdly, pursuant to the Norwegian Act on Enforcement, the forced sale of real estate can be outsourced to real estate agents.

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

Sources: Norwegian Courts Administration

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the



information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	727 [] NA [] NAP	311 [] NA [] NAP	416 [] NA [] NAP
1. Number of prosecutors at first instance level	619 [] NA [] NAP	246 [] NA [] NAP	373 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	94 [] NA [] NAP	56 [] NA [] NAP	38 [] NA [] NAP
3. Number of prosecutors at supreme court level	14 [] NA [] NAP	9 [] NA [] NAP	5 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: The Norwegian organization of the Public Prosecutors establishes three tiers. The first tier of prosecutors is integrated within the Police ("Police Prosecutors"). Each police district is set up with prosecutorial units or departments. The second tier of prosecutors consists of the Regional Public Prosecution Offices. The Office of the Director of Public Prosecutions forms the last and topmost tier. Although the first tier of prosecutors is organized within the Police, and the budget related to these prosecutors follow the budget for the Police, these prosecutors have the same formal qualifications as the two topmost layers of prosecutors, but will generally have less working experience and qualifications gained thereof than prosecutors in the second and third tier. The authority to decide in prosecutorial matters correlates of course with the hierarchy within the prosecution services.

Please note that the numbers of prosecutors at first instance level is exclusive the number of prosecutors on maternity leave or paternity leave.

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

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	13 [] NA [] NAP	12 [] NA [] NAP	1 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	12 [] NA [] NAP	11 [] NA [] NAP	1 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

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

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

No

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

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

Yes

No

Comments

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

Yes

No

Comments

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

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

Comments

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

Sources: The Office of the Director of Public Prosecutions.

3.4. Management of the court budget

3.4.1. Court budget

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

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court administrative director	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify: The Norwegian judiciary and the Norwegian Courts Administration is actively working on improving quality deliverance at all levels. However – the approach has so far not been to develop standards, but to build tools that encourage work at court level in order to increase quality. A large number of courts are actively working on quality improvement, but so far the courts do not have specialized staff dedicated to quality work per se.

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

Yes

No

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments - If yes, please give further details: Up until present day the monitoring and evaluating of the performance of the public prosecution service have taken place both directed by the prosecutorial units in the Police and through inspections made by the Public Prosecutors from the Higher Prosecuting Authority. This has only been relevant for a certain type of cases and on restricted areas. At present there is quite substantial work on implementing a new comprehensive reform which will establish a more systematic approach to

3.6.2. Performance and evaluation of courts

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

- [X] number of incoming cases
- [X] number of decisions delivered
- [X] number of postponed cases
- [X] length of proceedings (timeframes)
- [X] age of cases
- [X] other (please specify): The courts monitor a multitude of factors such as time spent in court, mediation procedures, et cetera.

Comments

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

- [X] civil law cases
- [X] criminal law cases
- [X] administrative law cases

Comments

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

- (X) Yes
- () No

Comments - If yes, please specify: The waiting time can be deducted in each case following the log of the case. In addition – all procedural timeframes are monitored in reports. The courts may also decide to adopt even stricter timeframes than what the law require, and some few courts have done that.

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

- (X) Yes
- () No

Comments

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

- () Annual
- () Less frequent
- (X) More frequent

Comments - If "less frequent" or "more frequent", please specify: The NCA is producing mid-year performance reports

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

- (X) Yes
- () No

Comments

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

Yes

No

Comments

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

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

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

Yes

No

Comments

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

incoming cases

length of proceedings (timeframes)

closed cases

pending cases and backlogs

productivity of judges and court staff

percentage of cases that are processed by a single sitting judge

enforcement of penal decisions

satisfaction of court staff

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

judicial quality and organisational quality of the courts

costs of the judicial procedures

number of appeals

other (please specify):

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

High Council of judiciary

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments Please be informed that the last report must be erroneous, as the Ministry of Justice is not responsible for evaluating the performance of the courts. We apologize for this. Please change our answer from 2014.

