

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



Slovakia

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

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

### **Objective :**

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

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

### **Instruction :**

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

- User manual
- Explanatory note

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

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

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## **1.General information**

### **1.1.Demographic and economic data**

#### **1.1.1.Inhabitants and economic general information**



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

[ 5435343 ]

Comments

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

	Amount
State or federal level	15688700000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

[ 14910 ]

Comments

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

[ 10944 ]

NA

Comments

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

[            ]

Allow decimals : 5

NAP

Comments

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

Sources: slovak.statistics.sk

www.rozpocet.sk

**1.1.2. Budgetary data concerning judicial system**



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

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	186576657 [ ] NA [ ] NAP	211612191 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	98883930 [ ] NA [ ] NAP	108762423 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (equipment, investments, maintenance)</b>	346390 [ ] NA [ ] NAP	19403837 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.</b>	10736946 [ ] NA [ ] NAP	10706073 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	16148549 [ ] NA [ ] NAP	16060916 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>6. Annual public budget allocated to training</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>7. Other (please specify)</b>	60143921 [ ] NA [ ] NAP	56206427 [ ] NA [ ] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The budget allocated to salaries was increased by providing the funds for increasing salaries, functional surcharges and lump sum compensation for judges and increasing the salaries of employees of the state budget chapters based on the application of Art. 5 of Act no. 411/2015 Z. z. on the state budget for 2016. The increase of implemented budget allocated to IT - the budget was increased by European funds and co-financing (Electronic Collection of Laws SLOVLEX, Development of Electronic Services of the Judiciary, Electronic System for Monitoring of ESMO Persons, Information System of Bankruptcy Registers, Legal Information Portal - Development of SLOVLEX, Information System of Application Architecture and security infra-structure. The approved budget anticipated the EU funding and was consequently lower. The approved budget allocated to court buildings increased compared with 2014 to adjust to the budget actually implement that year. In between in the year 2015 there was significant increase due to investments in reconstruction of court premises.

The budget allocated to training is fully covered by the budget of the Judicial Academy which is the only training institution for judges, prosecutors and the court staff. The budget of the Judicial academy is not included in the budget line for training as per CEPEJ methodology and is included only in Q131. This explains the difference in this budget line compared with previous cycles.

In the category "Other" there are included the expenditures on social insurance and the health insurance, the supplements to sickness benefit for judges, the supplement to maternity pay for judges, the severance payment. In this line there is also included the expenditures paid by the state as a financial satisfaction for the violation of the right to hear the case within a reasonable time upon the findings of the Constitutional court.

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

	Approved budget (in €)	Implemented budget (in €)
<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:

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

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

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

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

- The amount of the court fee depends on the type of claim. As a general rule, the amount of the court fee is 6% of the value of a claim. The minimum fee is 16,50€ and the maximum fee in civil matters is 16 596,50 € while in commercial disputes the maximum fee is 33 193,50 €. If it is not possible to determine the accurate value of a dispute, the amount of the court fee is 99,50 €. The Act No 71/1992 Coll. on court fees stipulates also different rates or amounts of the court fees depending on the type of dispute or claim. The court fee has to be paid to commence the proceedings except for the disputes (proceedings) where exemption is awarded by law or granted by the court.

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

[ 180 ]  
 NA  
 NAP

Comments

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

[            ]  
 NA  
 NAP

**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>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	1714751 [ ] NA [ ] NAP
<b>12.1 for cases brought to court</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)</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>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	2131004 [ ] NA [ ] NAP
<b>12-1.1 for cases brought to court</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in €</b>	83121003 [ ] NA [ ] NAP	95238564 [ ] 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 allocated to the public prosecution services, please indicate the main differences: The difference between the total approved budget and the implemented budget in 2016 for the General Prosecutor's Office of the Slovak Republic is € 12,117,561.

Main reasons for this difference:

- for the settlement of the salary requirements of the prosecutors in 2015 according to the finding of the Constitutional Court of SR sp. no. PL. ÚS 27/2015 for a total amount of € 4,224,311,
- for reconstruction and modernization of the office premises and buildings of district prosecutors and regional prosecutors in the amount of € 195,966,
- to increase salaries, functional surcharges, lump sum compensation of prosecutors, salary and lump sum compensation of the Attorney General and to increase the salaries of other employees of the Chapter of the Prosecutor General's Office in connection with the

application of Section 5 of Act no. 411/2015 Z. z. on the state budget of 2016 for € 6 299 638,

- to accomplish the tasks related to the Presidency of the SR in the EU Council - SK PRES 2016 in the amount of € 105,338,

- to finance the project OPIS - Electronic Services of the General Prosecutor's Office in the amount of € 877,500,

- for paying damages according to the amendment to Act no. 514/2003 Z. z. on liability of the state for damage caused by the public authorities in the amount of € 100,000,

- Other costs of € 314,808 provided for the operation of GP SR

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

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

Comments - If any other Ministry and/or inspection body and/or other, please specify:

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

Sources: Q 6-12,14 - Ministry of Justice of the Slovak republic  
Q 13 - The General Prosecutors Office

**1.1.3. Budgetary data concerning the whole justice system**



**015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in**

€ (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	443323127 [ ] NA [ ] NAP	493301707 [ ] NA [ ] NAP

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

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

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

Comments:

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

	Included
Prison system	( X ) Yes ( ) No [ ] NAP
Probation services	( X ) Yes ( ) No [ ] NAP
Council of the judiciary	( X ) Yes ( ) No [ ] NAP
Constitutional court	( ) Yes ( X ) No [ ] NAP

Judicial management body	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
State advocacy	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input 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
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify: In the category "other" the budget of the Judicial Academy is subsumed.

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

Sources: Ministry of Justice of the Slovak Republic, Supreme Court of the Slovak republic, General Prosecutors Office

## 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</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

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

	Criminal cases	Other than criminal cases
<b>Legal aid granted for other costs</b>	<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:

**2.1.2. Quantitative information on legal aid**

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

	Cases brought to court	Cases not brought to court / non-litigious cases
<b>TOTAL</b>	<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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>In other than criminal cases</b>	4080 <input 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:

**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
<b>Accused individuals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Victims</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If yes, please specify:

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

Yes

No

Comments

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

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
<b>Full legal aid for criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Full legal aid for other than criminal cases</b>	3351 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Partial legal aid for criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Partial legal aid for other than criminal cases</b>	3830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: The applicant for the legal aid scheme must prove that his/her income does not exceed 1,4 multiple of the living wage (full legal aid) or or 1.6 multiple of living wage (partial legal aid)

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

Yes

No

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

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

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

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

Yes

No

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

**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

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

Sources: Legal Aid Centre Act No. 327/2005 Coll. on granting the legal aid to persons on material need
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**2.2. Users of the courts and victims**

**2.2.1. Rights of the users and victims**

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

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> www.slov-lex.sk	<input type="checkbox"/>

<b>case-law of the higher court/s</b>	( X ) www.nsud.sk (the Supreme Court), www.ustavnysud.sk (the Constitutional Court), https://www.slov-lex.sk/judikaty (decisions of all courts)	( )
<b>other documents (e.g. downloadable forms, online registration)</b>	( X ) www.justice.gov.sk	( )

Comments - Please specify what documents and information the addresses for "other documents" include: The internet site of the Ministry of Justice <http://www.justice.gov.sk/Formulare/Stranky/Uvod.aspx> (in Slovak only) include downloadable forms for payment orders, claim for maintenance, procedural forms in civil proceedings and insolvency proceedings. From this site it is possible to access the electronic filing portal: <https://obcan.justice.sk/ezaloby>

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

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

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

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

- ( X ) Yes  
( ) No

Comments - If yes, please specify:

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

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

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

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

( X ) Yes

( ) No

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

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

( X ) Yes, please specify for which kind of offences:intentionally committed violent crime

( ) No

Comments

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

( X ) Yes

( ) No

Comments

**033. If yes, does this compensation come from:**

[ X ] a public fund

[ X ] damages and interests to be paid by the person responsible

[ ] a private fund

Comments

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

( ) Yes

( X ) No

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

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

( X ) Yes

( ) No

Comments - If yes, please specify: Prosecutor is authorized to accept each criminal complaint (oral or in writing) and to immediately provide measures in order to file it properly. The prosecutor always informs the reporting person on the proceedings. After the initiation of the criminal prosecution prosecutor supervises the compliance with the legal order within pre-trial proceedings and especially the

respect for injured persons' rights.

In this context the prosecutor may submit a proposition to file a person as an endangered witness, protected witness or their relatives into a Protection Programme if they may be put in danger while providing evidence.

Further conditions are regulated in the Act No. 256/1998 Coll., on Protection of Witnesses as amended.

Injured party is always notified of any prosecutor's decision by a transcript of a decision served to them.

An Act on witnesses is in preparation from which will arise specific obligations of the prosecutor regarding the protection of the victim.

