



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

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

**Objective :**

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

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

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

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

**Instruction :**

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

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

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

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## 1. General and financial information

### 1.1. Demographic and economic data

#### 1.1.1 Inhabitants and economic general information



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

[ 19 051 562 ]

Comments Usually resident population of Romania on January 1st 2023 - provisional data



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

[ 15 010 ]

Comments provisional data

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

[ 14 906 ]

[ ] NA

Comments The difference can be explained based on salary increases and an upward trend can be observed continuing from 2018.

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

[ 4.9474 ]

Allow decimals : 5

[ ] NAP

Comments

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

Sources: Ministry of Justice, National Institute of Statistics

### 1.1.2 Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	793 370 659 [ ] NA [ ] NAP	792 017 611 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	513 632 615 [ ] NA [ ] NAP	513 569 634 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	863 686 [ ] NA [ ] NAP	859 849 [ ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	863 686 [ ] NA [ ] NAP	859 849 [ ] NA [ ] NAP

<b>2.2 Maintenance of the IT equipment of courts</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	1 824 595 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 799 889 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	41 620 245 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 129 816 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	11 841 978 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 694 129 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Annual public budget allocated to training</b>	50 532 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 159 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other (please specify)</b>	223 537 009 <input type="checkbox"/> NA <input type="checkbox"/> NAP	222 928 136 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: 1. the expenses regarding the maintenance of the IT equipment of courts cannot be highlighted separately within point 2.2, as they are included in the total budget provided for point 4 - the budget for maintenance and operating cost allocated to courts. Therefore, we marked NA on point 2.2.

2. the category "other" includes: salary entitlements established by court judgments and administrative acts, moratory damages established by court judgments, employer's contributions, delegation/detachment allowances, transport and rent allowances, periodic medical check-ups, competition commissions, other entitlements for judges, auxiliary staff and prosecutors (payment of transport, medicines, rent), travel expenses, fuel and lubricants, books and publications, periodic medical check-ups, employment protection. As regards this "Other" category, the difference can be explained by the payments of outstanding salary entitlements established by court decisions and administrative acts, therefore the fluctuation may be significant from year to year depending on several factors: (1) how many persons have obtained final court decisions, what is granted by them, if money is granted for their payment, etc., (2) if administrative acts have been issued recognizing those rights and if money is granted for their payment, etc.

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

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

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

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

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

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

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

-- Government Emergency Ordinance no. 80/2013 eliminates the judicial stamp, which was accessory to the judicial stamp duty, simplifying thus the procedure. Court fees are set differently depending on the nature of disputes:

- Patrimonial - disputes where the value can be estimated in money
- Non-patrimonial – disputes which cannot be evaluated in money.

a. According to the rule, for patrimonial disputes, court fees shall be established as a percentage of the value of the case; the percentage gradually decreases as the value of the case increases.

Example: Article 3 (1) of GEO no. 80/2013 on judicial fees:

(1) The proceedings and patrimonial requests shall be charged as follows:

- a) up to 500 lei- 8%, but not less than 20 lei;
- b) between 501 lei and 5000 lei- 40 lei + 7% for what exceeds 500 lei;
- c) between 5001 lei and 25.000 lei - 355 lei + 5% for what exceeds 5000 lei;
- d) between 25.001 lei and 50.000 lei-1.355 lei + 3% for what exceeds 25.000 lei; e) between 50.001 lei and 250.000 lei - 2105 lei + 2% for what exceeds 50.000;
- f) over 250.000 lei - 6105 lei + 1% for what exceeds 250.000 lei.

b. For non-patrimonial disputes the law provides fixed court fees. There are 5 categories of fixed fees: 20 lei, 50 lei, 100 lei, 200 lei, 300 lei. For each type of non-patrimonial dispute the law expressly provides for the quantum of the fixed fee.

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

[ 171 ]

[ ] NA

[ ] NAP

Comments

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

[ 74 050 089 ]

[ ] NA

[ ] NAP

Comments This data is retrieved by the Economic Department within the Ministry of Justice from the information published by the Ministry of Finance regarding the budget implementation.

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	17 298 985 [ ] NA [ ] NAP	16 088 046 [ ] NA [ ] NAP	1 210 939 [ ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	17 298 985 [ ] NA [ ] NAP	16 088 046 [ ] NA [ ] NAP	1 210 939 [ ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	17 287 257 [ ] NA [ ] NAP	16 077 149 [ ] NA [ ] NAP	1 210 108 [ ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	17 287 257 [ ] NA [ ] NAP	16 077 149 [ ] NA [ ] NAP	1 210 108 [ ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

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

	Amount calculated/estimated included
<b>Coverage of court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include coverage of court fees)
<b>Exemption from court fees</b>	( X ) Yes ( ) No ( ) NAP (Legal aid does not include exemption from court fees)

Comments

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	364 383 312 [ ] NA [ ] NAP	352 923 994 [ ] NA [ ] NAP
<b>13.1. Annual public budget allocated to training of public prosecution services</b>	13 898 [ ] NA [ ] NAP	9 182 [ ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: These figures concern the training of civil servants and other categories of staff in this system, not prosecutors - the costs of training magistrates cannot be broken down /highlighted here, being included in the budget of the Superior Council of Magistracy (training of this latter category carried out through the Higher Institute of Magistracy).

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

Sources: Ministry of Justice

### 1.1.3 Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	1 651 026 398 [ ] NA [ ] NAP	1 626 816 734 [ ] NA [ ] NAP

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

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

	Included
<b>Courts</b>	( X ) Yes ( ) No [ ] NAP
<b>Legal aid</b>	( X ) Yes ( ) No [ ] NAP
<b>Public prosecution services</b>	( X ) Yes ( ) No [ ] NAP

## 015-3. Other budgetary elements

	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
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
High Prosecutorial Council	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Constitutional court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Service for legal representation of the State	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="checkbox"/> Yes <input checked="" 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

<b>Other</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
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If “Other”, please specify: Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship

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

Sources: Ministry of Justice
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## 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
<b>Representation in court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Legal advice, ADR and other legal services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

<p>-- Legal aid in Romania:</p> <p>Emergency Ordinance no. 51/2008 on public legal aid in civil matter states in Article 3 that “public legal aid under this Emergency Ordinance is granted in civil, commercial, administrative, labour and social insurance disputes, as well as in other disputes, except for criminal matters.” Hence, the judicial assistance in criminal matters is subject to a special regime, stated in Articles 89-91 of the Criminal Procedural Code. The different forms of legal aid, depending on the context of the applicant’s issue, are described in Article 6 of Emergency Ordinance no. 51/2008, namely: “(...) a) payment of the fee to ensure representation, legal aid and, where appropriate, defence, by an appointed or chosen lawyer, for the establishment or protection of a right or legitimate interest at law or for the prevention of litigation, hereinafter referred to as legal aid; b) payment of experts, translators or interpreters used during the proceedings, with the approval of the court or other judicial authority, if the obligation to make this payment belongs, under the law, to the applicant for public legal aid; c) payment of the fee for a judicial enforcement officer; d) exemptions, reductions, deferrals or postponements of the payment of legal fees provided for by law, including those due at the enforcement stage”. In such cases, Article 7 of the same legal act provides that “Legal aid may be granted, separately or cumulatively, in any of the forms provided for in Article 6. The amount of legal aid granted, separately or cumulatively, in any of the forms referred to in Article 6(a) to (c) may not exceed, over a period of one year, the maximum amount equivalent to 10 times the gross national minimum basic wage for the year in which the application for aid was made.” Also, according to Article 4 of Emergency Ordinance no. 51/2008, “any natural person may apply for public legal aid, under the terms of this Emergency Ordinance, if he or she is unable to meet the costs of a trial or those involved in</p>
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obtaining legal advice in order to defend a legitimate right or interest in the courts without jeopardising his or her own or his or her family's livelihood." The application for granting public legal aid must be submitted to the court, according to Art. 11 of Emergency Ordinance no. 51/2008, namely: "(1) The application for legal aid shall be submitted to the court having jurisdiction in the case in which the aid is sought; in the case of legal aid sought for the enforcement of a judgment, the application shall fall within the jurisdiction of the enforcing court. (2) If the competent court cannot be determined in accordance with paragraph 1, jurisdiction shall lie with the court within whose territorial jurisdiction the applicant is domiciled or resident. (3) Where legal aid is applied for in a pending case, the application or, where appropriate, applications for legal aid shall, unless otherwise provided by law, be dealt with by the panel dealing with the principal claim."

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

Yes

No

NAP

If yes, please specify: Art. 1 of Government Emergency Ordinance no. 51/2008: "Public legal aid is that form of assistance granted by the State which aims to ensure the right to a fair trial and guarantee equal access to justice in order to achieve legitimate rights or interests by judicial means, including the enforcement of judgments or other enforceable titles."

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

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

Comments - If yes, please specify: According to the Article 6 letter b) of Government Emergency Ordinance no. 51/2008: "Legal aid may be granted in the following forms: payment of experts, translators or interpreters used during the proceedings, with the approval of the court or other judicial authority, if the obligation to make this payment belongs, under the law, to the applicant for public legal aid."

**2.1.2 Information on legal aid**

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

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	<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
<b>In criminal cases</b>	<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

<b>In other than criminal cases</b>	<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
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Comments - Please specify when appropriate: We no longer have a source to provide the data. Predefined Reports 8 and 9 of the judicial statistics module in ECRIS are no longer operational

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

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

Comments - Please specify when appropriate:

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

Yes

No

Comments

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

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Number of recipients of legal aid</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Yes

No

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

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

Yes

No

Comment: If yes, please specify:

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

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

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

	Time in days
Maximum duration prescribed in law/regulation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Actual average duration	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: There is no timeframe set for the procedure of granting legal aid by the court. The court shall, without summoning the parties, give its decision on the application for legal aid by way of a reasoned order in chambers.

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

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify: As per Art. 90 of the Criminal Procedural Code, "legal assistance is mandatory: (a) when the suspect or accused person is a minor, is committed to a detention center or an educational center, is detained or arrested, even in another case, when a medical detention security measure has been ordered against him, even in another case, and in other cases provided for by law; (b) if the judicial body considers that the suspect or accused person would be unable to defend himself or herself; (c) in the course of proceedings in the pre-trial chamber and in the course of the trial in cases where the law provides for life imprisonment or imprisonment for more than five years for the offence committed." In accordance with Art. 91 of the Criminal Procedural Code, "in the cases under Art. 90, if the suspect or accused person has not chosen a lawyer, the judicial body shall arrange for the appointment of a lawyer of its own motion." According to Art. 93 (4) and (5) of the Criminal Procedural Code, "legal assistance is mandatory when the victim or the civil party is a person without or with limited capacity to act. When the judicial body considers that for certain reasons the victim, the civil party or the party liable in tort could not defend himself, it shall order the appointment of a lawyer of its own motion."

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

	free selection of lawyer
Accused individuals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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

Yes

No

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

**023. If yes, please specify in the table:**

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: According to Art. 16 of Government Emergency Ordinance no. 51/2008: "Legal aid may be refused where it is applied for improperly, where its estimated cost is disproportionate to the value of the subject-matter of the case, and where the grant of legal aid is not requested for the defence of a legitimate interest or is requested for an action which is contrary to public policy or to constitutional requirements. Legal aid may be refused where the applicant is claiming compensation for damage to his image, honour or reputation, provided that he has not suffered any material damage, and where the claim arises out of the applicant's trade or self-employed activity."