3.6.3. Court activity and administration

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

Yes (please indicate the name and the address of this institution):The Norwegian Courts Administration

No

Comments

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

Yes, on internet

No, only internally (in an intranet website)

No

Comments

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments The report is prepared by the courts and submitted to the Norwegian Courts Administration.

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

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please specify: The courts carry out frequent meetings with the prosecutors and lawyers both at general level as well as in concrete cases.

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

Yes

No

Comments - If yes, please specify: The courts carry out frequent meetings with the prosecutors and lawyers both at general level as well as in concrete cases.

3.6.4. Performance and evaluation of judges

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

New node

4. Fair trial

4.1. Principles

4.1.1.Principles of fair trial

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

[]

[X] NA

[] NAP

Comments

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

(X) Yes, number of successful challenges in a year not available

() No

Comments - Please could you briefly specify:

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

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

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations: On a general note, the Norwegian National Human Rights Institution shall inter alia monitor and report on the human rights situation in Norway, and also present recommendations in order to ensure that Norway is in compliance with its human rights obligations. This includes national implementation of judgements from the European Court of Human Rights. This institution does not, however, try individual cases. It should also be mentioned that according to the Human Rights Act Section 3, the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms, along with certain other conventions and protocols, take supremacy over other legislative provisions in cases of conflict.

The case management system in Norwegian courts reflects the judicial timeframes set in our procedural laws and these timeframes are displayed and monitored in the system. These timeframes are aligned with the requirements set forth in ECHR article 6 with ECtHR case law, but the case management system does not directly monitor violations related to ECHR.

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

Sources: The Ministry of Justice and Public Security, Norwegian Courts Administration

4.2. Timeframe of proceedings

4.2.1. General information

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

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure

Comments - If yes, please specify: Urgent civil cases: Custody proceedings may take some time to bring to a final conclusion. The parties and interests involved can, according to the Children's Act, call for an interim solution. Generally, there is the possibility of obtaining an interim court order to secure the claim, more precisely to secure a claim before there is a basis for the ordinary enforcement of the claim or before the dispute is dealt with during the main hearing.

Urgent criminal cases: Cases including juveniles/minors (i.e. under the age of 18 years) and persons in pre-trial custody, take priority, as decided in the Criminal Procedure Act section 275.

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: Civil cases: There are simplified procedures for cases where the amount in dispute is less than NOK 125 000. In addition, other types of cases can, with certain exceptions, be heard pursuant to the small claims procedure provided that the parties consent/do not object (The Dispute Act chapter 10).

Criminal cases: According to the Criminal Procedure Act section 248, a singular professional judge may pass sentence in cases where the accused person confesses in court and the confession is strengthened by the other information obtained by the public prosecutor, granted that the other criteria set forth in section 248 is present.

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

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: The judge may deliver the order of the judgment orally in small claim proceedings, with full and complete reasoning within one week (Dispute Act section 10-4 third paragraph)

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

- Yes
- No

Comments - If yes, please specify: Civil cases: According to the Dispute Act of 2005 section 9-4, the judge in charge of the preparation of the case shall carry out a planning meeting with the parties immediately after the court has received the defense pleading. The intention of

4.2.2. Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	25211 <input type="checkbox"/> NA <input type="checkbox"/> NAP	54707 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55986 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23933 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<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)	8618 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18611 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18891 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8339 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	16593 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36096 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37095 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15594 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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)	16593 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36096 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37095 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15594 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land 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
2.2.2 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 checked="" type="checkbox"/> NA <input 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	<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

3. Administrative law cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other 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 Litigation in cases between the state and individuals is included in civil cases. The case management system (LOVISA) does not allow for extracting reports on this case category alone. This reflects the fact that we don't have administrative courts or specialization otherwise within the court structure.

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

. Probate cases, bankruptcy cases and enforcement cases.

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

. Not applicable

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	4737 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26793 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26246 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5219 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": Neither the court structure, the law structure, or the case management system distinguish between criminal cases where imprisonment can be imposed or not.

4.2.3. Case flow management – second instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	1369 [] NA [] NAP	3880 [] NA [] NAP	3790 [] NA [] NAP	1456 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] 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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	784 [] NA [] NAP	3305 [] NA [] NAP	3254 [] NA [] NAP	846 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Criminal cases brought before the court of appeals of has increased in the last couple of years.