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

Yes

No

NAP

Comments - If necessary, please specify: The prosecutor is authorized to discontinue a criminal prosecution exclusively in case the reasons stated in the Code of Criminal Procedure (Section 228 of the Code of Criminal Procedure) occurred. The prosecutor issues a decision - resolution on the discontinuance of the criminal prosecution to which a complaint is admissible (Section 228 par. 6 of the Code of Criminal Procedure). A complaint may be filed also by the aggrieved party and the prosecutor issues a decision on it.

### 2.2.2. Confidence of citizens in their justice system

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
<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 checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Wrongful arrest</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>Wrongful conviction</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>Other</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 - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

**038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the**

judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<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
8. 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

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: In 2016 the survey on the public trust to courts has been performed for the Judicial Council in cooperation with NGO Viauris.

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

Yes

No

Comments Under the Act on Courts (No. 757/2004 Coll.) the litigant may lodge a complaint related to court activities. A complaint may be directed only against violation of the right to a public hearing without undue delay or violation of the principles of dignity of court proceedings by judges, court officers, or court employees who perform judicial tasks. Anonymous complaints are not redeemed. Complaints shall be dealt with by the chairperson (president) of the competent court in the time limit of 30 days. The complainant must be notified in writing about the way the complaint is handled and the measures taken to remedy the deficiencies found. The notification of the court president may be revised by the president of the higher instance court or by the Ministry of Justice.

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

Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
--	---

<b>Court concerned</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Higher court</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Ministry of Justice</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Council of the Judiciary</b>	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Other external bodies (e.g. Ombudsman)</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

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

	<b>Number of complaints</b>	<b>Compensations amount granted to users</b>
<b>Court concerned</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Higher court</b>	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Ministry of Justice</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Council of the Judiciary</b>	[ X ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Other external bodies (e.g. Ombudsman)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

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

### 3.Organisation of the court system

#### 3.1.Courts

##### 3.1.1.Number of courts

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

	<b>Number of courts</b>
<b>42.1 First instance courts of general jurisdiction (legal entities)</b>	54 [ ] NA [ ] NAP
<b>42.2 First instance specialised courts (legal entities)</b>	9 [ ] NA [ ] NAP



42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	64 [ ] NA [ ] NAP
---	-------------------------

Comments The court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialised Criminal Court and The Supreme Court of the Slovak republic

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

	Number of courts
Total (must be the same as the data given under question 42.2)	9 [ ] NA [ ] NAP
Commercial courts (excluded insolvency courts)	[ ] NA [ X ] NAP
Insolvency courts	[ ] NA [ X ] NAP
Labour courts	[ ] NA [ X ] NAP
Family courts	[ ] NA [ X ] NAP
Rent and tenancies courts	[ ] NA [ X ] NAP
Enforcement of criminal sanctions courts	[ ] NA [ X ] NAP
Fight against terrorism, organised crime and corruption	1 [ ] NA [ ] NAP
Internet related disputes	[ ] NA [ X ] NAP
Administrative courts	8 [ ] NA [ ] NAP
Insurance and / or social welfare courts	[ ] NA [ X ] NAP
Military courts	[ ] NA [ X ] NAP
Other specialised 1st instance courts	[ ] NA [ X ] NAP

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

#### 044. Is there a foreseen change in the structure of courts [for example a reduction of the number of

**courts (geographic locations) or a change in the powers of courts]?**

( ) Yes

( X ) No

Comments - If yes, please specify:

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

	Number of courts
<b>a debt collection for small claims</b>	54 [ ] NA [ ] NAP
<b>a dismissal</b>	8 [ ] NA [ ] NAP
<b>a robbery</b>	54 [ ] NA [ ] NAP

Comments Since 1. July 2016 the new civil procedural codes have entered into force. The Code of Civil Litigious Procedure has introduced the new jurisdiction for the individual labor disputes (causal jurisdiction). As of the 1. July 2016 there are only 8 courts competent to deal with dismissal cases (1 court for each Region).

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

( ) Yes

( X ) No, please give your definition for small claims: .....

Comments Since 1. July 2016 the new civil procedural codes have entered into force. The new procedural rules do not contain the definition of the small claim. There are some special procedural arrangements for the claims with the value not exceeding 2000 €.

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

[ 2000 ]

Comments

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

Sources: Ministry of justice  
The act on the seats and circuits of the courts  
The Code of Civil Litigious Procedure

**3.2. Court staff**

**3.2.1. Judges and non-judge staff**



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

	Total	Males	Females
<b>Total number of professional judges (1 + 2 + 3)</b>	1311 [ ] NA [ ] NAP	501 [ ] NA [ ] NAP	810 [ ] NA [ ] NAP
<b>1. Number of first instance professional judges</b>	859 [ ] NA [ ] NAP	322 [ ] NA [ ] NAP	537 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) professional judges</b>	374 [ ] NA [ ] NAP	147 [ ] NA [ ] NAP	227 [ ] NA [ ] NAP
<b>3. Number of supreme court professional judges</b>	78 [ ] NA [ ] NAP	32 [ ] NA [ ] NAP	46 [ ] NA [ ] NAP

Comment - Please provide any useful comment for interpreting the data above:

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

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	63 [ ] NA [ ] NAP	36 [ ] NA [ ] NAP	27 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	54 [ ] NA [ ] NAP	30 [ ] NA [ ] NAP	24 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	8 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>3. Number of supreme court presidents</b>	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP

Comments

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

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

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

( X ) No

Comments

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

	Figure
Gross figure	1972 [ ] NA [ ] NAP
In full time equivalent	[ ] NA [ X ] NAP

Comments

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

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

Comments - If “other”, please specify:

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

Yes

No

Comments

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

Severe criminal cases

Misdemeanour cases

Other cases

Comments

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

[            ]

NA

NAP

Comments

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

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	4482 <input type="checkbox"/> NA <input type="checkbox"/> NAP	699 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3783 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>	937 <input type="checkbox"/> NA <input type="checkbox"/> NAP	272 <input type="checkbox"/> NA <input type="checkbox"/> NAP	665 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)</b>	2143 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2093 <input 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>	<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>4. Technical staff</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>5. Other non-judge staff</b>	1402 <input type="checkbox"/> NA <input type="checkbox"/> NAP	377 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1025 <input type="checkbox"/> NA <input type="checkbox"/> NAP
---------------------------------	---	--	---

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

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

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

Comments - Please briefly describe their status and duties: see the general comment

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

- Yes
- No

Comments

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

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

Comments

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

Sources: The Ministry of Justice of the Slovak republic

**3.3. Public prosecution**

**3.3.1.Public prosecutors and staff**



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

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	931 [ ] NA [ ] NAP	472 [ ] NA [ ] NAP	459 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	622 [ ] NA [ ] NAP	299 [ ] NA [ ] NAP	323 [ ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	192 [ ] NA [ ] NAP	105 [ ] NA [ ] NAP	87 [ ] NA [ ] NAP
<b>3. Number of prosecutors at supreme court level</b>	117 [ ] NA [ ] NAP	68 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP

Please indicate any useful comment for interpreting the data above:

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

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	63 [ ] NA [ ] NAP	41 [ ] NA [ ] NAP	22 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	54 [ ] NA [ ] NAP	35 [ ] NA [ ] NAP	19 [ ] NA [ ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	8 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at supreme court level</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Please provide any useful comment for interpreting the data above:

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

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

( X ) No

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

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

( ) Yes

No

Comments

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

Yes

No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	984 [ ] NA	207 [ ] NA	777 [ ] NA

Comments

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

Sources: The General Prosecutor's Office

**3.4. Management of the court budget**

**3.4.1. Court budget**

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

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

Comments - If "other", please specify:



### 3.6. Performance and evaluation

#### 3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: The internal inspection of the court has to be performed every five years

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

Yes

No

Comments - If yes, please give further details: Statistical examinations

#### 3.6.2. Performance and evaluation of courts

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

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify): .....

Comments

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

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

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

- to increase efficiency / to shorten the length of proceedings
- to improve quality
- to improve cost efficiency / productivity
- Other (please specify): .....

Comments

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

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example High Judicial Council, Higher Court)
- President of the court
- Other (please specify): .....

Comments

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

- Yes
- No

Comments

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

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

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

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

Comments

**3.6.3. Court activity and administration**



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

Yes (please indicate the name and the address of this institution): Ministry of Justice of the Slovak Republic, Analytical centre

No

Comments

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

Yes, on internet

No, only internally (in an intranet website)

No

Comments

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments Every court sends the monthly statistical report on the number of pending and resolved cases to the Ministry of justice. The more detailed are the semiannual and the annual statistical reports.

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

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please specify: The important procedural steps in the case are discussed between the judge and the prosecutor on an individual basis. The on-call service for urgent cases is determined by the prosecutor and the judge on duty.

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

Yes

No

Comments - If yes, please specify:

### **3.6.4. Performance and evaluation of judges**

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify): .....