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

the judge(s) dealing with the main case

- another judge or official
- an authority external to the court
- several authorities (court and external bodies)

Comments

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

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

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

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

Sources: Ministry of Justice
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**2.2. Court users and victims**

**2.2.1 Rights of the users and victims**

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

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> www.just.ro; www.csm1909.ro; www.scj.ro; www.mpublic.ro	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> http://portal.just.ro/SitePages/acaasa.aspx; www.rejust.ro; www.scj.ro	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> www.csm1909; www.just.ro; www.scj.ro	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> http://portal.just.ro/SitePages/acaasa.aspx; www.csm1909.ro	<input type="checkbox"/>

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

**029. Is there an obligation to provide information to the parties concerning the foreseeable**

**timeframes of their proceedings?**

Yes, always

No

Yes, only in some specific situations

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

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

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

Comments - Please provide more information on these systems and specify how this assistance is provided:

**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
<b>Victims of sexual violence/rape</b>	<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
<b>Victims of terrorism</b>	<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
<b>Minors (witnesses or victims)</b>	<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
<b>Victims of domestic violence</b>	<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
<b>Ethnic minorities</b>	<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

<b>Persons with disabilities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No

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

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

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

Comment

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

	<b>Civil proceedings</b>	<b>Criminal proceedings</b>
<b>Capacity to initiate a proceeding and take other procedural actions in his/her own name</b>	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP
<b>To be a witness</b>	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected “Other”. Between 14-18 years old a minor has limited capacity, and may initiate procedural action only assisted by a parent or a legal guardian. In criminal proceedings there is no age threshold for filing a complaint and a lawyer ex officio will be appointed. The civil action attached to the criminal action may be initiated by the legal representative of the minor (under18).

Minors may be heard as witness regardless of their age, but they do not take the oath. Their testimony will be appreciated taking into consideration their special situation.

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

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

Comment As stated in Q 031-1 in criminal proceedings there is no age threshold for filing a complaint and a lawyer ex officio will be appointed. The civil action attached to the criminal action may be initiated by the legal representative of the minor (under18).

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

- Age threshold(s)  
 Capacity for discernment  
 Other criteria

Comment According to ART. 113 of the Criminal Code (CP) a minor under the age of 14 years is not criminally responsible. A minor who is aged between 14 and 16 years criminally liable only if it is proved that he committed the act with discernment. A minor over the age of 16 years criminally liable under the law.

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

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

- 14 ]  
 NA  
 NAP

**Criminal liability resulting in sentence of privation of liberty**

- 14 ]  
 NA  
 NAP

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

-

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

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



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

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

NAP

Comment - Please specify: Art. 21 of Law 211/2004 stipulates that the persons which were victims of the following types of offences benefit of financial compensations: - attempt to the offence of murder, aggravated murder and particularly serious murder, serious body injury, laid down by art. 182 of the Criminal Code, an intentional offence which has as consequence a serious body injury of the victim, rape, sexual relation with a minor, sexual perversion, an offence concerning the trafficking in human beings, an offence of terrorism, any other intentional offence committed with violence. Law no. 217/2003 stipulates that the victims of domestic violence can benefit of financial compensations.

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

- Yes
- No

Comments it is necessary a court or a prosecutor's decision.

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

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

NAP

Comment - Please specify: Art. 21 of Law 211/2004 stipulates that the persons which were victims of the following types of offences benefit of financial compensations: - attempt to the offence of murder, aggravated murder and particularly serious murder, serious body injury, laid down by art. 182 of the Criminal Code, an intentional offence which has as consequence a serious body injury of the victim, rape, sexual relation with a minor, sexual perversion, an offence concerning the trafficking in human beings, an offence of terrorism, any other intentional offence committed with violence. Law no. 217/2003 stipulates that the victims of domestic violence can benefit of financial compensations.

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

- Yes
- No

Comments it is necessary a court or a prosecutor's decision.

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

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

NAP

Comment - Please specify: Art. 21 of Law 211/2004 stipulates that the persons which were victims of the following types of offences benefit of financial compensations: - attempt to the offence of murder, aggravated murder and particularly serious murder, serious body injury, laid down by art. 182 of the Criminal Code, an intentional offence which has as consequence a serious body injury of the victim, rape, sexual relation with a minor, sexual perversion, an offence concerning the trafficking in human beings, an offence of terrorism, any other intentional offence committed with violence. Law no. 217/2003 stipulates that the victims of domestic violence can benefit of financial compensations.

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

Yes

No

Comments it is necessary a court or a prosecutor's decision.

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comment - If yes, please specify:

=

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

Yes

No

NAP

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	<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
<b>Excessive length of proceedings</b>	<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

<b>Non-execution of court decisions</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful arrest/detention</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<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 - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions):

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

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

Comments

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

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

Comments

**037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and**

**the victim recognised by the court?**

( ) Yes

( X ) No

If yes, please specify:

**2.2.2 Confidence and satisfaction of citizens with their justice system**

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

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

[ ] NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: As previously mentioned, the judicial system may conduct surveys in cooperation with, for example, academics, NGOs or within different projects or specific studies on different matters

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

##### 042. Number of courts - legal entities.

	Number of courts
<b>Total number of all courts - legal entities (1 + 2)</b>	242 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)</b>	233 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.1 First instance courts of general jurisdiction - legal entities</b>	175 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.2 Second instance courts of general jurisdiction - legal entities</b>	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2 Total number of specialised courts - legal entities</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Law no. 304/2022 on the judicial organisation.

The number of „judecatorii” has decreased by one between 2019-2020 because the activity of Judectoria Insuratei was suspended so it no longer appears in the statistics. 175 represent the first instance courts with general jurisdiction in this matter, even if tribunals, courts of appeal and the High Court may also judge first instance cases. Starting from 2020 the methodology of presentation of data changed and only “judecatorii” are counted as first instance courts of general jurisdiction, even if tribunals, courts of appeal and the High Court may also judge first instance cases.

##### 043. Number of specialised courts – legal entities.

	First instance	Higher instances
<b>Total number of specialised courts - legal entities</b>	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Commercial courts (excluded insolvency courts)</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insolvency courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>Labour courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Family courts</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Rent and tenancies courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Enforcement of criminal sanctions courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Juvenile courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: Law no. 304/2022 on the judicial organisation.

#### 044. Number of courts - geographic locations.

	Number of courts (geographic locations)
<b>First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)</b>	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>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)</b>	242 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments It should be mentioned that some of the first instance specialised courts share the location with „judecatorii”.

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

Sources: Law no. 304/2022 on the judicial organisation.

## 3.2. Court staff

### 3.2.1 Judges and non-judge staff

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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	4 367 [ ] NA [ ] NAP	1 221 [ ] NA [ ] NAP	3 146 [ ] NA [ ] NAP
1. Number of first instance professional judges	1 996 [ ] NA [ ] NAP	575 [ ] NA [ ] NAP	1 421 [ ] NA [ ] NAP
2. Number of second instance (court of appeal) professional judges	2 271 [ ] NA [ ] NAP	623 [ ] NA [ ] NAP	1 648 [ ] NA [ ] NAP
3. Number of Supreme Court professional judges	100 [ ] NA [ ] NAP	23 [ ] NA [ ] NAP	77 [ ] NA [ ] NAP

Comment - Please provide any useful comment for interpreting the data above: Only judges of the „judecatorii” are counted as first instance judges.

=

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

( ) Yes

(X) No

Comments

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

[ ] Child-care

[ ] Elderly care or other dependant persons' care

[ ] Training

[ ] For the purposes of early retirement

[ ] No specific reason required

[ ] Other reason, please specify: .....

Comments

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

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

Comments

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

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

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

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

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

Comments For attending a promotion exam there is a special leave of up to 10 days per year without reduced remuneration. For child care there is a special leave (the same for any employee in Romania) of up to 2 years. In this case the remuneration is reduced at 85% of the income, but not more than approximately 1700 euro per month.

=

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



	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	4 367 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>First instance</b>	1 996 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Second instance</b>	2 271 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Supreme Court</b>	100 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

If "Other", please explain which types of cases: The statistical system does not collect information regarding a breakdown in the number of judges based on the different legal matters.

=

#### 047. Number of court presidents .

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	224 [ ] NA [ ] NAP	92 [ ] NA [ ] NAP	132 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	161 [ ] NA [ ] NAP	67 [ ] NA [ ] NAP	94 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	62 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP	37 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP

Comments The number include solely the number of court presidents.

#### 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
<b>Gross figure</b>	[ ] NA [ X ] NAP
<b>In full-time equivalent</b>	[ ] NA [ X ] NAP

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

#### 048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant

**part of cases?**

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

No

NAP

Comments

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

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “Other civil cases”, please specify:

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

Yes

No

Comments

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

- Criminal cases
- Other than criminal cases

Comments

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

- [ ]
- NA
- NAP

Comments

=

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

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	11 071 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	<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
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	6 691 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>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)</b>	1 666 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Technical staff</b>	1 664 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other non-judge staff</b>	1 050 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other non-judge staff", please specify: Other: assistance magistrates, judicial assistants and probation counselors.

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

	Total	Males	Females
<b>Total non-judge staff working in courts (1+2+3)</b>	11 071 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	4 807 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	5 884 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	380 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

=

**053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:**

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

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

- Yes
- No

Comments

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

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

Comments - If "Other types of services", please specify:

NA

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

Sources: The source for answers at Q46 and Q47 is the data base managed by SCM in terms of human resources in courts  
The source for answers at Q52 is the data base managed by the Ministry of justice in terms of human resources in courts, with certain data provided by the SCM.

### 3.3. Public prosecution

#### 3.3.1 Public prosecutors and staff

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	2 213 [ ] NA [ ] NAP	1 074 [ ] NA [ ] NAP	1 139 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	1 089 [ ] NA [ ] NAP	533 [ ] NA [ ] NAP	556 [ ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	668 [ ] NA [ ] NAP	302 [ ] NA [ ] NAP	366 [ ] NA [ ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	456 [ ] NA [ ] NAP	239 [ ] NA [ ] NAP	217 [ ] NA [ ] NAP

Comments - Please indicate any useful comment for interpreting the data above:

=

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

( ) Yes

(X) No

Comments

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

[ ] Child-care

[ ] Elderly care or other dependant persons' care

[ ] Training

[ ] For the purposes of early retirement

[ ] No specific reason required

Other reason, please specify: .....

Comments

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

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

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

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

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

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

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

Comments For attending a promotion exam there is a special leave of up to 10 days per year without reduced remuneration. For child care there is a special leave (the same for any employee in Romania) of up to 2 years. In this case the remuneration is reduced at 85% of the

income, but not more than approximately 1700 euro per month.

**056. Number of heads of prosecution offices.**

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	279 [ ] NA [ ] NAP	154 [ ] NA [ ] NAP	125 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	73 [ ] NA [ ] NAP	40 [ ] NA [ ] NAP	33 [ ] NA [ ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	128 [ ] NA [ ] NAP	63 [ ] NA [ ] NAP	65 [ ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	78 [ ] NA [ ] NAP	51 [ ] NA [ ] NAP	27 [ ] NA [ ] NAP

Please provide any useful comment for interpreting the data above: In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

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

( ) Yes

( X ) No

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

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

[            ]  
[ ] NA

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

( ) Yes

( ) No

[ ] NAP

Comments

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

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

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

Comments - If yes, please specify

=

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

	Total	Males	Females
<b>Number of staff (non-public prosecutors) attached to the public prosecution service</b>	2 089 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply: Out of the total of 2089 filled in positions in the prosecution offices country wide, 1761 are occupied by clerks and the rest of 328 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

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

Sources: Superior Council of Magistracy
---

**3.4. Gender equality**

**3.4.1 Specific provisions for facilitating gender equality**

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

	Yes, please specify	No
<b>judges</b>	( )	( X )
<b>prosecutors</b>	( )	( X )
<b>non-judge staff</b>	( )	( X )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( )	( X )



<b>enforcement agents</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---------------------------	--------------------------	-------------------------------------

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: In line with the constitutional principle of rights equality (art. 16 of the Romanian Constitutional) there are no specific gender provisions for the recruiting procedure for any legal professions but the general conditions, such as the general conditions for judges and prosecutors regulated by the new law on the statute of judges and prosecutors, the Law no. 303/2022, art. 5 (such as citizenship, lack of any criminal or financial records, medical and psychological capacities).