4.2.4. Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	57 [] NA [] NAP	69 [] NA [] NAP	64 [] NA [] NAP	62 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input 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
2.2.2 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	<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
3. Administrative law 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
4. Other 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 Number of cases has increased the last couple of years

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:NA

() No

Comments NA

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	27 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Severe criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Number of cases has increased the last couple of years

4.2.5. Case flow management – specific cases



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	4712 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12042 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12275 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4478 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. Asylum seekers: The Norwegian judiciary does not include administrative courts. Asylum cases are therefore following an administrative procedure, with the Directorate of Immigration (UDI) as first instance. Complaints related to decisions from UDI are dealt with by the Immigration Appeals Board (UNE). The final administrative decision from UNE can be brought before the courts for judicial review, with the asylum seeker as plaintiff, and with the State v/ UNE as defendant with the Attorney General. Right of entry and stay for aliens: Additional cases related to entry and stay aliens follow the same administrative procedure as for asyl cases, but with the exception of extradition cases the administrative discretion may not be reviewed by the courts.

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

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

Comments

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

. NA

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

. NA

4.2.6. Case flow management – public prosecution

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

to conduct or supervise police investigation

to conduct investigations

when necessary, to request investigation measures from the judge

to charge

to present the case in court

to propose a sentence to the judge

to appeal

to supervise the enforcement procedure

to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers (please specify):

Comments

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

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

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

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	343187 <input type="checkbox"/> NA <input type="checkbox"/> NAP	150197 <input type="checkbox"/> NA <input type="checkbox"/> NAP	73021 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75049 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	26500 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	26500 <input type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	150197 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	100693 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	33653 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	15839 [] NA [] NAP

Comments Q 108: There is no change of rules of proceedings, the differences between the answers given in the cycles so far, are due to it being different people interpreting the questions when answering them, and therefore the person answering in the 2014-2016 left out the specifying the numbers in 1., 2. and 3. all together and only gave the total amount. It's based on a misunderstanding and the correct answer to 108 in 2016-2018 should be: 1. 100 693 cases, 2. 33 635 cases, 3. 15 839 cases and a total: 150 197 cases. For the 2014-2016 cycle the answer to 108 should be: 1. 120 790 cases, 2. 43 618 cases, 3. 9162 cases and a total: 173 570 cases.

109. Do the figures include traffic offence cases?

Yes

No

Comments

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

Sources: National Statistics from the police and prosecutors IT-system STRASAK.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

Yes

No

Comments - If yes, please specify: Pursuant to the Working Environment Act, and the Gender equality Act, all public institutions are obliged to actively promote gender equality at work. Accordingly, the Judicial Appointments Board and the Government exerts the principle of moderate gender allocation per quota in courts with gender imbalance. This is also applicable to recruitment and appointment of court presidents, where we still have too few female court presidents. The gender equality policy is also established in the policy note to the Judicial Appointments Board, which is made publicly available on its web site, and updated on a regular basis.

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

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The responsibility for recruitment of future judges lies with the Norwegian Courts Administration. The Judicial Appointments Board is responsible for the process of nomination of candidates to concrete vacancies, whereas the formal appointment is done by the Government.

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify: New positions for judges within the Judiciary is achieved through the same system as the initial appointment, i.e. by announcement, interviews and collecting of references, nomination and finally new appointment from the King in Council. Hence, there is not a promotion system in the Norwegian judiciary that differs from ordinary appointments as described above. Although no promotion system exists, the Norwegian Courts Administration is working actively with calling on female judges or attorneys to apply for positions as court president.

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

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): New positions for judges within the Judiciary is achieved through the same system as the initial appointment, i.e. by announcement, interviews and collecting of references, nomination and finally new appointment from the King in Council. Hence, there is not a promotion system in the Norwegian judiciary that differs from ordinary appointments as described above

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

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

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):
Although no promotion system exists, the Norwegian Courts Administration is working actively with calling on female judges or attorneys to apply for positions as court president.

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

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

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). The prosecution services are in principle under the authority of the state government. As a matter of custom the government abstain from giving instructions in individual cases.