Comments

### **New node**

---

## **4. Fair trial**

### **4.1. Principles**

#### **4.1.1. Principles of fair trial**

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

NA

NA

NAP

Comments

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

Yes, number of successful challenges in a year NA

No

Comments - Please could you briefly specify:

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

	Monitoring system
For civil procedures (non-enforcement)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

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

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

Sources: Ministry of Justice

**4.2. Timeframe of proceedings**

**4.2.1. General information**

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

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

Comments - If yes, please specify: See general comment

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

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

Comments - If yes, please specify:

**088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement**

with a written order and dispense with a full reasoned judgement?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

#### 4.2.2. Case flow management – first instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
<b>Total of other than criminal law cases (1+2+3+4)</b>	320952 <input type="checkbox"/> NA <input type="checkbox"/> NAP	922805 <input type="checkbox"/> NA <input type="checkbox"/> NAP	979689 <input type="checkbox"/> NA <input type="checkbox"/> NAP	264068 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" 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>	158706 <input type="checkbox"/> NA <input type="checkbox"/> NAP	201368 <input type="checkbox"/> NA <input type="checkbox"/> NAP	265746 <input type="checkbox"/> NA <input type="checkbox"/> NAP	94328 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	71485 <input type="checkbox"/> NA <input type="checkbox"/> NAP	256154 <input type="checkbox"/> NA <input type="checkbox"/> NAP	246135 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81504 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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>	24605 <input type="checkbox"/> NA <input type="checkbox"/> NAP	61557 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57312 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28850 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	6946 <input type="checkbox"/> NA <input type="checkbox"/> NAP	114075 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112579 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8442 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.1. Non litigious land 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>2.2.2 Non-litigious business registry cases</b>	6946 <input type="checkbox"/> NA <input type="checkbox"/> NAP	114075 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112579 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8442 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input 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>	39934 <input type="checkbox"/> NA <input type="checkbox"/> NAP	80522 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76244 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Administrative law cases</b>	6575 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8861 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9927 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5509 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	84186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	456422 <input type="checkbox"/> NA <input type="checkbox"/> NAP	457881 <input type="checkbox"/> NA <input type="checkbox"/> NAP	82727 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The new structure of data presented by the Ministry of Justice is the reason for the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notice a decrease of incoming cases as of the year 2013.

In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases."

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

. The category "civil (and commercial) non-litigious cases" includes all cases arisen from legal relationships regulated by the family law (maintenance cases, custody of the child, visiting rights, guardianship, divorce cases with the ruling on rights and obligations towards the minor child etc.), cases related to assessment of the legal capacity of natural persons, requests for legal assistance.

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

. The category “other” encompasses bankruptcy and debt restructuring cases, enforcement cases including decisions on the enforcement permission for the enforcement agents, enforcement of court rulings on the visiting rights to minor child and enforcement of court fees receivables.

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



	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2)</b>	17657 [ ] NA [ ] NAP	72323 [ ] NA [ ] NAP	76768 [ ] NA [ ] NAP	13212 [ ] NA [ ] NAP	3167 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": For 2016 data, new methodology was implemented to make the reporting structure consistent with the CEPEJ methodology and leads to better comparison of Slovak Republic (SR) with other countries. The previous methodology was not counting a decision of first instance court as resolved until the case becomes finalised at last instance. This resulted in reporting such case as unresolved despite respective court has already made a decision. This is the nature of reporting of many "unresolved" cases on courts despite court already decided, in fact. New way of reporting extracts the numbers of decided cases in respective court instances from "unresolved" and allocates these numbers to those court instances that made an actual decision in the reference period that is in correspondence with CEPEJ methodology and better comparable with other countries.

#### 4.2.3. Case flow management – second instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
<b>Total of other than criminal law cases (1+2+3+4)</b>	31216 [ ] NA [ ] NAP	68142 [ ] NA [ ] NAP	77663 [ ] NA [ ] NAP	21695 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	23367 [ ] NA [ ] NAP	34974 [ ] NA [ ] NAP	43843 [ ] NA [ ] NAP	14498 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] 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>	7841 [ ] NA [ ] NAP	33156 [ ] NA [ ] NAP	33809 [ ] NA [ ] NAP	7188 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] 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>	8 [ ] NA [ ] NAP	12 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments The new structure of data presented by the Ministry of Justice influenced also the second instance. Registry cases are all included in 2.1 and can not be separated by categories.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2)</b>	789 [ ] NA [ ] NAP	9543 [ ] NA [ ] NAP	9587 [ ] NA [ ] NAP	745 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments The 2016 data are based on the new methodology which may cause inconsistency comparing to previous cycles. The 2014

data are based on the methodology that covered only two main criminal court registers, while the 2016 data are based on the methodology that covers more than two criminal court registers. This makes the basic and key difference.



#### 4.2.4. Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
<b>Total of other than criminal law cases (1+2+3+4)</b>	12799 [ ] NA [ ] NAP	13460 [ ] NA [ ] NAP	18267 [ ] NA [ ] NAP	7992 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] 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>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] 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>	4086 [ ] NA [ ] NAP	3641 [ ] NA [ ] NAP	3920 [ ] NA [ ] NAP	3807 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

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

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

( X ) No

Comments

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
<b>Total of criminal law cases (1+2)</b>	277 [ ] NA [ ] NAP	1461 [ ] NA [ ] NAP	1456 [ ] NA [ ] NAP	282 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments During 2015 there were more pending cases created

### 4.2.5. Case flow management – specific cases

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
<b>Litigious divorce cases</b>	3063 [ ] NA [ ] NAP	12335 [ ] NA [ ] NAP	9800 [ ] NA [ ] NAP	5598 [ ] NA [ ] NAP
<b>Employment dismissal cases</b>	1965 [ ] NA [ ] NAP	1632 [ ] NA [ ] NAP	1827 [ ] NA [ ] NAP	1770 [ ] NA [ ] NAP
<b>Insolvency</b>	1926 [ ] NA [ ] NAP	2134 [ ] NA [ ] NAP	1736 [ ] NA [ ] NAP	2324 [ ] NA [ ] NAP

<b>Robbery case</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	344 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Cases relating to the right of entry and stay for aliens</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	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Comparison with previous cycles is not possible due to the change of methodology of calculation of cases introduced by the Analytical centre. The methodology now can identify cases finalised at each instance. The inconsistency between pending cases at the beginning of 2016 and pending at the end of 2015 is disturbed because of introduction of new methodology of calculation by the Analytical centre .

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

. Asylum proceedings

In accordance with Section 21 §§ 1 and 2 of the Act no. 480/2002 Coll. on Asylum, decision of the Migration Office on not granting asylum may be appealed by action to examine the lawfulness of the decision, decided by civil regional courts, within 30 days after its delivery. The appeal has suspensive effect (Section 213 § 1 of the Code of Administrative Court Procedure) unless the reason for not granting asylum is the fact that the asylum seeker is considered dangerous, with regard to public safety in the Slovak Republic or the asylum seeker was sentenced for particularly serious crime and presents a serious threat to the society (Section 13 § 5 Act no. 480/2002 Coll.). Decision of the Migration Office rejecting the application for asylum as inadmissible or manifestly unfounded may be also be appealed at civil regional courts, within 20 days after its delivery; the appeal has no suspensive effect unless the reason for rejecting the application for asylum is the fact that the asylum seeker comes from safe country of origin or the asylum seeker illegally entered the Slovak Republic and did petition for international protection immediately after the border crossing. However, in all cases when the administrative action has no automatic suspensive effect the asylum seeker is entitled to petition the court to issue a declaration of suspensive effect. •According to Section 22 § 1 of the Asylum Act, the asylum seeker shall be entitled to remain on the territory of the Slovak Republic until decision on his application for asylum. If the asylum is not granted and the asylum seeker appeals the decision by administrative action, requesting in the same time declaration of suspensive effect, he shall be entitled to remain on the territory of the Slovak Republic until decision on declaration of suspensive effect is issued.

•The decision of the first instance court, that is the respective Regional Court, on remedy against the decision of the Migration Office may be appealed further and shall be decided by the Supreme Court. Awareness raising measures have been undertaken in order to ensure proper application of these provisions in practice, in line with the requirements of the Convention and the European Court's case-law.

Administrative expulsion

In accordance with Section 53 of the Administrative Code, the decision on expulsion issued by the police authority may be appealed within 15 days. According to Section 55 § 1 of the Administrative Code, the appeal lodged in time has automatic suspensive effect. In the proceedings on expulsion the respective department of the police shall decide as first instance authority, the Directorate of the Border and Foreigner Police shall decide on the appeal. The decision of the Directorate of the Border and Foreigner Police may be appealed by action on the examination of the lawfulness of the decision, decided by administrative courts. In accordance with Section 231 of the Code of Administrative Court Procedure, the administrative action may be lodged within 30 days after the delivery of the decision of the police authority at last instance. The action does not have suspensive effect on the enforceability of the decision of the police authority, however the court may delay the enforceability of the decision if by the immediate execution of the challenged

decision serious damage would threaten (Section 237 §§ 1 and 2 of the Code of Administrative Court Procedure). Even if the foreign national would not use the noted remedy, in line with the Section 84 § 5 of the Act on Residence of Foreigners the police authority shall delay execution of the decision on expulsion if obstacles of expulsion set out in Section 81 of that Act appeared. In such case the decision on expulsion shall be executed only after such obstacles are no longer in place. Awareness raising measures were undertaken in order to ensure a proper application of these provisions in practice.