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

	Yes, please specify	No
<b>judges</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>prosecutors</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>non-judge staff</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>lawyers</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>notaries</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>enforcement agents</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If the situation changed since the reference year or you have additional comments, please specify:

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

	Yes / No
<b>Court president</b>	<input type="checkbox"/> Yes If "yes", please specify:[Comment] <input checked="" type="checkbox"/> No
<b>Head of prosecution services</b>	<input type="checkbox"/> Yes If "yes", please specify:[Comment] <input checked="" type="checkbox"/> No

Comments

**3.4.2 At national level**

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

Yes

No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet

link of this/these document(s) or send/upload it/them to us?

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

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

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

### 3.4.3 At court/public prosecution services level

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

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

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

NAP

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

- Recruitment procedures, please specify: .....
- Appointment to the position of court president, please specify: .....
- Appointment to the position of head of prosecution services, please specify: .....
- Promotion procedures and access to the functions of responsibility, please specify: .....
- Other studies, please specify: .....

NAP

Comments - Please specify also the reference documents.

**3.5. Use of information technologies in courts**

**3.5.1 Governance**

**ICT STRATEGY**

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

- Yes
- No

Comments There is no national structure in charge of the strategic policy making and governance of the judicial system modernization. Every major institution has an IT department that coordinates IT system modernization. There are mixed teams of judicial staff (judges/prosecutors) and administrative/technical/scientific staff depending of the requirements of specific projects.

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

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify) .....

NA

NAP

Comments

**LEGISLATION**

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

Yes

No

Comments

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

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

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

Relevant texts are included in dedicated technical documents/specifications

Other, please specify .....

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

NA

**IMPACT OF IMPLEMENTATION OF ICT SYSTEMS**

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

Yes

No

Comments

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

	Format	Last conducted audit
<b>ICT Governance</b>	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Security and risk management</b>	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

<b>Impact on efficiency and quality of the business processes and workflow</b>	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on human resources (number, workload, wellbeing)</b>	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Other, please specify in comments</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation. Internal audit are more frequent than external audit. There can be more than 1 internal audit per year. External audit are usually once a year with regards to specific questions. Sometimes there is an extended audit. Usually this audit has a frequency for 4,5 years.

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

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

Comments Each audit observation and recommendation is reviewed at specific level for compliance. Aspects like security policy, database access, email policy, hardware and software managements, etc., are reviewed in order to be in accordance with law and best practices. Based on audit recommendation: requests for new hardware and software acquisition are made; security policy is updated; risks are reevaluated; users are trained in order to be aware of latest threats regarding use of internet resources; request for human resources adjustments are submitted.

**3.5.2 Electronic case processing**  
**ELECTRONIC SUBMISSION OF CASES**

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

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

Comments There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of system at courts, usage rate was consider the usage of system by courts) We are still gathering information regarding usage of cases electronically summited, in order to have statistical data detailed in this regard. At this moment statistical data are not available, taking into consideration that a new system of electronic submission of files (<https://registratura.rejust.ro/>) has just been implemented.

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

Electronic or paper	Possible to be submitted electronically by:	Data integration

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

Comments At national level there is an application created, which allow electronic submission of files - <https://registratura.rejust.ro/>

## SENDING ELECTRONIC DOCUMENTS TO COURT



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

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

Comments Documents can be submitted using application <https://registratura.rejust.ro/>

There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of system at courts, usage rate was consider the usage of system by courts) We are still gathering information regarding usage of sending case related documents electronically, in order to have statistical data. At this moment statistical data isn't available, taking into consideration that a new system of electronic submission of documents (<https://registratura.rejust.ro/>) has just been implemented.

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

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------



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

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details. Documents sent by another person/institution are possible if there is a mandate contract.

Files submitted to courts are added to CMS based on data extracted from files, in order to identify the case is related to. There are persons in charge with this process, that review data from transmitted files, in order assure the proper usage in CMS system.

## ELECTRONIC NOTIFICATIONS

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

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

Comments There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of system at courts, usage rate was consider the usage of system by courts) We are still gathering information regarding usage of sending electronic notification, in order to have statistical data. At this moment statistical data are not available. Papers notification is still used, due to the fact that not all persons involved in a case have electronic means or receiving information.

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

Electronic or paper	Type of notification	Data integration

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

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

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details. There is an application developed and implemented at national level, called TDS, that facilitate this process.

## CONSULTATION OF A CASE ONLINE

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

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

<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
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Comments There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of system at courts, usage rate was consider the usage of system by courts). We are still gathering information regarding online view of cases by parties, in order to have statistical data. At this moment statistical data are not available.

When a case is submitted, parties are provided authentication information (password based) that allow them to view case data online.

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

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

<b>Criminal</b>	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
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Comment - If you have selected the option “Other”, please specify details. Electronic cases can be consulted online, based on a security information (password) provided to parties involved.

## REMOTE HEARINGS

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

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

Comments There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of system at courts, usage rate was consider the usage of system by courts) We are still gathering information regarding usage of remote hearings, in order to have statistical data. At this moment statistical data are not available.

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

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

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

## ELECTRONIC ARCHIVES



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

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



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

Comments There was a misunderstanding in the methodology. We based our assessments, on the usage rate of the system by courts (deployment rate was considered the implementation of archive system at courts, usage rate was consider the usage of archive system by courts). At this moment statistical data are not available. It is not mandatory to electronically archive a case. Courts were provided with electronic archive system in 2015.

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

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

Comments

**3.5.3 Tools**

**CASE MANAGEMENT SYSTEMS (CMS)**

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

usage rates?

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

Comments

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

Functionalities
-----------------

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

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

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

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

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

## WRITING ASSISTANCE TOOLS

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

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

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

Comments

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

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

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

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

## RECORDING OF COURT HEARINGS

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

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

Comments

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

<b>Functionalities</b>
------------------------

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

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

## DATABASE OF COURT DECISIONS

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

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
--	--	---

<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments A new application is available at [www.rejust.ro](http://www.rejust.ro) for both magistrates and for the general public. This application has replaced the old application [www.rolii.ro](http://www.rolii.ro). According to the new application, the courts decisions are published under an anonymized manner, in compliance with GDPR. Access to this database ([rejust.ro](http://rejust.ro)) is authentication based. Magistrates have full access to decisions (with complete data). This database provides decisions for all civil cases, all administrative cases and all criminal cases. The application provides several useful functionalities, such as: jurisprudence (with possibility to access advance search engines based on: type of instance [First Instance Courts, Tribunal, Court of Appeal]; a specific court; judicial matter; object; procedural stage; type of solution; type of document and for authenticated magistrates the possibility to search for the number of case file and/or the number of decision). The application provides also an useful search tool for practice used by courts in specific matter, for different solutions to be avoided in similar cases. Other tools available are also: the possibility to create a folder with saved decisions, the possibility to save a search activity in order to use the same one later on

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

<b>1st instance</b>	<b>2nd instance</b>	<b>Supreme court</b>
---------------------	---------------------	----------------------



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

- If you have selected the option “Other” because the court decisions are published online in some other way then the presented modalities, please describe. The application [www.rejust.ro](http://www.rejust.ro) is based on authentication and it provides first instance courts, tribunal and court of appeal decisions for public and magistrates. (for the public, the application provides less information, in order to comply with GDPR). For the supreme court decisions, the following website is available at <https://www.scj.ro/736/Cautare-jurisprudenta>, providing to the public the possibility to search for the published decisions. This website ([www.scj.ro](http://www.scj.ro)) provides also other internal tool to view decisions.

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

Functionalities
-----------------

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

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



## STATISTICAL TOOLS

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

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

Comments

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

Functionalities	Data available for statistical analysis

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

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

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

## OTHER TOOLS

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

Yes

No

Comments

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

Yes, please specify the maximum value .....

No

Comments

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

Small claim litigation

Undisputed claim

Payment order

Misdemeanour criminal cases

Enforcement of civil cases

Other, please specify .....

Comment: Please describe the existing online procedures:

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

Yes

No

Comments

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

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

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

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

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

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

Comments In Romanian judicial system, each court has an application called ECRIS (ECRIS\_CDMS, case document management system). Decisions that are managed with ECRIS application are published online with help of REJUST application (www.rejust.ro). Each decision (civil, administrative, penal [criminal]) contain an unique number - ECLI code, which is available at European level. If by ECRIS, in the context of computerized record linked to other European records of the same nature, there is a reference to European criminal records information system, then, at courts level there is no link between ECRIS 1(Romanian application) and ECRIS 2(European criminal record information system) or between ECRIS2 and REJUST.

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

Yes

No

Comment: If yes, please provide details on the purposes and usage of this system. DMS is integrated in main application used in courts, ECRIS application.

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

Yes

No

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

**3.6.Performance and evaluation**

**3.6.1National policies applied in courts and public prosecution services**

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

Yes

No

Comments - If yes, please specify:

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

	Yes / No
<b>within the courts</b>	( ) Yes ( X ) No
<b>within the public prosecution services</b>	( ) Yes ( X ) No

Comments

### 3.6.2 Measuring court/public prosecution services

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify): .....

Comments ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate

disposition time

percentage of convictions and acquittals

other (please specify): .....

Comments

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

civil law cases

criminal law cases

administrative law cases

Comments STATIS - statistics monitoring application including for court's efficiency assessment

**072. Do you monitor waiting time during judicial proceedings?**

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

Comments There are statistical reports developed by an IT application called Statis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

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

( X ) Yes

( ) No

Comments

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

( ) Annual

( ) Less frequent

( X ) More frequent

Comments - If "Less frequent" or "More frequent", please specify: biannual (twice a year)

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

( X ) Yes

( ) No

Comments

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

Identifying the causes of improved or deteriorated performance



Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments A periodic evaluation system of the activity (performance and result) of the court is not formally adopted (by law or by a subsequent regulatory act). SCM uses a series of performance indicators (see questions 71 and 74 below) concerning the activity of the courts. Periodical assessments are being carried out and further measures are being implemented on the highlighted results. By the decisions 199/2022, SCM has updated the reports on implementing these indicators and there were established new margins for their implementation.

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

=

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

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):PRESIDENTS OF THE COURTS

Comments

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

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify): .....

Comments

**3.6.3 Information regarding courts /public prosecution services activity**

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

Yes (please indicate the name and the address of this institution):The Superior Council of Magistracy

No

Comments There are also statistics departments in the Ministry of Justice and Prosecutors' Office by the High Court of Cassation and Justice. Each court implements in a shared application its own statistical information. Such data is centralized automatically in the statistics server managed by the Ministry of Justice. The access to the information is ensured to an equal extent also to the Judicial Statistics Unit within the Superior Council of Magistracy.

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

Yes, on the internet (please provide the link)[https://portal.just.ro/2/SitePages/instanta.aspx?id\\_inst=2#informatii](https://portal.just.ro/2/SitePages/instanta.aspx?id_inst=2#informatii)

No, only internally (on an intranet website)

No

Comments The link is exemplificative. Each court has a distinct page on portal.just.ro where is published the annual activity report.

=

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

Yes (please indicate the name and the address of this institution):STATISTICS DEPARTMENT OF PICCJ

No

Comments

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

Yes, on the internet (please provide the link)<https://www.mpublic.ro/ro/content/raport-de-activitate>

No, only internally (on an intranet website)

No

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

### 3.6.4 Performance and evaluation of judges and public prosecutors

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify): .....