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

- Yes
- No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Normally a person will apply for the position as a Public Prosecutor after completing his/her legal exam, and thereafter attend an interview (where the panel will consist of Public Prosecutors and/or Senior Public Prosecutors) and if accepted by the Head of the Prosecution Office in the region, the person will be appointed by the King in Council.

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

Yes

No

Comments - If yes, please specify: It is a general rule for all public positions that the public office shall aim at achieving gender equality.

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

Yes

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

Comments

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): A Regional Director and/or The Director of Public Prosecutions will be responsible for the promotion of Public Prosecutors and they will in turn be appointed by the King in Council.

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

Yes

No

Comments - If yes, please specify: Please see 117-1.

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

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

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:70

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

NAP

Comments

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

Yes, please indicate the compulsory retirement age:70

No

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

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

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

(X) No

Comments

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

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

(X) No

Comments Not applicable

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

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

(X) No, what is the length of the mandate (in years)?until 70. This question is not applicable

Comments NAP.

5.2.Training

5.2.1.Training of judges

127. Types of different trainings offered to judges

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

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

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

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

Comments

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

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

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

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

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

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

Comments NAP.

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

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

Comments NAP.

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

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors



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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	120459 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1091000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	190170 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1721856 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	66362 <input type="checkbox"/> NA <input type="checkbox"/> NAP	47312 <input type="checkbox"/> NA <input type="checkbox"/> NAP	600858 <input type="checkbox"/> NA <input type="checkbox"/> NAP	428381 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	115640 <input type="checkbox"/> NA <input type="checkbox"/> NAP	113283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1046000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1024680 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments With reference to section 55, a Public Prosecutor at the beginning of his/her career would be what we in Norway call a "Police Prosecutor". These prosecutors follow the budget for the Police, and in the Higher Prosecuting Authority a Public Prosecutor would start at 94203 EURO (gross annual salary) / 92275 EURO (net annual salary). A Senior Public Prosecutor would start at 127.696 EURO (gross annual salary) / 125.198 EURO (net annual salary). A prosecutor in the Police will only appear in the District Court. Our pay scale defines net annual salary as the amount after pension contributions have been deducted from the gross annual salary and before the deduction of taxes. Please be informed that it has been a goal to increase the wages for public prosecutors to the same level as judges. This explains the difference in wages from 2014 to 2016.

133. Do judges and public prosecutors have additional benefits?

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

Comments

134. If "other financial benefit", please specify:

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	() Yes (X) No
Research and publication	(X) Yes () No	() Yes (X) No
Arbitrator	(X) Yes () No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	() Yes (X) No
Political function	(X) Yes () No	() Yes (X) No
Other function	(X) Yes () 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. Judges extrajudicial activities are regulated in the Courts Act Chapter 6a

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	(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 delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

Yes

No

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

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify): In addition to identifying the above mentioned subjects for complaints, section 237 of the Courts Act allows for complaints filed by everyone directly affected by the behaviour of the judges and also for those who have a particular interest in filing a complaint.

Other (please specify): In addition to identifying the above mentioned subjects for complaints, section 237 of the Courts Act allows for complaints filed by everyone directly affected by the behaviour of the judges and also for those who have a particular interest in filing a complaint.

This is not possible

Comments In addition to identifying the above mentioned subjects for complaints, section 237 of the Courts Act allows for complaints filed by everyone directly affected by the behaviour of the judges and also for those who have a particular interest in filing a complaint.

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

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General / State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

Comments

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

Court

Higher Court / Supreme Court

Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify): The Government (i.e. not the Ministry of Justice itself) can initiate litigation on dismissal of judges, whereas judges according to the Constitution can only be dismissed by court decision.

Other (please specify):

Comments The Government (i.e. not the Ministry of Justice itself) can initiate litigation on dismissal of judges, whereas judges according to the Constitution can only be dismissed by court decision.