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Litigious divorce case</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	<input type="checkbox"/> NA <input type="checkbox"/> NAP	192 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Employment dismissal case</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	<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>Insolvency</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	<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>Robbery case</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	<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>Intentional homicide</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	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

. The non-litigious divorce procedure does not exist in the Slovak legal system.

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

. see general comment

## 4.2.6. Case flow management – public prosecution



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

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

Comments The prosecutor has many significant tasks in pre-trial proceedings. It's a result of his position as dominus litis. First of all, he supervises the police investigation or he may conduct it himself. At the same time he is the instance authority in proceedings on complaints against the decisions issued by the police officer. Whereas exclusively the court may approve to execute the investigation acts, which significantly intervene into the rights and fundamental freedoms.

The pre-trial proceeding may be terminated by one of the following reasons:

- Transfer of a case (e.g. hearing of infraction), the decision is issued either by a police officer (if a specific person was not accused) or prosecutor (if criminal prosecution was conducted against a specific person),
- Suspension of criminal prosecution (if specific person was not accused, criminal prosecution may be suspended by a police officer; in case contrary only by the prosecutor),
- Conditional suspension of criminal prosecution (decision is issued by a prosecutor),
- Conditional suspension of criminal prosecution of judicially cooperating accused (decision is issued by a prosecutor),
- Approval of conciliation between the accused and aggrieved party (decision is issued by a prosecutor).

Otherwise the prosecutor shall forward the matter to the court for further proceedings either in the form of accusation or an agreement on guilt and punishment to approve to the court.

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

- [ X ] civil cases
- [ X ] administrative cases
- [ X ] insolvency cases

Comments - If yes, please specify: Authorizations within civil proceedings:

The competence of a prosecutor in civil proceedings arises from the Section 19 of Act No. 153/2001 Coll. on Prosecution Offices as amended.

The prosecutor exercises his competence in civil proceedings in the extent defined by separate regulations which represent the Civil litigious procedure and the Civil non-litigious procedure.

If those provisions constitute so, the prosecutor is authorized to submit to the court a proposition or accusation or to enter into an initiated court proceeding.

Authorizations of the prosecutor according to the Civil litigious procedure:

- the General Prosecutor is authorized to submit a Statement to the Great Senate of the Supreme Court of the Slovak Republic before issuing a Decision on a matter,
- the General Prosecutor is authorized to submit to the Supreme Court of the Slovak Republic an appeal of the General Prosecutor,

- the prosecutor is authorized to submit an accusation if it concerns the application of the right of the State to recover unjustified enrichment, to identify the ownership, if the provisions of generally binding regulations were violated or if the separate regulation defines so,

- the authorization of the prosecutor to enter into an initiated proceeding in litigations where one of the parties is represented by the State, legal person established by the State, a State's enterprise, legal person with a property participation of the State, district or Superior territorial unit, in litigations on responsibility for damage caused by the exercise of public authority.

Authorizations of the prosecutor according to the Civil non-litigious procedure:

- the prosecutor is authorized to enter into each initiated proceeding, except of the marital divorce proceedings,  
 - the prosecutor is authorized to submit a proposition to initiate a proceeding, if it is possible to initiate a proceeding without a proposition or if it is defined by the Civil non-litigation procedure or other separate regulation.

Authorizations in a public proceeding before bodies of public service and in a proceeding before public courts:

The prosecutor is authorized in public proceedings as well as before bodies of public service and in a proceeding before public courts.

The prosecutor supervises the observance of laws and generally binding rules by the bodies of public service in public proceedings by the legal means of the objection of the prosecutor and the warning of the prosecutor.

The authorizations of the prosecutor in proceedings before a public court are a public accusation, accusation to the public court according to the Public court procedure, entry into a proceeding before a public court according to the Public court procedure.

According to the Public court procedure is the General Prosecutor further authorized:

- to submit an accusation to dissolve a political party,  
 - to submit a cassation complaint against a decision of the Public court issued in a proceeding into which the prosecutor was authorized to enter but did not do so,  
 - to propose within the cassation complaint that the Great Senate of the Supreme Court of the Slovak Republic shall issue a decision on it,  
 - to submit an accusation to reinstate the proceeding into which the prosecutor was authorized to enter but did not do so.

Authorizations in the bankruptcy proceedings:

According to the state of the bankruptcy proceedings and the debtor (e.g. legal person established by the State, a State's enterprise, legal person with a property participation of the State) the prosecutor may implement the authorization of entrance.

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

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
<b>Total number of first instance cases processed by the public prosecutor</b>	73389 [ ] NA [ ] NAP	25239 [ ] NA [ ] NAP	1954 [ ] NA [ ] NAP	25023 [ ] NA [ ] NAP

Comments The number of cases received represents all entries in the criminal registers of the prosecution offices. The decrease of number of the received cases in comparison with the previous cycle is the objective fact out of the range of prosecution service.

Not all of the received cases are concluded in the same year. The number of cases discontinued during the reference year includes the decisions of the prosecutor as well as of the police officer. The decisions of the police officer to discontinue the criminal prosecution were examined by a prosecutor. Only in 62 cases the decision to discontinue the criminal prosecution was issued by the prosecutor (see Q 108).

Cases terminated by the prosecutor by imposing a sanction or negotiating a measure include criminal prosecutions of persons against whom the criminal prosecution was conditionally suspended (1485) or the criminal prosecution was suspended by approving a conciliation between the accused and aggrieved party (469).

The number of cases brought to court (25023) represents the number of indictments submitted to court by the prosecutor in 2016. The number of accused person was 28 612 (according to Slovak criminal law one indictment can be issued against more defendants).

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

Number of guilty plea procedures
----------------------------------



<b>Total</b>	4639 [ ] NA [ ] NAP
<b>Before the court case</b>	4540 [ ] NA [ ] NAP
<b>During the court case</b>	99 [ ] NA [ ] NAP

Comments

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

	Number of cases
<b>Total cases which were discontinued by the public prosecutor (1+2+3)</b>	62 [ ] NA [ ] NAP
<b>1. Discontinued by the public prosecutor because the offender could not be identified</b>	[ X ] NA [ ] NAP
<b>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. Discontinued by the public prosecutor for reasons of opportunity</b>	[ X ] NA [ ] NAP

Comments The decision to discontinue the criminal prosecution within the pre-trial proceedings is issued exclusively by a police officer. The prosecutor always examines those decisions. There are 25239 discontinued cases in total.

The prosecutor himself/herself has issued 62 decisions on discontinue of the criminal prosecution in 2016. In the previous cycle in the number of discontinued the decisions of the police officer were also included. The insufficient evidence of the criminal act is not a conditional reason to discontinue the criminal prosecution but to suspend the criminal prosecution. The discontinuance of criminal prosecution may occur in the case of the absence of the accused or witness which leads to the impossibility of proper clarification of the matter.

It is not possible to identify the reasons for which the prosecutor has discontinued the criminal prosecution according to the points specified in the questionnaire.

According to available data it is possible to determine only partially the reasons for discontinuing the criminal prosecution in 2016:

- in 22 matters, because facts justifying the criminal prosecution against a specific person were not specified,
- in 7 matters, because the absence of the accused or witness rendered impossible to properly clarify the matter,
- in 5 matters, because a transfer of the criminal prosecution abroad was proposed or the accused was extradited abroad or expelled, - in 1 matter, because a proposition on the initiation of a proceeding was submitted regarding a question which he was not authorized to deal with in the specific proceeding.

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

- ( ) Yes  
( X ) No

Comments

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

## 5. Career of judges and public prosecutors

### 5.1. Recruitment and promotion

#### 5.1.1. Recruitment and promotion of judges

##### 110. (Modified question) How are judges recruited?

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

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

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

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The Judicial Council of the Slovak republic holds the final competence with regard to the recruitment procedure of judges.

The Judicial Council consists of:

- nine judges, who are elected and recalled by the judges of the Slovak Republic,
- three members who are elected and recalled by the National Council of the Slovak Republic,
- three members who are appointed and recalled by the President of the Slovak Republic,
- three members who are appointed and recalled by the Government of the Slovak Republic.

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

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

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

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

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

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

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

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

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

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

Yes

No

Comments - If yes, please specify: Code of the Criminal procedure

**116. How are public prosecutors recruited?**

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify): .....

Comments Other:

The General Prosecutor appoints the prosecutor trainee to the vacant post of the prosecutor without the competitive exams

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

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

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

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

Yes

No

Comments - If yes, please specify: Act No. 365/2004 on Equal Treatment in Certain Areas and Protection against Discrimination, and on amending and supplementing certain other laws as amended (Antidiscrimination Act).

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

Yes

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

Comments

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): Principles of promotion procedure approved by the General Prosecutor and the Council of Prosecutors

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

- Yes
- No

Comments - If yes, please specify: Act No. 365/2004 on Equal Treatment in Certain Areas and Protection against Discrimination, and on amending and supplementing certain other laws as amended (Antidiscrimination Act).