NAP

Comments

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

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input checked="" type="checkbox"/> NAP (no targets defined)

Comments

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

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

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to Article 87 of Law No 303/2022 -The individual professional evaluation of judges and prosecutors involves analysing and noting of the criteria and indicators for assessing the professional performance of judges and prosecutors, indicators which concern, in particular, the quality of the activity, the efficiency, the integrity and the obligation to continue vocational training, and in the case of judges and prosecutors appointed to senior positions, the manner of carrying out the managerial duties. (2) Professional evaluation of judges and prosecutors aims to establish the level of their professional competence and also to improve professional performance, increase the efficiency of the activity of courts and prosecutor's offices and public trust in judicial authority, maintain and consolidate the of the quality of the judicial system

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

Annual

Less frequent

More frequent

Different frequencies used, please specify: from to 2 to 5 years depending on the seniority; According to Article 88 of Law No 303/2022 - (1) Considering the seniority in the position of judge or prosecutor, the assessment shall be carried out as follows: a) every 2 years, for judges and prosecutors with a seniority of between one and five years; b) every 3 years, for judges and prosecutors with a seniority of between 5 and 10 years; c) every 4 years, for judges and prosecutors with a seniority of between 10 and 15 years; d) every 5 years, for judges and prosecutors with a seniority of more than 15 years. (2) Judges of the High Court of Cassation and Justice shall not be subject to evaluation. (3) Professional evaluation may also be carried out whenever requested by the judge or prosecutor

NAP

=

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

Other (please specify): .....

NAP

Comments

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

Consequences:

<b>Without disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
<b>No consequences</b>	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

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

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

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to Article 87 of Law No 303/2022 -The individual professional evaluation of judges and prosecutors involves analysing and noting of the criteria and indicators for assessing the professional performance of judges and prosecutors, indicators which concern, in particular, the quality of the activity, the efficiency, the integrity and the obligation to continue vocational training, and in the case of judges and prosecutors appointed to senior positions, the manner of carrying out the managerial duties. (2) Professional evaluation of judges and prosecutors aims to establish the level of their professional competence and also to improve professional performance, increase the efficiency of the activity of courts and prosecutor's offices and public trust in judicial authority, maintain and consolidate the of the quality of the judicial system

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

Annual

Less frequent

More frequent

Different frequencies used, please specify: from 2 to 5 years depending on the seniority; According to Article 88 of Law No 303/2022 - (1) Considering the seniority in the position of judge or prosecutor, the assessment shall be carried out as follows: a) every 2 years, for judges and prosecutors with a seniority of between one and five years; b) every 3 years, for judges and prosecutors with a seniority of between 5 and 10 years; c) every 4 years, for judges and prosecutors with a seniority of between 10 and 15 years; d) every 5 years, for judges and prosecutors with a seniority of more than 15 years. (2) Judges of the High Court of Cassation and Justice shall not be subject to evaluation. (3) Professional evaluation may also be carried out whenever requested by the judge or prosecutor

NAP

Comments Legislation on the statute of judges and prosecutors was replaced by Law no. 303/2022

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

## 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 is represented by a lawyer)?**

[            ]

NA

NAP

Comments - Please add methodology for calculation used.

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

Yes

No

Comments - Please could you briefly specify:

**085-1. If yes, what are:**

	-
<b>The total number of the initiated procedures in the reference year</b>	5 011 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>The total number of recusals pronounced in the reference year</b>	685 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify:

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

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

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

ensure timely and effective execution of judgments of the European Court of Human Rights:

The mechanism's normative basis is represented by the Government Ordinance no. 94/30 August 1999, amended and modified.

The enforcement of ECHR's judgments, regarding both individual and general measures, is supervised by the Directorate of the Government Agent for the European Court of Human Rights within the Ministry of Foreign Affairs. In this context, it also supervises the payment of the just satisfaction awarded by the European Court – by transmitting the necessary data to the Ministry of Public Finances in order for this authority to pay the sums awarded by the Court. Regarding individual measures other than the payment of just satisfaction, the aforementioned directorate informs the authorities involved about the measures of this nature required to enforce a ECHR judgment and the need to fulfill the obligations implied in order to fully execute the judgment. Concerning general measures, the directorate initiates and coordinates the actions of the actors involved. -Thus, it raises awareness as to the possible general measures implied by the European Court's judgments and consults and coordinates the authorities involved in order to carry into effect the necessary actions in order to fulfill the obligations required by the judgment.

As for the modalities to liaise with persons or bodies responsible at the national level for deciding on the measures necessary to execute the judgments and the modalities to acquire information from other state actors, they are accomplished by means of written correspondence, consultations, meetings and inter-ministerial working groups. Another important aspect concerns the drawing-up of action plans/reports and related effective coordination/cooperation with the relevant actors at the national level for the same purpose of implementing of the Court's judgments. It should be mentioned that the action plans/reports are drawn-up, in particular with regard to judgments revealing structural problems or special issues, following consultations held with the authorities concerned, meetings and inter-ministerial working groups.

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

For civil cases

For criminal cases

For administrative cases

NAP

Comments

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

Sources: current legislation and statistics (ECRIS)

## **4.2. Timeframe of proceedings**

### **4.2.1 General information**

#### **087. Are there specific procedures for urgent matters regarding:**

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

#### **088. Are there simplified procedures for:**

civil cases (small disputes)



criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

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

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

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

	Yes	No
Agreement on general arrangements	( X )	( )
Agreement in specific cases	( X )	( )

Comments According to art. 169 of the Civil Procedural Code, after initiating proceedings, is if all parties are represented by a lawyer or a legal counsel it is possible for them to agree to exchange documents directly. In this case the recipient will confirm the receiving of the document on the copy submitted to the court.

## 4.2.2 Case flow management – first instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	597 885 [ ] NA [ ] NAP	1 446 296 [ ] NA [ ] NAP	1 391 020 [ ] NA [ ] NAP	653 161 [ ] NA [ ] NAP	28 687 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	513 211 [ ] NA [ ] NAP	1 332 192 [ ] NA [ ] NAP	1 282 368 [ ] NA [ ] NAP	563 035 [ ] NA [ ] NAP	20 659 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	16 581 [ ] NA [ ] NAP	30 665 [ ] NA [ ] NAP	28 019 [ ] NA [ ] NAP	19 227 [ ] NA [ ] NAP	5 629 [ ] NA [ ] NAP

<b>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)</b>	4 369 [ ] NA [ ] NAP	25 005 [ ] NA [ ] NAP	23 083 [ ] NA [ ] NAP	6 291 [ ] NA [ ] NAP	276 [ ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	12 212 [ ] NA [ ] NAP	5 660 [ ] NA [ ] NAP	4 936 [ ] NA [ ] NAP	12 936 [ ] NA [ ] NAP	5 353 [ ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	6 403 [ ] NA [ ] NAP	4 726 [ ] NA [ ] NAP	4 451 [ ] NA [ ] NAP	6 678 [ ] NA [ ] NAP	277 [ ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	5 809 [ ] NA [ ] NAP	934 [ ] NA [ ] NAP	485 [ ] NA [ ] NAP	6 258 [ ] NA [ ] NAP	5 075 [ ] NA [ ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	68 093 [ ] NA [ ] NAP	83 439 [ ] NA [ ] NAP	80 633 [ ] NA [ ] NAP	70 899 [ ] NA [ ] NAP	2 399 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments There are no explanations for the discrepancies, as for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

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

. Divorce with the consent of the parties, granting of legal personality, modification of the constitutive acts of legal persons, requests related to unions, non-litigious requests (civil, litigation with professionals, minors and family).

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

. NAP

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	101 708 [ ] NA [ ] NAP	366 408 [ ] NA [ ] NAP	357 069 [ ] NA [ ] NAP	111 047 [ ] NA [ ] NAP	4 608 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify

**4.2.3 Case flow management – second instance**



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	85 675 [ ] NA [ ] NAP	189 186 [ ] NA [ ] NAP	175 381 [ ] NA [ ] NAP	99 480 [ ] NA [ ] NAP	2 102 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	84 489 [ ] NA [ ] NAP	186 349 [ ] NA [ ] NAP	172 693 [ ] NA [ ] NAP	98 145 [ ] NA [ ] NAP	2 091 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	1 186 [ ] NA [ ] NAP	2 837 [ ] NA [ ] NAP	2 688 [ ] NA [ ] NAP	1 335 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP

<b>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)</b>	355 [ ] NA [ ] NAP	1 120 [ ] NA [ ] NAP	1 142 [ ] NA [ ] NAP	333 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	831 [ ] NA [ ] NAP	1 717 [ ] NA [ ] NAP	1 546 [ ] NA [ ] NAP	1 002 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	831 [ ] NA [ ] NAP	1 717 [ ] NA [ ] NAP	1 546 [ ] NA [ ] NAP	1 002 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>3. Administrative law cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>4. Other cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP

Comments - If "Other cases" please specify Due to the large number of magistrates retiring in 2022, the number of solved cases decreased, as a result the stock of files at the end of the year increased, while the number of newly entered cases followed an upward trend compared to the previous reporting cycle.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2+3)</b>	8 454 [ ] NA [ ] NAP	25 294 [ ] NA [ ] NAP	25 252 [ ] NA [ ] NAP	8 496 [ ] NA [ ] NAP	116 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP

<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
--------------------------------	--	--	--	--	--

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify:

#### 4.2.4 Case flow management – Supreme Court



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	34 034 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 002 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 233 <input type="checkbox"/> NA <input type="checkbox"/> NAP	29 803 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 245 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	14 517 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 643 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 846 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 314 <input type="checkbox"/> NA <input type="checkbox"/> NAP	328 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	89 <input type="checkbox"/> NA <input type="checkbox"/> NAP	200 <input type="checkbox"/> NA <input type="checkbox"/> NAP	216 <input type="checkbox"/> NA <input type="checkbox"/> NAP	73 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	87 <input type="checkbox"/> NA <input type="checkbox"/> NAP	167 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</b>	87 <input type="checkbox"/> NA <input type="checkbox"/> NAP	167 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<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
<b>2.2.3. Other registry cases</b>	<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
<b>2.3. Other non-litigious cases</b>	<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

<b>3. Administrative law cases</b>	19 428 [ ] NA [ ] NAP	25 159 [ ] NA [ ] NAP	27 171 [ ] NA [ ] NAP	17 416 [ ] NA [ ] NAP	916 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If “Other cases”, please specify There are no explanations for the discrepancies, anyway for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

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

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

( X ) No

Comments

### 100. 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
<b>Total of criminal law cases (1+2+3)</b>	143 [ ] NA [ ] NAP	205 [ ] NA [ ] NAP	306 [ ] NA [ ] NAP	42 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify according to the application for statistics

### 4.2.5 Case flow management and timeframes – specific cases



#### 101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	13 669 [ ] NA [ ] NAP	26 821 [ ] NA [ ] NAP	27 303 [ ] NA [ ] NAP	13 187 [ ] NA [ ] NAP	383 [ ] NA [ ] NAP

<b>Employment dismissal cases</b>	1 607 [ ] NA [ ] NAP	1 554 [ ] NA [ ] NAP	1 646 [ ] NA [ ] NAP	1 515 [ ] NA [ ] NAP	46 [ ] NA [ ] NAP
<b>Insolvency</b>	20 503 [ ] NA [ ] NAP	20 468 [ ] NA [ ] NAP	22 180 [ ] NA [ ] NAP	18 791 [ ] NA [ ] NAP	3 135 [ ] NA [ ] NAP
<b>Robbery case</b>	791 [ ] NA [ ] NAP	1 261 [ ] NA [ ] NAP	1 134 [ ] NA [ ] NAP	918 [ ] NA [ ] NAP	38 [ ] NA [ ] NAP
<b>Intentional homicide</b>	619 [ ] NA [ ] NAP	636 [ ] NA [ ] NAP	639 [ ] NA [ ] NAP	616 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP

Comments

=

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	150 [ ] NA [ ] NAP	678 [ ] NA [ ] NAP	639 [ ] NA [ ] NAP	189 [ ] NA [ ] NAP	13 [ ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	148 [ ] NA [ ] NAP	621 [ ] NA [ ] NAP	545 [ ] NA [ ] NAP	224 [ ] NA [ ] NAP	10 [ ] NA [ ] NAP

Comments

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

. The judicial remedies relating to asylum seekers is regulated by Law no 122/2006 on asylum in Romania.