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

Supreme Court

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments - If "other", please specify:

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

	Judges	Prosecutors
Total number (total 1 to 9)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
8. Resignation	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[7738]

[] NA

[] NAP

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:

[142]

[] NA

[] NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Dismissal cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

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

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: In the Supreme Court, only lawyers who are entitled to conduct cases before the Supreme Court can be engaged. In lower Courts, any advocate may represent a party. With special permission for the Court, some other suitable person (who is not a lawyer) may also represent the party. Even though the Court may approve representation from other than lawyers, pursuant to the Criminal Procedure Act section 95 and the Civil Procedure Act section 3-3, the number of such approvals is very low compared to representation of lawyers.

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

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

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

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

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

Comments

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

- [] Self-employed lawyer

Staff lawyer

In-house lawyer

Comments This question is not applicable.

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

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

Yes

No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: The Supervisory Council for Legal Practice

6.1.2. Practicing the profession

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

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

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

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: If you believe your attorney has performed in a manner incompatible with the proper conduct for attorneys, you may file a complaint to the Norwegian Bar Association's Disciplinary Committee. If you subsequently believe that your attorney charged you too much for his or her services, you may file a complaint to the Norwegian Bar Association's Disciplinary Committee. If you and the attorney nonetheless are unable to reach an agreement, you can file a complaint. No tariff exists for how the attorney's fees are calculated. The disciplinary authority will perform a discretionary assessment of, among other aspects, the work performed by the attorney, elapsed time, the complexity of the work, the assets involved in the case, the case's significance for the client, and the outcome. The amount of fees can also be complained about to the court which has handled the case.

160. Which authority is responsible for disciplinary procedures?

the judge

the Ministry of Justice

a professional authority

other (please specify):

Comments Four bodies: Supervisory Council for Legal Practice, Lawyers Licensing Committee, the Bar Association's Disciplinary Committee (1st instance for members), the Lawyers Disciplinary Committee (appellate body or 1st instance for non-members of the Bar Association).

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

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR



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

Yes

No

Comments

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

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned: It is mandatory in most civil cases, including child custody cases, to initially attempt mediation to settle the matter. In the initial preparatory meeting between the parties and the judge regarding the court proceedings, the judge is obliged to discuss the possibility to settle the dispute through mediation.

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

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments Please note that it is possible to have a private mediator, but that in almost every case, the Judge is in charge of the mediation. Please also note that "Konfliktrådet" the Norwegian Mediation Service can mediate some criminal cases.

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

Yes

No

Comments - If yes, please specify: Mediation may be covered by the legal aid scheme. The initial judicial procedure in family cases is based on mediation. The parties in family cases, i.e. child custody cases, are entitled to legal aid granted that the general conditions are present.

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

[]

NA

NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	2198 [] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP
2. Family cases	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP
4. Employment dismissal cases	[X] NA [] NAP
5. Criminal cases	[X] NA [] NAP

Comments - Please indicate the source: Norwegian Courts Administration

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

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

Comments

G1. Please indicate the source for answering question 166:

Source: The Ministry of Justice, Civil Department, and the National Courts Administration

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

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

- Yes
- No

Comments

170. Number of enforcement agents

[315]

[] NA

[] NAP

Comments

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

judges

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

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

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

Yes

No

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

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

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No [] NAP

Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

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

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

- a national body
- a regional body

a local body

NAP

Comments

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

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: The National Police Directorate

8.1.2. Efficiency of enforcement services

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

Yes

No

Comments

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify): The National Police Directorate

Comments The National Police Directorate is the main supervising body, but it's subordinate to the Ministry of Justice and Public Security

179. Have quality standards been determined for enforcement agents?

Yes

No

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

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

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

other (please specify): The Police directorate has no statistics on complaints

Comments

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

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

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

Comments

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	[X] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] 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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Source: National Police Directorate

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

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

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify): For the enforcement of fines – the Norwegian National Collection agency. If the fine is not paid the distraint is effected by the Law enforcement offices (Namsmann/local police).