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

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

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

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

- Yes
- No

Comments

**5.1.3.Mandate and retirement of judges and prosecutors**

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

- Yes, please indicate the compulsory retirement age:65 - see comment
- No

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

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

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

Comments

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

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

Comments

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

- Yes, please indicate the compulsory retirement age:65
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The exception is a disciplinary measure - discharge of the title of prosecutor. The General Prosecutor may discharge a prosecutor from his position if he has reached the age of 65 years.

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

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

Comments

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

- Yes, what is the length of the mandate (in years)? .....
- No

Comments NAP

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

- Yes, what is the length of the mandate (in years)? .....
- No, what is the length of the mandate (in years)? .....

Comments NAP

**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 the 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 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 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>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments For the detailed information on judicial training refer to the Annual report of the Judicial Academy [http://www.ja-sr.sk/files/VJ\\_JA\\_2016.pdf](http://www.ja-sr.sk/files/VJ_JA_2016.pdf)

## 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>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed

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

## 5.2.2. Training of prosecutors

### 129. Types of different trainings offered to public prosecutors

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

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

	Frequency of the in-service training
<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 on 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 in office (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 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: Please, refer to the Annual report of Judicial Academy of the Slovak Republic for 2016 here:

[http://www.ja-sr.sk/files/VS\\_JA\\_2016.pdf](http://www.ja-sr.sk/files/VS_JA_2016.pdf)

(Judicial training is organised both for judges and prosecutors and for other judicial staff)

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

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

Comments

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

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



## Comments

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

. Initial training (3 years) for future judges and future prosecutors is held, as a rule, once a quarter by the form of four days trainings (16 days per year) of professional orientation and the content is focused on the following 6 blocks:

1. In-service training
2. Cultivation of personality, education in the field of psychology, ethics, rhetoric, communication with the public and the media, practical psychological tests, practical exercises in stressful situations for the future function of judges and prosecutors.
3. Education in the field of private law (civil law, family law, labor law, commercial law).
4. Education in the field of public law (criminal law, financial law, constitutional law, administrative law).
5. Education in the field of international law and European law.
6. Practical exercises from other areas of law.

**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	33377 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	48212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	31523 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22368 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	48212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

## Comments

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

	Judges	Public prosecutors
<b>Reduced taxation</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Special pension</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Housing</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other financial benefit</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments

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

. The prosecutor during the exercise of his function has a right for an additional charge to the recompense of his income, additional charge to the sickness benefits, additional charge to the nursing benefits and an additional charge to the maternity benefits. In case of having a right for a retirement benefit, the prosecutor has a right for an additional charge for the exercise of his function as a prosecutor and a leaving charge.

[ ] NAP

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

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

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

**137. Can public prosecutors combine their work with any of the following other**

**functions/activities?**

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

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

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

- ( ) Yes
- ( X ) No

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

**5.4. Disciplinary procedures**

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

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

- [ ] Court users
- [ X ] Relevant Court or hierarchical superior
- [ ] High Court / Supreme Court
- [ X ] High Judicial Council
- [ ] Disciplinary court or body
- [ X ] Ombudsman
- [ ] Parliament
- [ X ] Executive power (please specify): Minister of Justice
- [ X ] Other (please specify): Council of judges

This is not possible

Comments

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

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

Comments

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

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify):Constitutinal court (see general comment) and president of the court

Comments

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

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

Comments The Disciplinary Commission established at the General Prosecutor's Office examines the disciplinary responsibility of the

## 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>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <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>	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: With respect to the judges the majority of "other" disciplinary proceedings was initiated due to causing the procedural delays (23 cases), filing an application for declaration of invalidity of a written reprimand filed by a judge itself (3 cases) and failure to meet the obligation of standby duty performance duly and timely and failure to meet the obligation of overtime function performance (1 case).

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

	Judges	Prosecutors
<b>Total number (total 1 to 9)</b>	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>5. Temporary reduction of salary</b>	7 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>6. Position downgrade</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>7. Transfer to another geographical (court) location</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>8. Resignation</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>9. Other</b>	23 [ ] NA [ ] NAP	14 [ ] NA [ ] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. In relation to the judges the majority of “other” disciplinary proceedings was ended by the judge being acquitted (9 cases), the disciplinary proceedings being terminated (11 cases), the disciplinary sentence being withheld (1 case) or the sanction being pronounced to be invalid (2 cases). There were situations within one disciplinary proceeding of partly deciding one way and partly deciding the other (for example partly imposing a sanction and partly terminating the disciplinary proceedings), therefore the number of initiated disciplinary proceedings differs from the number of sanctions. In relation to the prosecutors the “other” sanctions include suspension of the disciplinary proceedings due to the initiation of public prosecution in criminal proceedings against the prosecutor (1 case), termination of the disciplinary proceedings due to its inadmissibility because of lapse of the period of two years since commitment of the disciplinary misconduct (5 cases), termination of the disciplinary proceedings due to its inadmissibility because of failure to file an application on time (1 case), termination of disciplinary proceedings due to its inadmissibility because of termination of function of the prosecutor accused (2 cases), termination of the disciplinary proceedings due to its inadmissibility because of the application being filed by an unauthorised person (1 case), termination of the disciplinary proceedings due to its inadmissibility because the act was not considered to be a disciplinary misconduct (2 cases) and the prosecutor being acquitted (2 cases). There were situations within one disciplinary proceeding of partly deciding one way and partly deciding the other (for example partly imposing a sanction and partly terminating the disciplinary proceedings), therefore the number of initiated disciplinary proceedings differs from the number of sanctions.

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

Sources: Supreme Court of the Slovak republic (Disciplinary court)  
General Prosecutors Office

## **6.Lawyers**

### **6.1.Profession of lawyer**

#### **6.1.1.Status of the profession of lawyers**

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

[ 6142 ]

[ ] NA

[ ] NAP

Comments The number represents all lawyers registered in the list of the Slovak Bar Association.  
Out of this number 848 lawyers have their practise suspended.

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

Yes ( )

No ( X )

Comments

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

[ ]

[ ] NA

[ X ] NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil cases</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Dismissal cases</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Criminal cases - Defendant</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Criminal cases - Victim</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Administrative cases</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>There is no monopoly</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly:

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

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

<b>Family member</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Self-representation</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Trade union</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Other</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s): In civil cases, the choice of representative is in the hands of the party to the court proceeding (client). Client may opt for a lawyer, Centre for international legal protection of children and youth in case of representation of minors, trade union organisation in case of labour law disputes, or any natural person with full legal capacity. Natural persons, however, cannot represent a client on a regular basis, only in a single case. Otherwise it is considered an unauthorised/illicit trading. There are explicitly enumerated cases (Civil Procedure Code) when civil representation by a natural person other than a lawyer is not allowed unless the representative is law graduate and a close contact of the party to the proceeding (bankruptcy and restructuring, competition protection, unfair practices, disputes related to the right to commercial secrets, IPR protection)

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

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):Registration of subjects to Register of public sector partners

Comments

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

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

Comments

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

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

Comments

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



Yes

No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: The Slovak Bar Association

**6.1.2. Practicing the profession**

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

Yes

No

Comments

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

Yes

No

Comments

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

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

**6.1.3. Quality standards and disciplinary procedures**

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

Yes

No

Comments - If yes, what are the quality criteria used? Quality criteria in the form of a code of conduct/rights and duties of a lawyer are formulated partly in the parliamentary Act on the Legal Profession and in more detail in the Rules of Professional Conduct adopted by the General Assembly of Lawyers and by-laws adopted by the Bar Association Presidency.

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

the bar association

the Parliament

other (please specify): .....

Comments

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

the performance of lawyers

the amount of fees

Comments - Please specify:

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

the judge

the Ministry of Justice

a professional authority

other (please specify): .....

Comments

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

	Number of disciplinary proceedings
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	108 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

## 162. Sanctions pronounced against lawyers.

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	44 [ ] NA [ ] NAP
<b>1. Reprimand</b>	8 [ ] NA [ ] NAP
<b>2. Suspension</b>	2 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	1 [ ] NA [ ] NAP
<b>4. Fine</b>	17 [ ] NA [ ] NAP
<b>5. Other</b>	16 [ ] 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. Under "other" there are cases when the lawyer is found guilty but no specific sanction order was issued. Under "Withdrawal from cases" the striking of the lawyers register is meant.

## 7. Alternative dispute resolutions

### 7.1. Mediation

#### 7.1.1. Details on mediation procedures and other ADR

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

Yes

No

Comments

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

Before going to court

Ordered by a judge in the course of a judicial proceeding

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

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

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

<b>Civil and commercial cases</b>	( ) Yes (X) No	(X) Yes ( ) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No
<b>Family law cases (ex. divorce)</b>	( ) Yes (X) No	(X) Yes ( ) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No
<b>Administrative cases</b>	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No
<b>Employment dismissals</b>	( ) Yes (X) No	(X) Yes ( ) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No
<b>Criminal cases</b>	(X) Yes ( ) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No

Comments

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

(X) Yes

( ) No

Comments - If yes, please specify:

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

[ 1450 ]

[ ] NA

[ ] NAP

Comments

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

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

Comments - Please indicate the source:

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

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify): .....