The access to the asylum procedure is guaranteed to any foreign or stateless person that is on the Romanian territory or at the frontier and who requests orally or in writing the protection of the Romanian state, under the conditions of the law.

The application is filed at the competent authorities and it is then forwarded to the National Office for Immigration.

In any phase of the asylum procedure, the applicant has the right to be assisted by a lawyer, the right to an interpreter, the right to contact and to be assisted by an official of UNCHR or a national or international NGO etc.

The applicant has free access to court, including legal assistance and exemption from cautio iudicatum solvi.

### 101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Child sexual abuse</b>	472 [ ] NA [ ] NAP	715 [ ] NA [ ] NAP	589 [ ] NA [ ] NAP	598 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>Child pornography</b>	115 [ ] NA [ ] NAP	205 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP	142 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Sexual intercourse with a minor, art. 220 CP: Sexual intercourse, oral or anal intercourse and other acts of vaginal or anal penetration committed with a minor under 15 years or by a major with a minor aged between 15 and 18 years in some circumstances. Sexual corruption of minors, art. 221 CP: a sexual act other than that referred to in art. 220 against a minor under the age of 13 years or the corruption of the minor to bear or carry out such an act; the sexual act of any nature committed by a major in the presence of a minor under the age of 13 years; a major corrupting a minor under the age of 13 years to assist in acts of flasher or performances in which they commit sexual acts of any kind and making available pornographic material. child pornography - art. 374 CP: The production, possession, purchase, storage, display, promotion, distribution and making available in any way, of child pornography

**102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.**

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 9.09 [ ] NA [ ] NAP	116 [ ] NA [ ] NAP	243 [ ] NA [ ] NAP	264 [ ] NA [ ] NAP	125 [ ] NA [ ] NAP	_____ Allow decimals : 2 4.08 [ ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Allow decimals : 2 5.76 [ ] NA [ ] NAP	252 [ ] NA [ ] NAP	240 [ ] NA [ ] NAP	204 [ ] NA [ ] NAP	252 [ ] NA [ ] NAP	_____ Allow decimals : 2 1.8 [ ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 57.22 [ ] NA [ ] NAP	273 [ ] NA [ ] NAP	201 [ ] NA [ ] NAP	366 [ ] NA [ ] NAP	243 [ ] NA [ ] NAP	_____ Allow decimals : 2 3.1 [ ] NA [ ] NAP
<b>Insolvency cases</b>	_____ Allow decimals : 2 26.41 [ ] NA [ ] NAP	522 [ ] NA [ ] NAP	126 [ ] NA [ ] NAP	150 [ ] NA [ ] NAP	423 [ ] NA [ ] NAP	_____ Allow decimals : 2 13.9 [ ] NA [ ] NAP



<b>Robbery cases</b>	_____ Allow decimals : 2 <b>55.66</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>246</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>125</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<b>186</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <b>3.05</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 <b>90.14</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>245</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<b>130</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<b>176</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <b>2.41</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Regarding “Robbery cases” and “Intentional homicide cases”, the answer is NAP for the Average length in 3rd instance (in days), because there are no such cases at 3rd instance level.

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

. In the statistical application Statis, the average duration is calculated as follows: each file has a resolution duration given by the moment of registration on the roll in ECRIS (electronic file management) and by the final moment of resolution given by closing the document in ECRIS. A general total of the days required to resolve all files with the respective object (or from the respective matter) for the chosen procedural stage is calculated and then divided by the total number of files with the respective object (or from the respective matter), thus obtaining an average time (average duration) of resolution for the type of file or for the chosen legal matter.

**4.2.6 Case flow management – public prosecution**

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

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

Comments "other": to defend the legitimate rights and interests of the minors, of the persons under interdiction, of the disappeared and of other persons in the legal conditions;

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

- civil cases
- administrative cases

[ ] insolvency cases

Comments - If yes, please specify:

=

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

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	1 142 974 [ ] NA [ ] NAP
<b>2.Incoming/received cases</b>	615 057 [ ] NA [ ] NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	618 265 [ ] NA [ ] NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	486 377 [ ] NA [ ] NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	[ X ] NA [ ] NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	[ X ] NA [ ] NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	[ X ] NA [ ] NAP
<b>3.1.4 Discontinued for other reasons</b>	[ X ] NA [ ] NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	81 709 [ ] NA [ ] NAP
<b>3.3.Cases brought to court</b>	50 179 [ ] NA [ ] NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	1 139 406 [ ] NA [ ] NAP

Comments

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

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
<b>Total number of guilty plea procedures</b>	1 848 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>Before the main trial</b>	1 848 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>During the main trial</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments

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

- Yes
- No

Comments

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

Sources: Centralizatoarele statistice privind activitatea de urmarire penala comunicate anual de catre Parchetul de pe langa ICCJ

**5. Career of judges and public prosecutors**

**5.1. Recruitment and promotion**

**5.1.1 Recruitment and promotion of judges**

**110. How are judges recruited?**

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

Comments

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

. Similar to the previous legislation, there are two methods of admission in profession, namely the admission contest/competition to the National Institute of Magistracy (Articles 5-24 of the Law No 303/2022) and the competition for admission in the magistracy (Articles 63-79 of the Law No 303/2022).

As a novelty, the duration of training courses for judicial auditors admitted to the National Institute of Magistracy has been increased, starting with 2025, from 2 to 3 years.

The second method of admission, respectively the competition for admission in the magistracy is designated for professionals with at least 5 years of judicial seniority in a number of judicial professions listed by law (art. 63 of the Law no. 303/2022- lawyers, notaries, judicial assistants, assistant magistrates etc. )

The mentioned open competition is the same as the open competition for the general recruitment procedure for judges and prosecutors. The graduates of the National Institute of Magistracy with good reputation are appointed by the appropriate section of the Superior Council of Magistracy in the positions of junior/trainee judges or junior/trainee prosecutors, and at the end of the traineeship period judges and prosecutors are required/obliged to participate at the capacity examination. The judges and prosecutors who have passed the capacity examination, as well as the candidates admitted to the competition for admission in the magistracy are appointed in

function by the President of Romania.

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

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

Comments - If “other”, please specify:

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

	Total	Males	Females
Number of applicants	1 195 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	76 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

- Yes
- No

Comments The Council will continue the steps mentioned in the previous question and will react in real time to cover vacancies in the system, including by supplementing the admission competitions to the judiciary organized in one year.

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

- Increase of salary
- Other financial incentives

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

Comments: If “other”, please, specify: The Superior Council of Magistracy (SCM) has been constantly concerned with ensuring the necessary human resources for the proper performance of the activity at the level of the courts and prosecutor’s offices, by organising competitions for admission to the profession, those of promotion, as well as the sessions for filling vacancies by transfer

=

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

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

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

**111-1. How many members compose this authority?**

	Total	Males	Females
<b>Members</b>	9	5	4
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

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

- Yes
- No

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

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

- Yes
- No

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

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

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

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

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

	Total	Males	Females
Number of applicants	233 [ ] NA	[ X ] NA	[ X ] NA
Number of promoted persons	169 [ ] NA	[ X ] NA	[ X ] NA

Comments

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

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

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

**5.1.2 Status, recruitment and promotion of prosecutors**

**115. What is the status of public prosecution services?**

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

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

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

- Yes
- No

Comments - If yes, please specify:

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

Yes

No

NAP

Comments - Please describe these exceptions:

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

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify:

### 115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

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

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

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

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

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

Yes

No

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



=

### 116. How are public prosecutors recruited?

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

Comments

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

. see Q 110-1

Similar to the previous legislation, there are two methods of admission in profession, namely the admission contest/competition to the National Institute of Magistracy (Articles 5-24 of the Law No 303/2022) and the competition for admission in the magistracy (Articles 63-79 of the Law No 303/2022).

As a novelty, the duration of training courses for judicial auditors admitted to the National Institute of Magistracy has been increased, starting with 2025, from 2 to 3 years.

The second method of admission, respectively the competition for admission in the magistracy is designated for professionals with at least 5 years of judicial seniority in a number of judicial professions listed by law (art. 63 of the Law no. 303/2022- lawyers, notaries, judicial assistants, assistant magistrates etc. )

The mentioned open competition is the same as the open competition for the general recruitment procedure for judges and prosecutors. The graduates of the National Institute of Magistracy with good reputation are appointed by the appropriate section of the Superior Council of Magistracy in the positions of junior/trainee judges or junior/trainee prosecutors, and at the end of the traineeship period judges and prosecutors are required/obliged to participate at the capacity examination. The judges and prosecutors who have passed the capacity examination, as well as the candidates admitted to the competition for admission in the magistracy are appointed in function by the President of Romania.

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

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



Personal requirements (related to integrity)

Other

NAP

Comments - If "other", please specify:

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

	Total	Males	Females
Number of applicants	1 195 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	25 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

Yes

No

Comments

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

Increase of salary

Other financial incentives

Improving working conditions

Workload reduction at the beginning of career

Other adjustments in the frame of the induction of new prosecutors

Other

Comments: If "other", please, specify: Same as Q 110-5

The Superior Council of Magistracy (SCM) has been constantly concerned with ensuring the necessary human resources for the proper performance of the activity at the level of the courts and prosecutor's offices, by organising competitions for admission to the profession, those of promotion, as well as the sessions for filling vacancies by transfer

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

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

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

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	5 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP

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

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

Yes

No

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

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

Yes

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

Comments

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

Competitive test / exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

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

**119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	63 [ ] NA	[ X ] NA	[ X ] NA
<b>Number of promoted persons</b>	35 [ ] NA	[ X ] NA	[ X ] NA

Comments

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria



### 5.1.3Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65

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):2 years

No

Comments

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

Yes, please indicate the compulsory retirement age:65

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):2 years

No

Comments

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

[            ]

NA

NAP

Comments

**125-1. Is it renewable?**

- Yes  
 No  
 NAP

Comments

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

- [            ]  
 NA  
 NAP

Comments

**126-1. Is it renewable?**

- Yes  
 No  
 NAP

Comments

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

Sources: Law 303/2022 on statute of judges and prosecutors, Law No 304/2022 on judicial organization and Law, Law no.305/2022 regarding the Superior Council of Magistracy and the Romanian Constitution

## 5.2. Training

### 5.2.1 Training of judges

**127. Types of different trainings offered to judges:**

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

<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments Participation of judges and prosecutors in training activities organised by NIM within its annual continuous training program is voluntary-based. However, according to the law, NIM is in charged also with organising mandatory general or specialized courses (e.g. candidates who have been recruited as judges and prosecutors and who have at least 5 years of previous experience in a legal profession must follow a mandatory 6-month training programme organised by the NIM).

Regarding the in-service training for the use of computer facilities in courts, the Continuous Training Program for 2022 did not provide such sessions of training, as the NIM budget for training was allocated to other strategic priorities.

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

	Frequency of the judges training
<b>General in-service training</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for management functions of the court (e.g. court president)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for the use of computer facilities in courts</b>	[ ] Regularly (for example every year) [ ] Occasional (as needed) [ X ] No training proposed
<b>In-service training on ethics</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training on child-friendly justice</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training on gender equality</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed

<b>Other in- service training</b>	<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: In-service training for specialised functions (e.g. public prosecutor specialised in organised crime), training for management functions of the court, on ethics, on on child-friendly justice, on gender equality and other fields was offered on a regular basis, compared to occasionally as in the previous years. Regarding the in-service training for the use of computer facilities in courts, the Continuous Training Program for 2022 did not provide such sessions of training, as the NIM budget for training was allocated to other strategic priorities.

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

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

Comments According to the law, the initial training programme lasts for two years for all judicial trainees – both future judges and prosecutors  
 Estimation in number of working days of initial training during 2022 is 230 days per year (46 weeks of training x 5 working days/week).  
 The minimum number of days for initial training is 460.