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

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

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

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

	Number of notaries
TOTAL	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public agents	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

diploma

payment of a fee (e.g. purchasing office)

co-opting of peers

other

Comments

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

Limited duration, please indicate it in years:

Unlimited duration

Comments

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

within the framework of civil procedure

in the field of legal advice

to certify the authenticity of legal deeds and certificates

in the field of mediation

other (please specify): The duties of the notaries are to give documents or a signature official validation. The most used forms are: Confirmation of signature, confirmation of signature and power of procuracy in a company, assurance of honour, confirmation of correct copy, life confirmation and protest on a promissory note

Comments The duties of the notaries are to give documents or a signature official validation. The most used forms are: Confirmation of signature, confirmation of signature and power of procuracy in a company, assurance of honour, confirmation of correct copy, life confirmation and protest on a promissory note.

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

in civil procedure

in the field of legal advice

to authenticate deeds/certificates

in the field of mediation

other

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

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

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

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

Yes

No

Comments By appeal to the Court

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

other (please specify):

Comments

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

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: The Ministry of Justice and Public Security, Civil Department and The Norwegian Courts Administration

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

[] NA

[X] NAP

Comments

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

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: The National Courts Administration

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

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

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

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

Other (please specify):

Comments

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

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

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

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

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

Comments

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

- the proceeding
- the profession of expert
- other

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

- []
- NA
- NAP

Comments

205-1. Who sets the expert remuneration?

- If the expert is appointed by the Court, he or she receive remuneration determined by the state. The hourly rate is currently 115 Euro (1045 NOK).

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

- Yes
- No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

207. Are the courts responsible for selecting judicial experts?

- Yes, for recruitment and/or appointment for a specific term of office
- Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- No, please specify which authority selects judicial experts

Comments

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

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: The Norwegian Courts Administration

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

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

1. (Comprehensive) reform plans See below

2. Budget -

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) The Government established a law commission in 2017 aimed at exploring judicial reform with increased independence as main goal. A law commission submitted their official report related to new Criminal Procedure Act in October 2016. The official report was sent out for public consultation until juni 2017. The MoJ is not assessing the numerous responses before drafting Parliamentary Proposition. The judiciary is now in the midst of a digital reform with emphasis on paperless court hearings.

3.1. Access to justice and legal aid The Parliament requested in 2016 the Government to review the legal aid legislation in civil

cases, to evaluate whether the system should be widened or modified. The Ministry of Justice and Public Security is currently reviewing the legal aid system.

4. High Judicial Council The Government established a law commission in 2017 aimed at exploring judicial reform with increased independence as main goal.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. A law commission submitted their official report related to new Lawyers Act in 2015. The official report was sent out for public consultation until 1 January 2016. The Ministry of Justice is currently working on drafting a Parliamentary Proposition.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities A law commission submitted their official report related to new Criminal Procedure Act in October 2016. The official report was sent out for public consultation until juni 2017. The MoJ is not assessing the numerous responses before drafting Parliamentary Proposition. The long standing Jury system in serious appellate criminal cases was abolished 1 January 2018, and is replaced by a composite court with 5 lay judges and 2 professional judges, all with equal votes. The verdict related to guilt will now be reasoned as opposed to the verdict from the Jurors.

7. Enforcement of court decisions -

8. Mediation and other ADR -

9. Fight against crime Norway's Police Reform: At the time of our last report, a reform of the police in Norway was underway. In 2016, 27 police districts have been merged into 12, and further work is being undertaken to meet the goals of the police reform under the new structure.

9.1. Prison system -

9.2 Child friendly justice The Government has established a nationwide network of Children's Houses – built on the Icelandic model. Children's Houses are a service for children and young people under 16 years of age, and for adults with intellectual disabilities, who are thought to have been exposed to violence or sexual abuse, or to have witnessed such violence, in cases that have been reported to the police. Children's Houses are child advocacy centers where judicial examination, medical examinations treatment and follow-up can all be carried out in the same place. As by October 2017, 11 children's houses has been established in Norway.

9.3. Violence against partners The Government gives high priority to efforts to prevent and combat violence and sexual abuse in close relationships, including by implementing measures from the action plan "Free from violence" (2014-2017). The action plan emphasizes the need to see the work against such violence in an integrated, cross-sectorial perspective. It combines the joint efforts of four ministries: the Ministry of Children and Equality, the Ministry of Education, the Ministry of Justice and Public Security and the Ministry of Health.

10. New information and communication technologies -

11. Other -