Comments

## G1. Please indicate the source for answering question 166:

Source: Ministry of Justice of the Slovak Republic

## 8.Enforcement of court decisions

### 8.1.Execution of decisions in civil matters

#### 8.1.1.Functioning

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

Yes

No

Comments

#### 170. Number of enforcement agents

[ 323 ]

NA

NAP

Comments

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

judges

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

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

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

Yes

No

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

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

	Option
<b>Seizure of movable tangible properties</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Seizure of immovable properties</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Seizure of remunerations</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Seizure of motorised vehicles</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Eviction measures</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Enforced sale by public tender of seized properties</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP
<b>Other</b>	( X ) Yes with monopole ( ) Yes without monopole ( ) No [ ] NAP

Comments Other ways to enforce the monetary claim:

- sale of securities and shares
- sale of the business share
- sale of the enterprise

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

- [ X ] Service of judicial and extrajudicial documents
- [ ] Debt recovery
- [ ] Voluntary sale of moveable or immoveable property at public auction
- [ ] Seizure of goods
- [ ] Recording and reporting of evidence

- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments Other:

- drawing up the motion to commence the enforcement procedure
- to take to custody in connection with enforcement money, deeds and objects

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

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

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

Yes

No

Comments

## H0. Please indicate the sources for answering question 170

Source: Chamber of judicial officers of Slovak republic

The complete list of the enforcement agents is available at the website of the Ministry of justice

### 8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify): .....

Comments

#### 179. Have quality standards been determined for enforcement agents?

Yes

No

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

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

a professional body

the judge

the Ministry of Justice

other (please specify): .....

Comments

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

Yes



No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

other (please specify): .....

Comments

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

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

between 1 and 5 days

between 6 and 10 days

( X ) between 11 and 30 days

( ) more (please specify): .....

Comments

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

	Number of disciplinary proceedings initiated
<b>Total number of initiated disciplinary proceedings (1+2+3+4)</b>	30 [ ] NA [ ] NAP
<b>1. For breach of professional ethics</b>	0 [ ] NA [ ] NAP
<b>2. For professional inadequacy</b>	30 [ ] NA [ ] NAP
<b>3. For criminal offence</b>	0 [ ] NA [ ] NAP
<b>4. Other</b>	0 [ ] NA [ ] NAP

Comments - If "other", please specify:

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

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	20 [ ] NA [ ] NAP
<b>1. Reprimand</b>	2 [ ] NA [ ] NAP
<b>2. Suspension</b>	3 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	0 [ ] NA [ ] NAP
<b>4. Fine</b>	15 [ ] NA [ ] NAP
<b>5. Other</b>	0 [ ] NA [ ] NAP

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

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

Source: Chamber of judicial officers of Slovak republic

## 8.2. Execution of decisions in criminal matters

### 8.2.1. Functioning of execution in criminal matters

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

- Judge  
 Public prosecutor  
 Prison and Probation Services  
 Other authority (please specify): .....

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

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

- Yes  
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%  
 50-79%  
 less than 50%

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1. Number and status of notaries

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

	Number of notaries
TOTAL	345 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Private professionals (without control from public authorities)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Private professionals under the authority (control) of public authorities</b>	345 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Public agents</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

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

Comments Act n. 323/1992 Coll. on Notaries and notarial activities (Notaries Act), regulating the status and activities of Notaries, entered into force on 1st of January 1993. Slovak Notary, being designated and empowered by state, is a person authorized to perform notarial acts and any other acts, as defined by law. Notary is appointed by the Minister of Justice, on the basis of a selection procedure, generally into the office falling within the Court of first instance district. Notary is holding public office until the age of 67. He/she is not part of state bureaucracy; he/she is not bounded by any instructions, but is subject to state supervision, performed by the Minister of Justice. State is thus entitled to issue legislation regulating the activities of the Notaries, self-governance of the Notaries, as well as designate the number of notarial offices within the district of Court of first instance.

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

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

Comments

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

- within the framework of civil procedure
- in the field of legal advice
- to certify the authenticity of legal deeds and certificates
- in the field of mediation
- other (please specify):see comment

Comments Other:

- In the field of arbitration
- Notarial custody
- Drawing up notarial deeds (authentic instruments)
- certification of legally relevant facts
- Procedures related to Notarial central registers
- Legal representation in cadastral (land registry) proceedings

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

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

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with: The notary is entitled to provide legal advice in connection with the performance of notarial activities. The register office (municipal authority which registers births, weddings and deaths) is entitled to authenticate certain types of private and public documents.

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

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities
- Authentication of documents
- Translations
- Signatures
- Other

Comments

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

- Yes
- No

Comments

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

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify): .....

Comments

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

- Yes
- No

Comments

**11. Please indicate the sources for answering question 192:**

Sources: Chamber of Notaries of Slovak republic

**10. Court interpreters**

**10.1. Details on profession of court interpreter**

**10.1.1. Status of court interpreters**

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

Yes

No

Comments

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

Yes

No

Comments

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

853 ]

NA

NAP

Comments

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

Yes

No

Comments - If yes, please specify: see general comment

**201. Are the courts responsible for selecting court interpreters?**

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

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

No, please specify which authority selects court interpreters .....

Comments

**J1. Please indicate the sources for answering question 199**

## 11. Judicial experts

### 11.1. Profession of judicial expert

#### 11.1.1. Status of judicial experts

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

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

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

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

Other (please specify): .....

Comments

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

Yes

No

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

#### 203. Is the title of judicial experts protected?

Yes

No

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

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

	Obligation of training
<b>Initial training</b>	<input checked="" type="checkbox"/> Yes <input 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:

the proceeding

the profession of expert

other

Comments

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

Yes

No

Comments

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

Yes

No

Comments

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

2866 ]

NA

NAP

Comments

**205-1. Who sets the expert remuneration?**

- see general comment

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

Yes

No

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

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

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

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

No, please specify which authority selects judicial experts .....

Comments

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

Yes

No



**K1. Please indicate the sources for answering question 205**

Sources: Ministry of Justice

**12.Reforms in judiciary****12.1.Foreseen reforms****12.1.1.Reforms**

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

1. (Comprehensive) reform plans Under the mission statement of the Slovak government for 2016-2020 the main priorities of the government in the area of justice and judiciary concern increasing the public trust in the judiciary and its bodies. For this purpose the government gradually adopts legislative, organizational and other measures in order to secure effective court management systems, court administration and functioning of processes conducted by courts. It also aims to strengthen the administrative support of courts. Great emphasis is also laid on removal of backlogs and delay in court proceedings, which directly affect the law enforcement. Under the cooperation program between Ministry of Justice of the Slovak republic (MoJ) and the CEPEJ the audit of the Slovak judiciary and the proposal of the recommendations that can be useful for the future reforms are expected. More specifically, CEPEJ should recommend how to proceed in specialization of courts, how to divide workload among judges, judicial clerks and other employees of the court. Apart from that MoJ should get advice on possible reform of the judicial map. CEPEJ should also provide MoJ with help regarding the capacity building of the analytical center and give the advice on how to proceed in the further use of IT-technologies. In this respect MoJ expects proposals how to collect and evaluate statistical data as well as how to improve the IT systems.

2. Budget On January 01, 2017 the Amendment of the Act on Courts, which established the Office of the Supreme Court of the Slovak Republic, came into effect. The Office of the Supreme Court of the Slovak Republic is a budgetary organization managed by its head, who acts on its behalf. Under the Act on Courts, the Office of the Supreme Court fulfils tasks related to Supreme Court's professional, organizational, personnel, economic, administrative and technical activities securing. The establishment of the office is based on the idea of organizational and personal separation of management of justice administration from administration of courts. Freshly established office became a part of so called service bodies such as the Office of the National Council of the Slovak Republic, the Office of the President of the Slovak Republic, the Office of the Ombudsman of the Slovak Republic, the Office of the Judicial Council of the Slovak Republic, the Office of the Constitutional Court of the Slovak Republic. As far as the funds the Supreme Court of the Slovak Republic manages are concerned, the Supreme Court of the Slovak Republic became a separate budgetary chapter since January 01, 2011 under the Amendment of the Act on budgetary rules, based on which it became a central authority and a budgetary chapter administrator, which prepares draft budget and draft annual accounts. The

budgetary chapter of the Office of the Judicial Council of the Slovak Republic used to be connected to the Supreme Court's budgetary chapter. In 2005 the Office of Judicial Council of the Slovak Republic became a separate budgetary chapter. After establishment of the Office of the Supreme Court of the Slovak Republic the administration of the Supreme Court with an exception of personal issues of the judges of the Supreme Court and activities such as management of the personal office, liability for compliance with statutory provisions in relation to allocation of cases to panels, judges and judicial clerks and relocation of allocated cases and determination of a person entitled to acquaint itself with classified information, was transited from the Supreme Court of the Slovak Republic to the Office of the Supreme Court of the Slovak Republic. Since January 01, 2017 the rights and obligations arising from civil servant relationships, employment relationships and other legal relationships of the Supreme Court's employees, as well as rights and obligations arising from other legal relations of the Supreme Court of the Slovak Republic were transited from the Supreme Court of the Slovak Republic to the Office of the Supreme Court of the Slovak Republic.