**5.2.2 Training of prosecutors**

**129. Types of different trainings offered to public prosecutors:**

	Compulsory	Optional	No training proposed
<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments Participation of judges and prosecutors in training activities organised by NIM within its annual continuous training program is voluntary-based. However, according to the law, NIM is in charged also with organising mandatory general or specialized courses (e.g. candidates who have been recruited as judges and prosecutors and who have at least 5 years of previous experience in a legal profession must follow a mandatory 6-month training programme organised by the NIM).

Regarding the in-service training for the use of computer facilities in courts, the Continuous Training Program for 2022 did not provide such sessions of training, as the NIM budget for training was allocated to other strategic priorities

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

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: In-service training for specialised functions (e.g. public prosecutor specialised in organised crime), training for management functions of the court, on ethics, on on child-friendly justice, on gender equality and other fields was offered on a regular basis, compared to occasionally as in the previous years. Regarding the in-service training for the use of computer facilities in courts, the Continuous Training Program for 2022 did not provide such sessions of training, as the NIM budget for training was allocated to other strategic priorities.

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

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

Comments According to the law, the initial training programme lasts for two years for all judicial trainees – both future judges and prosecutors  
Estimation in number of working days of initial training during 2022 is 230 days per year (46 weeks of training x 5 working days/week).  
The minimum number of days for initial training is 460.

### 5.2.3 Training institutions

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

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



Institution(s) for both judges and prosecutors	<input type="checkbox"/> ]	<input type="checkbox"/> ]	<input checked="" type="checkbox"/> X ]
--	----------------------------	----------------------------	---

Comments

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

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP
Institution(s) for prosecutors	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP
Institution(s) for both judges and prosecutors	8 026 644 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP

Comments The budgetary allocations for the year 2022 were lower than in 2020, given that only one class of judicial trainees (second year of study) was in training in 2022.

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

. Initial training for judges and prosecutors is compulsory.

**5.2.4 Number of trainings**

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	297 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	297 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	644 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	9 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP
<b>For judges</b>	169 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	169 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	344 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	<input checked="" type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>For prosecutors</b>	132 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	132 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	275 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	<input checked="" type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>For non-judge staff</b>	59 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	59 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	150 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP	7 <input type="checkbox"/> ] NA <input type="checkbox"/> ] NAP

<b>For non-prosecutor staff</b>	22 [ ] NA [ ] NAP	22 [ ] NA [ ] NAP	50 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
---------------------------------	-------------------------	-------------------------	-------------------------	------------------------

Comments Referring to the training sessions organised for non-judge and non-prosecutor staff, in the table above, there should be underlined that they regard the training sessions organised for clerks from court/prosecutors' offices, while the training sessions for other categories of personnel are being mentioned in the general comments to Q131-3, since there is no longer available a section dedicated to other staff categories. In addition to the above mentioned trainings, a number of 122 days of initial training courses for future clerks were conducted.

Moreover, as underlined in the general comments, where we mentioned trainings for other categories of personnel, no continuous training session was organised only for non-judge or non-prosecutor staff, but this staff had the legal opportunity to participate in most of the continuous training sessions addressed to judges and prosecutors.

There should also be mentioned that many of the training sessions organised by NIM for in-service training are addressed both to judges and prosecutors. Thus, the 297 total number of trainings both available and delivered represent: 216 total trainings for judges, for prosecutors and for judges and prosecutors all together (which were counted separately when referring to trainings for judges/prosecutors) plus 81 trainings for clerks, namely non-judge and non-prosecutor staff.

Moreover, 644 days of delivered trainings represent: 444 total trainings for judges, for prosecutors and for judges and prosecutors all together (which were counted separately when referring to trainings for judges/prosecutors) plus 200 trainings for clerks, namely non-judge and non-prosecutor staff.

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

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	6 152 [ ] NA [ ] NAP	274 [ ] NA [ ] NAP
<b>Judges</b>	2 482 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Prosecutors</b>	1 815 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Non-judge staff</b>	1 328 [ ] NA [ ] NAP	228 [ ] NA [ ] NAP
<b>Non-prosecutor staff</b>	527 [ ] NA [ ] NAP	46 [ ] NA [ ] NAP

Comments Moreover, no continuous training session was organised only for non-judge or non-prosecutor staff, but this staff had the legal opportunity to participate in most of the continuous training sessions addressed to judges and prosecutors. Also, as mentioned in the comments for Q131-2, there should be underlined that many of the training sessions organised by NIM for in-service training are addressed both to judges and prosecutors. Since the category of other professionals is no longer mentioned in the table, there should be mentioned that, additionally, during 2022, 313 other non-judge & non-prosecutor categories (other than clerks) and 279 justice auditors within NIM have participated in trainings.

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

Sources: the Report on 2022 of the National Institute of Magistracy  
& data communicated by the National School of Clerks

## 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	42 541 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 887 <input type="checkbox"/> NA <input type="checkbox"/> NAP	210 468 <input type="checkbox"/> NA <input type="checkbox"/> NAP	123 124 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	86 142 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 393 <input type="checkbox"/> NA <input type="checkbox"/> NAP	426 180 <input type="checkbox"/> NA <input type="checkbox"/> NAP	249 315 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	42 541 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 887 <input type="checkbox"/> NA <input type="checkbox"/> NAP	210 468 <input type="checkbox"/> NA <input type="checkbox"/> NAP	123 124 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	65 993 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 606 <input type="checkbox"/> NA <input type="checkbox"/> NAP	326 496 <input type="checkbox"/> NA <input type="checkbox"/> NAP	191 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

#### 133. Do judges and public prosecutors have additional benefits?

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

Comments

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

. Other financial benefits are essentially related to medical expenses and travel expenses (limited).

NAP

=

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

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

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

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

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

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

specify: similar to judges, see Q135

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

Yes

No

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

### 5.3.2 Body/institution of ethics

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

Yes

No

Comment - Please specify:

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

Only judges

Judges and other legal professionals

Other, please specify: .....

Comments

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

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.: In our judicial system, there are not only opinions in terms of ethics/deontology but a Deontological Code which is publicly available, the Superior Council of Magistracy being entitled to publish the Code, as previously mentioned and there are also decisions of the Sections for judges/prosecutors on alleged breaches of the deontological code which are also being published after being anonymised.

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

[            ]

NA

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

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

Yes

No

Comment: Please specify

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

- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify: .....

Comments

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

- Yes
- No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. In our judicial system, there are not only opinions in terms of ethics/deontology but a Deontological Code which is publicly available, the Superior Council of Magistracy being entitled to publish the Code, as previously mentioned and there are also decisions of the Sections for judges/prosecutors on alleged breaches of the deontological code which are also being published after being anonymised.

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

- [ ]
- NA

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

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

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

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments

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

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments

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

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

Comments According to art. 44 para.1 of the Law no.305/2022 (the new law on the SCM), the Superior Council of Magistracy accomplishes through its Sections (for judges/for prosecutors) the role of a judicial court in the field of disciplinary liability of judges and prosecutors.

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

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

Comments According to art. 44 para.1 of the Law no.305/2022 (the new law on the SCM), the Superior Council of Magistracy accomplishes through its Sections (for judges/for prosecutors) the role of a judicial court in the field of disciplinary liability of judges and prosecutors.

## 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
<b>Total number (1+2+3+4)</b>	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify: As previously, in the table above we have indicated the number of disciplinary actions registered in the reference year (2022) before the Sections for judges and prosecutors of the Superior Council of Magistracy in disciplinary matters (32 disciplinary cases/disciplinary actions were registered before the Section for Judges of the SCM in disciplinary matters and 6 disciplinary cases were registered before the Section for Prosecutors of the SCM in disciplinary matters).

The discrepancies between the number of disciplinary actions and the number of breaches of professional ethics + breaches of the professional inadequacy are due to the fact that one disciplinary action can refer to not only one but more disciplinary offences, as well as to not only one but more magistrates.

The disciplinary offences are expressly regulated under the provisions of Article 273 of Law No 303/2022 on the status of judges and prosecutors: warning, the reduction of the revenue with 25 % up to 1 year, disciplinary relocation for an effective period from one year to three years to another court, even to an immediate inferior rank, demotion, suspension from office up to 6 months, dismissal

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

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP



<b>4. Fine</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Position downgrade</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>8. Resignation</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>9. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>10. Dismissal</b>	8 <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. There should be taken into account that the above mentioned data reflect the number of the disciplinary sanctions rendered in the reference year (2022) irrespectively of the year the disciplinary action was registered in, therefore this number is not necessary equal to the number of disciplinary actions registered in 2022, as these sanctions can be rendered for disciplinary actions registered before 2022 while there are also disciplinary actions registered in 2022 but not yet solved before the end of 2022; moreover, most of the decisions are final but there are also several ones are not final yet (the recourse procedure).

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

Sources: The sources of these data are the registration archives of the Sections for Judges/prosecutors of the Superior Council of Magistracy in disciplinary matters.

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1Status of the profession of lawyers

#### 146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	23 123 <input type="checkbox"/> NA	9 663 <input type="checkbox"/> NA	13 460 <input type="checkbox"/> NA

Comments

#### 147. Does this figure include “legal advisors” who cannot represent their clients in court (for

example, some solicitors or in-house counsellors)?

Yes ( )

No ( X )

Comments

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

[ ]

[ X ] NA

[ ] NAP

Comments

=

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

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

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: According to the provisions of the Civil Procedural Code, as well as according to the provisions of Law no. 51/1995 for the exercise of the profession of lawyer, the party can be represented in the civil trial not only by a lawyer, but also by a person who does not have this capacity, nevertheless for the case in which the mandate is given to another person than to a lawyer. According to the procedural rules, if the mandate is given to another person than to a lawyer, the proxy can rest the case only through lawyer.

As in civil matters, legal representation in criminal and administrative proceedings at all instances can be carried out by lawyers but also by other persons/entities.

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

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Family member</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Self-representation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Trade union</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): Consumer protection associations have the right to take legal action to defend the rights and legitimate interests of consumers.

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

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

Comments

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

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

Comments

**150. Is the lawyer profession organised through:**

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

Comments

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

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: National Bar Association, Ministry of Justice (legislative aspects).

### 6.1.2 Practicing the profession of lawyer

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

Yes

No

Comments

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

### 6.1.3 Quality standards and disciplinary procedures for lawyers

**157. Have quality standards been determined for lawyers?**

Yes

No

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

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

the bar association

the Parliament

other (please specify): .....

Comments

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

the performance of lawyers

the amount of fees

Comments - Please specify:

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

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments

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

	Number of disciplinary proceedings
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	67 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: 4. Other: breach of the obligation to present oneself before the bodies of the profession - 6.

**162. Sanctions pronounced against lawyers.**

Number of sanctions
---------------------

<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	30 [ ] NA [ ] NAP
<b>1. Reprimand</b>	14 [ ] NA [ ] NAP
<b>2. Suspension</b>	5 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	0 [ ] NA [ ] NAP
<b>4. Fine</b>	7 [ ] NA [ ] NAP
<b>5. Other</b>	4 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. 5. Other - warning

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

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

Yes

No

Comments

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

Before/instead of going to court

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

No mandatory mediation

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

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

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

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

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<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
<b>Family cases</b>	<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
<b>Administrative cases</b>	<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
<b>Labour cases including employment dismissals</b>	<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
<b>Criminal cases</b>	<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
<b>Consumer cases</b>	<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

Comments

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

Yes

No

NAP

Comments - If yes, please specify:

=

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

	Total	Males	Females
<b>Number of mediators</b>	4 357 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 866 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 491 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The data is provided by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of the persons who meet the conditions provided by law.