Under the Act on Budgetary Rules of Public Administration the Office of the Supreme Court of the Slovak Republic as the budgetary chapter administrator secures activities such as preparation of chapter's draft budget, regulation of chapter's budgetary funds management, preparation of reports on development of chapter's budgetary management, preparation of summaries and overview of budgetary measures of the whole chapter and its submission to the Ministry of Finance of the Slovak Republic, publication of data on chapter's budget etc. The Office of the Supreme Court of the Slovak Republic submits the draft budget of the chapter and draft annual account of the chapter also to the Ministry of Justice of the Slovak Republic. Ministry of Justice of the Slovak Republic comments on the draft budget of the chapter of the Office of the Supreme Court of the Slovak Republic and the draft budget of the chapter of the Office of the Judicial Council of the Slovak Republic before the submission of the draft state budget to the government and the parliament.

Besides this relatively fresh change in legal regulation concerning the budget of the Supreme Court, we have no knowledge of further change to take place in this area that would be of our concern.

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) With respect to the electronisation of judiciary, several projects have already been completed, some of them are in the progress and some are being planned. The Ministry of Justice has already released an Electronic Collection of Laws (SLOV-LEX) and the project of Electronic Monitoring Service of Persons Accused and Convicted (ESMO). Several other projects have been completed such as the Portal of Legal Information, Development of Electronic Judicial Services, Register of Bankrupts and Electronic Judicial File. The electronisation of judiciary shall continue until 2018. There are several projects to be implemented such as the Centralized Court Management System, Effective Probation and Mediation Service, Support of Effective Court Management and the project of the new Commercial Register. There are some other projects planned that shall be financed from the Operation programme Effective Public Administration. These projects shall improve the optimisation processes, training of judges, judicial staff, enhancing the analytical capacities of the Ministry of Justice and extension of the activities of the Centre for Legal Aid.

As far as the judicial buildings are concerned, we would like to point out the current situation at the Supreme Court. The Supreme Court of the Slovak Republic shares a building with the Ministry of Justice. Not only is it inconvenient due to the necessity to separate the judicial from the executive power, but the personal capacities of both institutions are planned to expand. Since the building was projected and built as a judicial institutions with its court rooms and further equipment, it has been decided that the Supreme Court shall stay in the building once it is reconstructed and the Ministry of Justice shall move into another building. The process of selection of new premises for the Ministry of Justice is still ongoing.

3.1. Access to justice and legal aid Under the governmental mission statement for 2016-2020 the government shall reconsider the current criteria for access to legal aid, mainly extension of such access. It shall in particular concern itself with the access of victims of

crime to legal aid. The Center for Legal Aid shall act as a body preventing most pressing legal issues based on the educational programmes in those areas, in which it provides legal aid. This shall be achieved mainly by establishing a call centre, improving the information content of its website and creating the contact centres of the Center for Legal Aid. With respect to these foreseen changes the personal, material and technical capacities of the Center for Legal Aid shall be improved. Socially and economically disadvantaged groups shall have easier access to legal aid. It is one of the aims of the national project of the Ministry of Justice financed via the program of Effective Public Administration.

In May, 2017 the amendments to the Code of Contentious Civil Procedure and the Code of Administrative Procedure came into effect. They introduce new legal regulation, under which the costs related to translation of documents and evidence in regional or minority language in civil and administrative judicial proceedings shall not be borne by the party to the proceedings anymore.

4. High Judicial Council According to the amendment of the Act on Judges and Lay Judges (in effect since 01.07.2017) introduces the supervision of the Judicial Council over the smooth course of disciplinary proceedings. The Judicial Council shall also receive a power to act in case of delays in disciplinary proceedings. The amendment has brought the changes into the nomination procedure of the Judicial Council members nominated by the government, the parliament and the president. The act recommends to nominate as a member a person not being a judge. The reasoning of the amendment emphasizes that the balance between judge and non-judge members of the Judicial Council shall contribute to improving its functioning.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Since July 01 an amendment to the Act on Judges and Lay Judges came into effect, which was prepared by the government in cooperation with the Judicial Council. It concerns with the selection procedures of judges, their evaluation and disciplinary proceedings. The collective selection procedures are supposed to solve lengthy filling of vacant positions. They shall be conducted on regional principle and take place on the same day for each region. Based on their results there shall be created a list of candidates for the judicial position. After completion of the necessary checks and preparatory training these candidates shall be ready to fill the vacant judicial positions. These collective procedures shall speed up the selection process and help to reduce the length of judicial proceedings. They shall take place at least once a year and the first one shall be held this year. The list of successful candidates shall be published at the website of the Ministry of Justice. Under the new legal regulation the judges shall be evaluated by professional evaluation committees composed of the judges and judges emeritus. There shall be 8 committees – one for each region and the committee from one region shall evaluate judges from a different region. The evaluations of judges shall be disclosed publicly and a repeated negative evaluation shall continue to form a serious disciplinary misconduct. In case a judge receives a negative evaluation during three successive years, the respective judge shall be disciplinary accountable with a possible result of termination of its function. The amendment further introduces supervision of the Judicial Council over the smooth course of disciplinary proceedings. It shall also receive a power to act in case of delays in disciplinary proceedings. Lawyers

The current development within the Slovak Bar Association and legal profession in Slovakia is marked by -the debate on the future of the legal sector, -relevant legislative changes and proposals, -by re-establishment of the Slovak Bar Association Court of Arbitration, - further electronisation of ID cards and awareness raising activities promoted among its members. As regards the proposed new legal acts and amendments to the existing legislation, the Slovak Bar Association closely observed the national legislative process and submitted comments regarding the number of bills among which the following had a significant impact on the legal profession: - Establishment of new register of public sector partners that aims at transparency of transactions with state and beneficial owners involved. The public sector partner is natural or legal person receiving funds, assets or other property rights from public resources, including EU funds. Lawyers are one of the persons authorised to register a public sector partner but at the same time they bear responsibility and are subject to fines in case of insufficient or misleading identification of beneficial owner. -Proposal for substantial changes in the status of executors according to which the executors are no longer a liberal profession as we have known it for the past

twenty years, executors are going to be allocated by the court using an electronic system. -Introduction of a new type of electronic payment order that centralises payment orders to a single court that will adequately specialize on payment orders. -Simplification and easier accessibility of personal bankruptcy - the new personal insolvency regime will open to a wider debtor audience but leave little protection to creditors. -Transposition of the fourth Anti-Money Laundering Directive that proposes significant raise in fines and imposes stricter obligations on obliged entities without taking into consideration differences in size and type of the entities. In July 2016 the new Civil Litigation Procedure Code, Code of Non-contentious Civil Procedure and Code on Judicial Proceedings in Administrative Cases entered into force, presenting a new challenge for lawyers who need to cope with a number of novelties in civil procedure and need to find their feet in the restructured provisions. In order to assist its members the Slovak Bar Association organised a great number of seminars in Bratislava and in Košice and related training events on the subject of the relevant changes. As of 1st July 2016, new Statute and Rules of procedure of the Slovak Bar Association Court of Arbitration was published in the official gazette of the Companies Register. Re-establishment of the Arbitration Court presents an important impetus in the field of civil arbitration in Slovakia and alternative solution to commercial and civil litigation at general courts. The Arbitration court is competent to decide disputes arising out of domestic and international commercial and civil legal relationships where the place of arbitration is the Slovak Republic, and the recognition and enforcement of domestic and foreign arbitral awards in the Slovak Republic. All disputes concerning legal relationships eligible for a settlement agreement, including disputes on the existence of a legal relationship or legal title, can be dealt with in arbitration. Arbitration proceedings may not be, however, conducted in relation to disputes between a supplier and a consumer, arising out of or in connection with a consumer contract, which can be resolved by consumer arbitration. In order to enable lawyers to benefit from new technical possibilities, in 2014 the Slovak Bar Association initiated a project of electronisation and within this framework the reissuance of lawyers' ID cards is taking place. The Slovak Bar Association thus serves as an administrator responsible for the agenda of electronisation of the legal profession. Throughout the past year the Bar focused on raising awareness about the advantages of new ID cards with electronic chip. As of 1st August 2016, all legal persons were supposed to be obligated to have their electronic mailboxes activated but a transitional period was allowed.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities After the recent recast of the law of civil procedure, which took place in the form of three new codes coming into effect in July, 2016, the government shall assess the effects of this new legal regulation and react by taking appropriate measures. The new Civil Code shall be adopted (the current Civil Code was adopted in 1964 and has undergone a vast number of amendments – so the necessity to adopt a new one is pressing) and the works on the recast are still ongoing. The government cooperates with the academia and the general public. In relation to raising the protection of SME-s and fight against tax crime a new amendment to the Commercial Code has recently been adopted (it is expected to come into effect in October this year). It resolves the problem of dishonest mergers of companies and puts more responsibility on statutory bodies and shareholders of companies. With respect to the issue of mergers, the new legal regulation reacts to dishonest practice of companies, which used to merge in order to easily dissolve the company without bankruptcy or liquidation. Under the new regulation the companies will be allowed to merge only in case of their insolvency. Bankrupt companies or companies in liquidation will not be allowed to be merged. In relation to the statutory bodies, under the former legal regulation they were responsible for filing for bankruptcy in case the company was insolvent. Since they did not respect this obligation in practice, under the new legal regulation they will be held responsible for the damages suffered by the creditors in relation thereto. The judicial decision on compensation of such damages may result in disqualification of the statutory body. The statutory body may be disqualified also in case of refusing to provide cooperation to the bailiff or bankruptcy administrator. The disqualified statutory body will be banned from acting as a statutory body in a company or a cooperative for the period of three years. Failing to file for bankruptcy shall be also a criminal offence. The proposed legal regulation changes the issue of own resources of a company. It divides the capital funds into two categories – those that will be usable for coverage of losses of the company and those that will be distributable among the shareholders of the company. There were several other changes introduced and in case of your interest, we will be glad to provide you with further details on this new legal regulation.

As far as the health insurance system is concerned, the Ministry of Health has introduced an amendment the Act on Health Insurance, which shall make more difficult for the foreign nationals to gain access to the Slovak health insurance. The amendment conditions

such access by monthly income at least at the level of minimum wage. The new legal regulation is suggested to come into effect at the beginning of the new year.

We would like to mention the Act on Register of Public Sector Partners, which came into effect at the beginning of this year. Its aim is to disclose the end-users of benefits, i. e. the real owners of companies. Under this legal regulation if the company wishes to enter into business relationships with the state and acquire funds in the amount exceeding EUR 100,000 singly or exceeding EUR 250,000 for the whole calendar year altogether, these subjects must register in this Register of Public Sector Partners. The process of registration is carried out by a bank or an attorney. These subjects are obliged to familiarize themselves with the ownership structure of the company, identify its true owners and describe these facts in a verification document accessible at the register's website.

The health occupational service as one of the obligations of the employers shall be made easier for them. Under the current legal regulation the employer is obliged to enter into a permanent contractual relationship with the provider of this service. This obligation shall be abolished under the new legislative proposal, which shall lower the costs of employers for this service. In relation to the protection of personal data, we shall mention the newly adopted regulation of the European Union regarding the protection of personal data. This regulation shall come into effect in May, 2018 and will replace the currently valid and effective directive on the protection of personal data and the Slovak Act on Personal Data Protection. Its aim is to unify the rules of personal data protection in the European Union and strengthen the rights of persons, personal data of whose are processed. The regulation reacts to the digital era requirements and focuses on the right to privacy of EU citizens and free flow of personal data within the EU. It shall, however, not completely overturn the existing legal regulation, since it preserves the former terminology, elaborates the existing principles, adds more obligations and removes what was unclear or vague. In February this year another institute was introduced into the Slovak legal order. It is a so called reminder procedure, which introduces an electronic proceedings on payment order. It is an alternative to the existing proceeding on payment order and it strives to fasten and make more effective the judicial proceedings on financial claims. The proceedings takes place via an electronic system using standardized electronic forms. The forms shall be processed automatically by the judicial information systems. Solely the financial claims can be exercised by this procedure.

As far as the international cooperation of the Supreme Court is concerned, the court has enhanced its cooperation mainly with the Court of Justice of the European Union and the European Court of Human Rights. This year it has become a member of the Superior Courts Network created by the ECHR to ensure the effective exchange of information, with the national superior courts, on Convention case-law and related information. Preparatory meeting are currently taking place in relation to launch of the network of the Court of Justice of the European Union. The purpose of this network is similar to that of the Superior Courts Network with main emphasis on the proceedings on preliminary rulings.

7. Enforcement of court decisions Under the governmental mission statement for 2016-2020 the government shall raise the enforceability of receivables, mainly those based on invoices, it shall prepare conditions for speeding up the judicial proceedings with the emphasis on specialization and electronization of judicial files, it shall reconsider the existing system of legal remedies and enforcement of outstanding costs of proceedings and electronic service of documents (we have already mentioned the establishment of a specialized execution court in Banská Bystrica).

In April, 2017 an amendment to the Code of Enforcement Procedure came into effect, which introduces some substantial changes to the enforcement procedure. The enforcement procedure shall be conducted by a bailiff with its seat at the place of the debtor's residence or registered seat. The enforcement agenda shall be conducted solely by a newly established enforcement court – the District Court of Banská Bystrica. Further changes introduced by the amendment are as follows: the enforcement cases shall be allocated by a random selection using electronic means; the bailiffs shall be rewarded by a lump sum; there is a new form of debtor's defence against the enforcement proceedings – the application for discontinuation of enforcement proceedings etc.

8. Mediation and other ADR Under the governmental mission statement for 2016-2020 the government shall support the ADR by

preparing conditions for specialization of commercial arbitration in separate areas of economy. There is no specific legislative proposals being currently discussed in the parliament or undergoing public debate. The last amendment to the Act on Mediation came into effect at the beginning of 2016. It introduced several changes to the legal regulation, such as the definition of a consumer dispute for the purpose of mediation, specification of the obligation of a mediator and a mediating centre, regulate the remuneration of a mediator in consumer disputes, introduce transparency with respect to publication of information by a mediator and a mediating centre and provision of information by them, change in the conditions of education and training of mediators etc.

9. Fight against crime Under the governmental mission statement for 2016-2020 the government shall take measures in order to create a functioning model for support and protection of criminal offence crimes and their indemnification. It shall secure that the revenues from sanctions affecting the property of criminal offence perpetrators will be used for support of victims of crime and their indemnification. The government further aims to introduce such changes that will lead to more effective detection of criminal activities revenues and shall adopt measures that shall make more effective the confiscation of criminal activities revenues. The government also plans to reconsider the existing legal regulation relating to the international judicial cooperation and shall propose and act that will comprehensively govern the whole area. The government shall focus on solving the application problems relating to the drug criminal offences and shall consider the possibility of introducing a model of more effective drug politics focusing on illicit drug trafficking. In the area of criminal law it shall focus on introducing more effective instruments for evaluation of the existing criminal legal regulation application in the practice.

With respect to the rights of victims of crime a new draft act was prepared by the Ministry of Justice, which has just entered into the legislative procedure. This issue is currently regulated in many special acts and the proposed draft act represents the first comprehensive legal regulation of this issue. There are new terms introduced into the legal regulation such as the victim and especially vulnerable victim, a catalogue of victims' rights is incorporated in the draft act and the extent of professional help service is defined. The victims will be provided by specialized services funded by the state (such as legal or psychological help etc.).

There is another draft act in the Slovak parliament regulating the use of a European Investigation Order in criminal matters, which implements the directive of the European parliament and the Council of Europe of 2014. The purpose of the draft act is to make easier the cooperation between the member states in obtaining evidence in criminal proceedings for the act that is a criminal offence under the legal regulation of the member state concerned and to unify the mechanism of obtaining such evidence.

9.1. Prison system Under the governmental mission statement for 2016-2020 the government shall proceed in line with the Prison Conception of the Slovak Republic for 2011-2020 and it shall prepare conditions for meeting the objectives in the area of raising the capacities of prisons, reliability of their operation and their safety. The reconstructions of existing prisons shall be conducted and the new ones built. Establishment of a detention centre as a special unit for treatment of mentally ill criminal perpetrators posing risk not only for themselves, but also to the society, also belongs to the priorities for the future.

We would also like to mention the institute of the house arrest, which was introduced into the Slovak legal order at the beginning of last year along with launch of the operation of the Electronic Monitoring Service of Persons Accused and Convicted (ESMO). It forms one of the institutes of a conversion of an imprisonment penalty along with the possibility of conditional release. The house arrest is, however, not widely used in practice. Until now only six convicted have used this institute. The General Prosecutors Office proposes creation of a specialized police body – the Police for Nature. It shall concern itself with detection of the environmental criminality.

9.2 Child friendly justice No specific plans

9.3. Violence against partners No specific plans

10. New information and communication technologies The government focuses on the electronization of the service of judicial documents and adopted measures regarding the obligatory data boxes for selected professions and legal entities as a part of the eJustice programmes. The electronization of justice has already been described above, so we will focus on the electronic service of documents in this part only. Since July this year all public bodies are obliged to send their decisions or notifications electronically to data boxes. The legal entities registered in the Commercial Register have the same obligation. The electronic communication is, however, obligatory only in the direction from the public body to the participants to the proceedings, not the other way round. The participants to the proceedings have a choice whether to send a document to a public body electronically or in hard copy form. The Supreme Court of the Slovak Republic has opened its first information centre in its history. Its purpose is to make easier the access of the public to information, which shall be accessible at one place. The centre shall provide the participants to the proceedings with information on court proceedings, on terms of court hearings, it shall provide access to the court files, secure copying of parts of judicial files and related activities.

11. Other No comments