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

. According to Law no. 192/2006 on mediation and the organisation of the profession of mediator, a person may become a mediator if he/she meets the following conditions:

a) has full legal capacity; b) has higher education; c) has at least three years' service; d) is medically fit for this activity; e) is of good

repute and has not been convicted of a criminal offence prejudicial to the prestige of the profession; f) has completed the courses for the training of mediators, in accordance with the law, or a postgraduate programme at master level in the field, accredited by law and approved by the Mediation Council; g) has been authorized as a mediator, under the terms of this law. The persons who meet said conditions will be authorised as mediators by the Mediation Council after payment of the authorisation fee. The authorisation shall be issued to the applicant no later than 30 calendar days from the date on which it is established that the applicant fulfils all the conditions laid down by law and the regulation issued in accordance to the law. If the applicant does not meet the conditions laid down in the law or if his application is not accompanied by supporting documents, the Mediation Council shall notify the person concerned of the reasoned refusal of authorisation or, where appropriate, of the need to complete the evidence required by law. The decision refusing or withdrawing the mediator's authorisation may be appealed to the competent court, in accordance with the procedure laid down in the Administrative Litigation Act.

### 167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>1. Civil and commercial cases</b>	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>2. Family cases</b>	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>3. Administrative cases</b>	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP
<b>4. Labour cases including employment dismissal cases</b>	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP
<b>5. Criminal cases</b>	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>6. Consumer cases</b>	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP	<input type="checkbox"/> X ] NA <input type="checkbox"/> ] NAP
<b>7. Other cases</b>	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP	<input type="checkbox"/> ] NA <input checked="" type="checkbox"/> X ] NAP

Comments - Please indicate the source: Although we cannot offer a total of the cases of court-related mediation, divided into the categories above, according to the statistical system in the field (which is ongoing at this moment), we could extract a number of 334 mediation agreement in civil and family cases authorized by the court (2022) on December 31, of which 135 in stock/ pending cases (on December 31, 2021) and 199 received/incoming cases during 2022. Background and legislation elements (remain valid from the last cycle):

The control of the state regarding the mediation is indirect and it concerns the agreement concluded by the parties after following the mediation procedure – such an agreement constitutes an act under private signature. In order to become an authentic act, it has to be authenticated by the notary public or authorized by the court. Thus, if the conflict has already been submitted to a court, the settlement by



mediation of such a case can be possible at the initiative of the involved parties or at the recommendation of the court and accepted by the parties, concerning rights the parties can dispose over in accordance with the legal provisions. Mediation can deal with the total or partial settlement of the concerned litigation. The court shall, on the request of the parties, issue a decision in accordance with the provisions of the Civil Procedure Code regarding the expedient court decision.

According with the provisions of article 59 para. 2 of the Law no. 192/2006, the parties to the mediation agreement may go to court to request, in compliance with the legal proceedings, to give a decision to legalize their understanding. Competence shall lay with the court in whose jurisdiction any of the parties have their domicile or residence or, where appropriate, the head office or the court of first instance in whose jurisdiction is located the place where it has been signed mediation agreement. The decision whereby the court consents on the understanding between parties shall be delivered in the council room and shall be an enforcement order under the law. The provisions of articles 438 - 441 of the Law no 134/2010 (New Civil Procedure Code), republished, as amended, shall apply accordingly.

Mediation in case of a dispute before the law courts, according with the provisions of article 61 para. 1 of the Law no. 192/2006. in case the conflict was brought to justice, its settlement by mediation may take place at the initiative of the parties or at the proposal of any of them or on the recommendation of the court, concerning the rights which the parties may enjoy under the law. Mediation may have as subject settlement of all or part of the dispute. The mediator may not charge fees for informing the parties. Also, according with the provisions of art. 63 para. 1 of the Law no. 192/2006, in case the matter has been settled by means of mediation, the court shall deliver, at the request of the parties and in compliance with the requirements of law, a judgment, the provisions of articles 438 - 441 of the Law No 134/2010, republished, as amended, being applied accordingly.

=

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

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): .....

Comments

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

Source: Ministry of Justice, Superior Council of Magistracy, Mediation Council

## 8.Enforcement of court decisions

### 8.1.Execution of decisions in civil matters

#### 8.1.1 Number of enforcement agents, status and mandate

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

	Total	Male	Female
<b>Total (1+2+3+4)</b>	859 [ ] NA	617 [ ] NA	242 [ ] NA
<b>1. Private professionals under the authority (control) of public authorities</b>	859 [ ] NA [ ] NAP	617 [ ] NA [ ] NAP	242 [ ] NA [ ] NAP

<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	<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
<b>3. Judges</b>	<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
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If other, please specify their status and competences: The State's claims are collected by the National Tax Administration Agency (ANAF), through tax enforcement agents. The National Union of Judicial Officers of Romania (U.N.E.J.), formed by all private enforcement agents (private judicial officers) under the authority of the Ministry of Justice, does not have any records regarding tax enforcement agents belonging to the National Tax Administration Agency (ANAF).

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify:

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

- Yes, please indicate the age of retirement: 65 for men/63 for women
- No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Article 23 of Law no. 188/2000 provides the situations regarding the termination of the title/quality of enforcement agent: a) on request; b) on retirement or in the event of incapacity for work, in accordance with the law; c) by the closure of the bailiff's office, followed by the unjustified non-exercise of the profession by the incumbent, under the conditions laid down by law, in another office, within a period of six months; d) by exclusion from the profession, ordered as a disciplinary sanction, under the terms of the law; e) when a final court judgment has ordered the sentencing or postponement of the enforcement of the sentence against the bailiff; f) in the event of a finding of manifest professional incompetence, also expressed by the annulment or irrevocable dismissal by the court of a number of enforcement actions representing 10% of the enforcement cases handled or of enforcement documents drawn up in no more than 20% of the enforcement cases handled in a calendar year; (g) if the bailiff no longer fulfils certain conditions provided by law; h) by death.

**8.1.2 Activities/scope of competence**

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

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Date of birth</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Civil status</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Cohabitant</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Employer</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Motor vehicle</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Movable property</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Immovable property</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Bank account</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other enforcement proceedings underway</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

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

	<b>Option</b>
<b>Seizure of movable tangible properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
<b>Preventive seizure of movable tangible properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
<b>Seizure of immovable properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP

<b>Preventive seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of motorised vehicles</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Eviction measures</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizures of boats and ships</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of aircrafts</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Enforced sale by public tender of seized properties</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
<b>Sale of shares</b>	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
<b>Other</b>	( ) Yes, exclusively performed by enforcement agents ( X ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP

Comments

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

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

Comments

**8.1.3 Training and ICT**

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

- Yes
- No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments

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

Yes

No

Comments - Please explain: -speeding up the procedure; -improving the access of interested persons

#### **8.1.4 Fees**

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

Yes

No

Comments

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

Yes

No

Comments

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

The debtor

The creditor

Other – please specify .....

Comments

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

Yes

No

Comments

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

Source: Ministry of Justice

### 8.1.5 Organisation of profession and efficiency of enforcement services

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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify): .....

Comments The answers above are based on the records held by the National Union of Judicial Officers of Romania (U.N.E.J.) and are related only to its members, the private enforcement agents under the authority of the Ministry of Justice.

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

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

Comments

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

( ) between 1 and 5 days

( ) between 6 and 10 days

( ) between 11 and 30 days

( ) more (please specify): .....

NA

Comments

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	29 [ ] NA [ ] NAP
1. For breach of professional ethics	0 [ ] NA [ ] NAP
2. For professional inadequacy	0 [ ] NA [ ] NAP



<b>3. For criminal offence</b>	0 [ ] NA [ ] NAP
<b>4. Other</b>	29 [ ] NA [ ] NAP

Comments - If “other”, please specify: 4. Negligence in carrying out work

The answers above are based on the records held by the National Union of Judicial Officers of Romania (U.N.E.J.) and are related only to its members, the private enforcement agents under the authority of the Ministry of Justice.

### 188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	18 [ ] NA [ ] NAP
<b>1. Reprimand</b>	1 [ ] NA [ ] NAP
<b>2. Suspension</b>	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	0 [ ] NA [ ] NAP
<b>4. Fine</b>	6 [ ] NA [ ] NAP
<b>5. Other</b>	11 [ ] NA [ ] NAP

Comments - If “other”, please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: 5. warning – 4; exclusion from the profession - 7

U.N.E.J. does not have a record of the final sanctions applied to the enforcement agents. The information provided above reveals the sanctions applied by the first disciplinary body: the Disciplinary Councils within the Chambers of Judicial Officers attached to the Courts of Appeal.

Based on the records held by U.N.E.J. regarding the year 2022, most of the disciplinary proceedings were still pending at the first disciplinary body, or pending following the appeals filed with the Higher Disciplinary Commission of the U.N.E.J. (the second disciplinary body) or pending following the appeals filed with the Courts of Appeal.

There were also situations when the first disciplinary body decided to reject the disciplinary action.

The answers above are based on the records held by the National Union of Judicial Officers of Romania (U.N.E.J.) and are related only to its members, the private enforcement agents under the authority of the Ministry of Justice.

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

Source: Ministry of Justice

### 8.2. Execution of decisions in criminal matters

## 8.2.1 Functioning of execution in criminal matters

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

- Judge  
 Public prosecutor  
 Prison and Probation Services  
 Enforcement agent  
 Other authority (please specify): .....

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

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

- Yes  
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%  
 50-79%  
 less than 50%

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
<b>TOTAL (1+2+3+4)</b>	2 757 <input type="checkbox"/> NA <input type="checkbox"/> NAP	860 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 897 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Private professionals (without control from public authorities)</b>	<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
<b>2. Holders of public offices appointed by the State</b>	2 757 <input type="checkbox"/> NA <input type="checkbox"/> NAP	860 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 897 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Civil servants (paid by the State)</b>	<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

<b>4. Other</b>	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

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

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): .....

Comments The law provides three pathways to become a notary public:

a) through an examination to acquire the position of probationary notary public, followed by a two-year traineeship period and the passing of the final examination for admission in the notary public profession; b) through an examination for individuals who have exerted a specialised legal position for at least 6 years; c) by appointment in the position of notary public, upon request, without examination, of the former judges serving at the High Court of Cassation and Justice (the supreme body in the hierarchy of Romanian courts of law) to whom the mandate for which they were appointed expired or, as the case may be, were released from their positions for non-imputable reasons. No matter what pathway is chosen, the university degree in law is mandatory. The notaries public are appointed by order of the minister of justice and must take an oath before the minister of justice and the president of the National Union of Notaries Public. This information can be found by consulting art. 22, 24 and 39 of Law no. 36/1995 on Notaries Public and Notarial Activity, with the subsequent amendments.

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

- yes, please indicate the age of retirement:65. After reaching the age of 75, the notary public can exercise his / her function only if he / she annually presents a medical certificate that states that he/she is medically and psychologically capable to exercise this function.
- no, please specify the duration of the appointment: .....

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: After reaching the age of 75, the notary public can exercise his / her function only if he / she annually presents a medical certificate that states that he/she is medically and psychologically capable to exercise this function.

According to art. 41 of Law no. 36/1995 on Notaries Public and Notarial Activity, with the subsequent amendments, the quality of notary public ceases in the following cases:

- a)written relinquishment of the quality of notary public;
- b)ascertainment of the incapacity to work, according to the law;
- c)uninterrupted and unjustified failure of the notary public to exert his function for at least 6 months;
- d)exclusion from the profession as a disciplinary sanction, according to the provisions of the law;
- e)obvious professional incapacity, ascertained through verification exercised under the provisions of the law; f)definitive conviction or postponement of the application of the punishment for committing a work-related criminal offence or a different intentional criminal offence;
- g)the notary public no longer fulfils the provisions of article 22 letters a)-g) of the law (meaning that the person no longer fulfils the conditions to become a notary public);
- h)ascertainment of an irreversible mental illness, through the procedure provided by art. 42 par. (3) of the law;
- i)death.

**9.1.2 Activities/scope of competences**



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

	Please select one option
<b>Authentication</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Certification of signatures</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Taking of oaths</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Act as civil servant (for example performing marriage, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other judicial functions (for example, payment orders)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

<b>Public auctions</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

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

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

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

**9.1.3 ICT, organisation of the profession and training**

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

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

Comments

**194-4. Which computerised registries can notaries consult?**

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

Comments

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

Yes

No

Comments - If yes, please specify:

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

	Directly modifying	Indirectly modifying by submitting an online request
<b>Land registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Business registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Civil status/ Population registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Succession / Family law registry</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Any other registry (please specify)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>None</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

=

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

Videoconferencing (e.g. digital advice)

Digital act

Digital identification

Digital archiving

Other, please specify .....

None

Comments

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

Notariat / Professional body

Other public authority

Another entity (please specify) .....

Comments

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

Yes

No

Comments

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

professional body

court

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

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

Yes

No

Comments

**196-2. Do notaries have training on:**

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

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

**11. Please indicate the sources for answering the questions in this part**

Sources: The records of the Ministry of Justice, the applicable legislation (e.g. Law on Public Notaries and Notarial Activity no. 36/1995, republished, with the subsequent amendments).

**10. Judicial experts**

**10.1. Profession of judicial expert**

**10.1.1 Status of judicial experts**

**202. In your system, what types of judicial experts can participate in judicial procedures (multiple**



**replies possible):**

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

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

Other system of judicial expertise, please specify .....

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

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

Yes

No

Comments

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

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?): The quality of judicial technical expert is acquired on the basis of an exam or an interview, organized by the Ministry of Justice, in compliance with the conditions stipulated by the provisions of art. 10, art. 101 and art. 12 of Ordinance no. 2/2000 regarding the organization of the activity of judicial and extrajudicial technical expertise.

The examination of judicial technical expert aims to verify the level of knowledge of future experts in the specialty for which they are applying, the level of knowledge of the normative acts related to the respective specialty, of the provisions of the civil and criminal procedure codes regarding the expertise and of other normative acts regulating the activity of judicial technical expertise, the rights and obligations of experts.

The interview for acquiring the quality of judicial technical expert in a certain specialty aims to verify the level of knowledge of the provisions of the civil and criminal procedure codes regarding the expertise, as well as of the provisions of other normative acts regulating the activity of judicial technical expertise, as well as the rights and obligations of experts.

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

Yes, available on the internet

Yes

No

Comments

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

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: The Ministry of Justice is responsible for registering judicial experts, excepting the accounting experts and tax consultants, who are registered by their professional bodies (The Body of Expert and Licensed Accountants



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

- Yes, for how long .....
- No

Comments

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

- Yes
- No

Comment - If yes, please specify in which cases:

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

- Yes
- No

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

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

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

Comments

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

- judicial proceedings
- the profession of expert
- other

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

**205. Number of accredited or registered judicial experts:**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Number of experts</b>	7 201 [ ] NA [ ] NAP	3 700 [ ] NA [ ] NAP	3 501 [ ] NA [ ] NAP

Comments Total: 7201 active and 1165 suspended

Males: approximately 3700 active and approximately 780 suspended

Females: approximately 3501 active and approximately 385 suspended

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

	<b>Number of cases</b>
<b>Total (1+2+3+4)</b>	[ X ] NA [ ] NAP
<b>1.Civil and commercial litigious cases</b>	[ X ] NA [ ] NAP
<b>2.Administrative cases</b>	[ X ] NA [ ] NAP
<b>3.Criminal cases</b>	[ X ] NA [ ] NAP
<b>4.Other cases</b>	[ X ] NA [ ] NAP

Comments

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

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

<b>Freely agreed between expert and the parties</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Other</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

Comments - If other, please specify:

## 206. Are there binding provisions for judicial experts regarding:

	Yes	No
<b>Deadlines to provide expertise</b>	( )	( X )
<b>Quality of expertise</b>	( )	( X )
<b>Other</b>	( )	( X )

[ ] NAP

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

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

( X ) Yes

( ) No

If yes, please specify: Article 17 (1) of Government Ordinance no. 2/2000 on the organisation of the activity of judicial and extrajudicial technical expertise Article 331 (2) of Civil Procedural Code  
Article 172 of the Criminal Procedural Code

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

[ X ] Selection processes

[ X ] Initial or continuous training

[ X ] Disciplinary procedures

[ ] NAP

Comments Only for the accounting experts and tax consultants, who are registered by their professional bodies (The Body of Expert and Licensed Accountants of Romania and The Chamber of Tax Consultants from Romania).

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

Sources: Ministry of Justice - Ordinance of the Government no. 2/2000 regarding the organization of the activity of judicial and extrajudicial technical expertise

## 11.Reforms in judiciary

### 11.1.Foreseen reforms

## 11.1.1 Reforms

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

### **208-1. (Comprehensive) reform plans**

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

Comments - If yes, please specify: On 16.12.2022, the new Justice Laws entered into force: Law 303/2022 on statute of judges and prosecutors, Law No 304/2022 on judicial organisation and Law, Law no.305/2022 regarding the Superior Council of Magistracy.

### **208-2. Budget**

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

Comments - If yes, please specify: The funds related to the court's expenses are no longer included in the budget of the Ministry of Justice, being transferred to the budget of the High Court of Cassation and Justice. Article 142 of Law No 304/2022 on judicial organization states that the budget of courts of appeal, tribunals, specialised tribunals and first instance courts approved for the personnel expenditure of these courts, as well as that approved for other categories of expenditure intrinsically related to the personnel expenditure, it is included in the budget of the High Court of Cassation and Justice and it is managed by the president of the High Court of Cassation and Justice who has the status of principal authorising officer for the courts with regard to these categories of expenses. - Draft law for amending and supplementing some normative acts in the field of service pensions (L4/2023)

### **208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

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

Comments - If yes, please specify: -Law 303/2022 on statute of judges and prosecutors, -Law No 304/2022 on judicial organisation and Law, -Law No 49 of 11 March 2022 on the abolition of the Section for Investigating Criminal Offences within the Judiciary, as well as amending Law No 135/2010 on the Code of Criminal Procedure. Published in: Official Gazette No. 244 of 11 March 2022;  
- The secondary legislation following the above-mentioned justice laws.

## 208-4. Access to justice and legal aid

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

Comments - If yes, please specify: -Law no. 140 of 17 May 2022 on certain protection measures for persons with intellectual and psychosocial disabilities and amending and supplementing certain normative acts. Published in: Official Gazette No. 500 of 20 May 2022.  
-Law No 279 of 4 October 2022 amending Article 281(1) (f) of Law No 135/2010 on the Code of Criminal Procedure. Published in: Official Gazette No. 967 of 4 October 2022  
-Law No 31 of January 2023 for the amendment of the Government Emergency Ordinance no. 51/2008 on public aid in civil matters.

## 208-5. High Judicial Council (competent for judges and/or prosecutors)

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

Comments - If yes, please specify: Law no.305/2022 regarding the Superior Council of Magistracy and the secondary legislation.

## 208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

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

Comments - If yes, please specify: -The Ministry of Justice initiated the draft law on the status of judicial specialised staff and other staff in the courts, the prosecutor's offices attached to them and the National Institute of Forensic Expertise. The project was put into public debate by the Ministry of Justice on 17.06.2022.

-Draft Law on the status of the judge's assistant (L366/2023)

-Government Emergency Ordinance No 127/2022 on the establishment of contractual staff posts in the establishment plan of the Superior Council of Magistracy. Published in: Official Gazette No. 931 of 22 September 2022.

- by Plenum Decision No 54 of 14 April 2022, the Regulation on the organisation and conduct of the competition for the recruitment of archiving clerks, registrars and related staff was amended and supplemented, approved by Decision No 185/2007 of the Plenum of the Superior Council of Magistracy.

-by Plenum Decision No 85 of 2 June 2022, the Regulation on the organisation and conduct of the competition or examination for completion in office, promotion in higher professional grades or steps or from the office of Registrar with secondary education in the office of Registrar with higher education, within the same court or prosecutor's office, as well as in nonleading positions of specialised auxiliary staff at highercourts and prosecutor's offices, approved by Decision No 181/2007 of the Plenum of the Superior Council of Magistracy, was amended.

-By Decision No 270/18.10.2022 of the President of the Superior Council of Magistracy approved the Regulation on the procedure for assessing the individual professional performance of contract staff within the Superior Council of Magistracy, the National Institute of Magistracy and the National School of Clerks.

the Decision No 1997 of 19 July 2022 of the Section for Judges amended Article 5( 6) of the Regulation on the evaluation of the professional activity of judges, approved by Decision No 1113/2021 of the Section for Judges.

-by Decision of the Section for Prosecutors no. 720 of 12 April 2022, the Methodology for the secondment and delegation of prosecutors was approved.

-The Decision of the Section for Prosecutors no. 130 of 25 January 2022 approved the Regulation on the evaluation of the professional activity of prosecutors.

## 208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## 208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: -Law No 192 of 28 June 2022 supplementing Law No 134/2010 on the Code of Civil Procedure.

Published in: Official Gazette No. 643 of 29 June 2022.

- Law No 199 of 7 July 2022 amending Law No 134/2010 on the Code of Civil Procedure Published in: Official Gazette No. 682 of 8 July 2022.

- Law No 230 of 19 July 2022 amending and supplementing Law No 318/2015 on the establishment, organisation and functioning of the National Agency for the Management of Seized Assets and amending and supplementing certain normative acts, as well as amending and supplementing Law No 135/2010 on the Code of Criminal Procedure. Published in: Official Gazette No. 734 of 21 July 2022.

-Law 51 of March 2023 for the amendment and completion of Law no. 135/2010 on the Code of Criminal Procedure.

-Law 217 of July 2023 for the amendment and completion of Law no. 286/2009 on the Criminal Code, of Law no. 135/2010 on the Code of Criminal Procedure, as well as the Audiovisual Law no. 504/2002

-Legislative proposal for amending and supplementing Law No 554/2004 on administrative litigation (P-lx 2 /2022).

## 208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Memorandum on the establishment within the General Secretariat of the Government of a structure to ensure the enforcement of judgments rendered by the ECHR finding violations of the Convention as a result of non-enforcement of judgments rendered against public debtors in Romania, approved by the Government on 5 October 2022.

## 208-10. Mediation and other Alternative Dispute Resolution

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

Comments - If yes, please specify:

## 208-11. Fight against crime

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

Comments - If yes, please specify:

## 208-12. Prison system

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

Comments - If yes, please specify:

## 208-13. Child friendly justice

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

Comments - If yes, please specify: - Law 239 of July 2023 for the completion of Law no. 272/2004 on the protection and promotion of children's rights

-Law no. 140 of 17 May 2022 on certain protection measures for persons with intellectual and psychosocial disabilities and amending and supplementing certain normative acts. Published in: Official Gazette No. 500 of 20 May 2022.

- Draft Law amending and supplementing Article 84 of Law No 272/2004 on the protection and promotion of the rights of the child and supplementing Article 121 of Law No 286/2009 on the Criminal Code (p-lx 240/2022).

## 208-14. Domestic violence

- Yes (planned)  
 Yes (adopted)  
 Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: -Law 114 of May2023 regarding the completion of art. 38 para. ( 1 ) of Law no. 217/2003 for the prevention and combating of domestic violence, as well as for the modification of art. 4 para. ( 1 ) of Law no. 61/1993 on the state allowance for children

-Law 240 of July 2023 on amending Law no. 217/2003 for the prevention and combating of domestic violence

## **208-15. New information and communication technologies**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: -By Judgment No 998 of 17 March 2022 of the Section for Judges within the SCM the first instance courts, tribunals, specialised tribunals and courts of appeal were authorised to provide the ReJust portal with the judgments handed down and the metadata associated with them.

## **208-16. Other**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: