

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



Slovenia

Generated on : 29/08/2018 11:18

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

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

Objective :

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

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

Instruction :

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

- User manual
- Explanatory note

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

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

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[2065895]

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	18085190186 <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 Data for 2016 refer to S.1311 Central Government level.

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

[19262]

Comments

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

[19020]

NA

Comments Average monthly gross earnings for 2016.

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: Statistical Office of the Republic of Slovenia

Q2) Total expenditure at the Central Government level (S.1311) is part of the ESA 2010 Table 2 on Main Aggregates of General Government. This table is part of ESA 2010 transmission programme and is reported biannually to Eurostat. Q4) - Monthly Statistical Survey on Earnings Paid by Legal Persons (1-ZAP/M questionnaire)

- Information System for the Transmission and Analysis of Data on Earnings, Other Payments and the Number of Employees in the Public Sector (ISPAP)

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution

services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	162731138 [] NA [] NAP	161139870 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	116782957 [] NA [] NAP	116901389 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	2171864 [] NA [] NAP	2084124 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	30280892 [] NA [] NAP	29156833 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	12721710 [] NA [] NAP	12292065 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	131000 [] NA [] NAP	130135 [] NA [] NAP
6. Annual public budget allocated to training	642715 [] NA [] NAP	575324 [] NA [] NAP
7. Other (please specify)	[] NA [] NAP	[] 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 figures above represent the budget, approved by the Parliament, while financing from EU sources is not included (in 2016, no EU funds were spent).

According to the Courts Act the funds for the salaries of judges and court staff and for the operational costs of courts, as well as funds for the computerisation of courts are provided at the budget user the Supreme Court of the Republic of Slovenia, while funds for providing the equipment of the courts and the spatial conditions of courts and provided at the ministry, responsible for justice. For additional comments on categories, see below.

4. and 5. - Court buildings:

The figures include funds that were approved/implemented at the Supreme Court and expenses of the Ministry of Justice.

6. Training:

The figures include only the funds for education of judges and court staff that are provided in the budget of courts (expenses for professional education of employees, expenses for business travels, expenses of conferences, seminars and symposiums, expenses for training for the use of information technologies in courts, the Central Judicial Library of the Supreme Court). We did not include the funds of the Judicial Training Centre (JTC), which is part of the Ministry of Justice, because it provides the education for all functionaries and public officials in judiciary, not only to judges and public prosecutors. The approved budget of the JTC was 220.000 EUR and implemented budget was 412.020 EUR and is included at Q15.1.

Differences to 2014 within categories Computerisation and Training:

In past years, the annual amount was cut down due to austerity measures and several activities were somehow impeded due to the limited budget. In the recent year, the spending returned close to the level before austerity measures.

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

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

Comments:

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

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

- Court fees are generally calculated in relation to the value of dispute and a specific quotient, set by the Court Fees Act for the individual court proceedings. In some cases (e.g. divorce cases, insolvency cases) court fees are set in fixed amounts.

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

[125]
 NA
 NAP

Comments

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

[33239643]
 NA
 NAP

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	3200000 [] NA [] NAP	[] NA [] NAP	[] NA [] NAP
12.1 for cases brought to court	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	3091043 [] NA [] NAP	[] NA [] NAP	[] NA [] NAP
12-1.1 for cases brought to court	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[] NA [] NAP	[] NA [] NAP	[] 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 €)
Total annual public budget allocated to the public prosecution services, in €	19383835 [] NA [] NAP	19351893 [] 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 indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. The increase in the budget comparing to the previous exercise is due to employment of additional 40 Judicial Advisors in the autumn of 2014 and nomination of 30 new state prosecutors in the autumn of 2015.

The amount includes budget for alternative resolution of criminal cases (approved: 90000 EUR, implemented: 71587 EUR). It does not include budget for functioning of the State Prosecution Council (approved: 126023 EUR, implemented: 97881 EUR).

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level courts
Ministry of Justice	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Other ministry	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Parliament	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Supreme Court	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Courts	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Inspection body	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Other	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () 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: Q6: Financial and accounting department of the Supreme Court of the Republic of Slovenia and Ministry of Justice (Investments and real estate Directorate)
 Q12: Financial and accounting department of the Supreme Court of the Republic of Slovenia
 Q13: Annual Financial Statement of the Budget of the Republic of Slovenia for 2016

1.1.3. Budgetary data concerning the whole justice system

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

Approved budget (in €)	Implemented budget (in €)
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Total annual public budget allocated to the whole justice system in €	250570939 [] NA [] NAP	245460527 [] NA [] NAP
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Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences:

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

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

Comments:

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

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

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

Comments - If "other", please specify: Public budget for the whole justice system includes:

- Courts: total at Q6 without the amounts financed by the Ministry of Justice - Legal aid: amount at Q12
- Public prosecution services: amount at Q13
- Prison system: Prison Administration of the Republic of Slovenia (approved 36.441.312 EUR / implemented 35.027.181 EUR),
- Council of the judiciary: the Judicial Council of the Republic of Slovenia (371.793 EUR/ 369.456 EUR),
- Constitutional court: Constitutional Court of the Republic of Slovenia (4.071.218 EUR / 3.912.332 EUR),
- State advocacy: State Attorney's Office of the Republic of Slovenia (12.418.832 EUR/ 12.292.591 EUR),
- Functioning of the Ministry of justice: the Ministry of Justice (including JTC) without prison system (17.731.134 EUR/15.923.488 EUR) and
- Other: the Public Prosecution Council (101.677 EUR/97.882 EUR).

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

Sources: Q15.1: Financial and accounting department of the Supreme Court of the Republic of Slovenia and Ministry of Justice

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

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

Comments

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

() Yes

(X) No

Comments - If yes, please specify:

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

(X) Yes

() No

Comments - If yes, please specify:

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

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

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid

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

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

TOTAL	6628 [] NA [] NAP	731 [] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate: The following forms of legal aid are not included in the figures above:

- 1) legal advice and representation involving constitutional action: 16
- 2) for legal advice and representation before international courts: 1
- 3) for legal advice and representation involving the filing of a petition for the assessment of constitutionality: 1
- 4) exemption from payment of the costs of the judicial or extra judicial proceedings: 2.118

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

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

Comments - If yes, please specify:

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

- (X) Yes
() No

Comments

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

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	7021 [] NA [] NAP	14043 [] NA [] NAP
Full legal aid for other than criminal cases	7021 [] NA [] NAP	14043 [] NA [] NAP
Partial legal aid for criminal cases	[] NA [X] NAP	[] NA [X] NAP

Partial legal aid for other than criminal cases	<input type="checkbox"/> NA <input checked="" 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 Free Legal Aid Act prescribes that (art. 13): Legal aid shall be granted to persons that, given their financial position and the financial position of their families, are not able to meet the costs of the judicial proceeding without causing harm to their social position and the social position of their families.

It shall be deemed that the social position of the applicant and his or her family is put at risk by the costs of the judicial proceeding, if the monthly income of the applicant (personal income) or average monthly income per family member (personal family income) does not exceed the amount of 2 times the basic amount of the minimum wage, laid down in the act governing the minimum wage (hereinafter referred to as: minimum income).

The minimum income being 292,56 EUR on the 31. 12. 2016 the monthly income or the average monthly income per family member must not exceed 595,06 EUR (the given answer is the aforementioned sum, multiplied by the number of months in a year). In previous years the monthly income was given. The amount of assets of applicant must not exceed 48 times minimum income (the given answer is the aforementioned sum, multiplied by 48).

Exceptional legal aid may also be granted, if the personal income of the applicant and the income of his or her family exceeds twice the minimum income and if the applicant's property and property of his or her family exceeds 60 times the minimum income, if the application for legal aid approval is founded on the family circumstances of the applicant, the applicant's state of health, extraordinary financial liabilities imposed on the applicant, or other reasons out of the family's control for which they found themselves at material risk (Free Legal Aid Act, Article 22).

According to the Free Legal Aid Act, the applicant has to give evidence of his assets with a statement (the court then gets all the relevant data from the different authorities that have evidence of the wealth of the applicant).

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? 4 out of total 13 Slovenian insurance companies offer legal expense insurance (5 out of 15 in 2014), as well as both reinsurance companies.

Source: The Insurance Supervision Agency web page <http://www.a-zn.si/>.

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

shared:

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

Comments

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

Sources: The Supreme Court of the Republic of Slovenia - Data warehouse (BI system - PSP)

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

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

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) https://www.uradni-list.si/ , http://www.pisrs.si , https://www.dz-rs.si	()
case-law of the higher court/s	(X) http://sodnapraksa.si/	()
other documents (e.g. downloadable forms, online registration)	(X) https://e-uprava.gov.si/ , http://www.sodisce.si/sodni_pos_topki/obrazci/	()

Comments - Please specify what documents and information the addresses for "other documents" include: <https://www.uradni-list.si/> (Official journal of the Republic of Slovenia)

<http://www.pisrs.si> (Government run web portal on which legal texts in unofficial version can be obtained)

<https://www.dz-rs.si> (General Assembly)

<http://sodnapraksa.si/> (Higher courts and the Superem court case law)

<https://e-uprava.gov.si/> (Ministry for public administration run web portal, where information on administrative proceedings and links to the forms or e-forms, if such forms are provided by law or government regulations)

http://www.sodisce.si/sodni_postopki/obrazci/ (Courts run web page, where forms in connection with court proceedings are available)

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

() Yes, always

(X) No

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?

Yes

No

Comments - If yes, please specify:

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

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

Comments - 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:

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?

Yes, please specify for which kind of offences:violent intentional crime

No

Comments

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

procedure?

Yes

No

Comments According to the Crime Victims Compensation Act, the right to compensation does not depend on the identification of the offender or the initiation of the criminal proceeding. However, if the criminal proceeding had been initiated, the victim must also file a claim according to the Criminal procedure Act (art. 7)

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments The compensation request is filled at the Ministry of Justice and is decided upon by the five members committee, put in position by the Government. The committee consists of: one higher or supreme judge (civil law field), one higher or supreme public prosecutor, and three experts: medicine – traumatology, health care and insurance; pension and disability insurance (art. 20., 21 and 32).

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

NAP

Comments - If necessary, please specify:

2.2.2. Confidence of citizens in their justice system



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

Number of requests for compensation	Number of condemnations	Total amount (in €)
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Total	27 [] NA [] NAP	14 [] NA [] NAP	274692 [] NA [] NAP
Excessive length of proceedings	12 [] NA [] NAP	7 [] NA [] NAP	15970 [] NA [] NAP
Non-execution of court decisions	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
Wrongful arrest	15 [] NA [] NAP	7 [] NA [] NAP	258722 [] NA [] NAP
Wrongful conviction	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): *The figures above do not include cases at ECHR. *The figures above represent cases, closed at the State Attorney in 2016, with compensations to be paid in 2016 or later. *The figures above represent cases before courts only. Before filing the claim for damages with the court, the injured person has to address his claim to the Office of the State Attorney General to try and reach agreement about the existence of the damage and the type and extent of compensation. If the request for recovery of damages is not granted or the Office of the State Attorney General and the injured person do not reach accord within three months of the filing of the request, the injured person may file a claim for damages with the court. The compensation, offered by the State Attorney's Office for wrongful arrest varies from case to case, since circumstances of the individual case (e.g. length of wrongful arrest, effect on the injured person's family life and his closest social circle, effects of media exposure, effect to injured person's health, etc.), as well as court decisions in similar cases, are taken into account.. Data for procedures at the State Attorney for 2016: 1. Excessive length of proceedings - Number of requests for compensation: 71; Number of settlements: 37; Total amount (in €): 430.262; 2. Wrongful arrest - Number of requests for compensation: 50; Number of settlements: 31 Total amount (in €): 144.881 3. Wrongful conviction - Number of requests for compensation: 0; Number of condemnations: 0; Total amount (in €): 0. The Protection of Right to Trial without Undue Delay Act gives a party to court proceedings the right to have his rights, duties and any charges brought against him in his case before the court to be decided upon by the court without undue delay. For detailed explanation on Excessive length of proceedings see Q40. The procedure for compensation in the case of wrongful arrest and wrongful condemnation is regulated by the Criminal Procedure Act.

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	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
2. (Satisfaction) surveys aimed at court staff	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc

4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input 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: Extensive quantitative surveys on satisfaction with the functioning of courts in Slovenia, performed by academic institutions, are planned as a bi-annual activity on national level (2013, 2015, 2017). The surveys target the general public, court users in all courts in the country (non professionals - parties and other people present at courts, including victims), legal professionals (lawyers, public prosecutors and state attorneys) and employees (judges and court staff). The extensive analysis and complete results of all surveys are published on the website of the Slovenian judiciary.[1][1] To complement quantitative research a qualitative study of procedural fairness and communication activities was introduced in 2017, including workshops with different stakeholders, in-depth interviews with court users, observation within court premises as well as analyses of social media. The results of these surveys serve as basis for specific projects and activities (such as simplified guides on court roles and proceedings, improving signalisation within court premises, etc.), since such research enables court management to identify more in detail potential areas for improvement.

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

Yes

No

Comments

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

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

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

	Number of complaints	Compensations amount granted to users
Court concerned	821 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Council of the Judiciary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: With regard to the categories “court concerned” and “higher court” we can notice decreases in the number of complaints between 2014 and 2016, which may be due to decreased duration of procedures.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

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

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	77 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

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)	5 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	4 [] NA [] 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	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	1 [] NA [] NAP
Insurance and / or social welfare courts	1 [] NA [] 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]?

(X) Yes

() No

Comments - If yes, please specify: Ministry of Justice is preparing court network reform. Existent first instance court network is considered as inefficient and insufficient. The main goal of this reform is to set up a system, which could assure better quality and efficiency of adjudication, specialization of judges and even allocation of cases. Furthermore, reform still should assure proper access to the courts and financial efficiency. Ministry of Justice is also taking in consideration different system of the nomination of judges,

nomination of Supreme Court judges and president of the Supreme Court. Existent nomination procedure of judges is too rigid and does not enable taking prompt actions when the post is vacant.

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

	Number of courts
a debt collection for small claims	55 [] NA [] NAP
a dismissal	4 [] NA [] NAP
a robbery	11 [] NA [] NAP

Comments

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

Yes

No, please give your definition for small claims:

Comments

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: Courts Act, Labour and Social Courts Act, Administrative Dispute Act.

3.2. Court staff

3.2.1. Judges and non-judge staff



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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	880 [] NA [] NAP	185 [] NA [] NAP	695 [] NA [] NAP

1. Number of first instance professional judges	641 <input type="checkbox"/> NA <input type="checkbox"/> NAP	115 <input type="checkbox"/> NA <input type="checkbox"/> NAP	526 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	208 <input type="checkbox"/> NA <input type="checkbox"/> NAP	52 <input type="checkbox"/> NA <input type="checkbox"/> NAP	156 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of supreme court professional judges	31 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above: At the end of 2016, 897 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2016 was 811,52 according to actual presence calculations.

Nevertheless, we report that 880 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 897 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

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

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	54 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance court presidents	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of supreme court presidents	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 3. Number of supreme court presidents: During 2016, the presidency term of former president of the Supreme Court ended, and new president was not elected until 2017.

To keep consistency with Q91/97, the president of the Administrative court is reported as first instance court president.

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

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

No

Comments NAP

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	3445 [] 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
- severe criminal cases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
- misdemeanour and/or minor criminal cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
in family law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
in civil cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
in labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
in social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
in commercial law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
in insolvency cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	3330 <input type="checkbox"/> NA <input type="checkbox"/> NAP	406 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2924 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	516 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49 <input type="checkbox"/> NA <input type="checkbox"/> NAP	467 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	826 <input type="checkbox"/> NA <input type="checkbox"/> NAP	124 <input type="checkbox"/> NA <input type="checkbox"/> NAP	702 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	1796 <input type="checkbox"/> NA <input type="checkbox"/> NAP	136 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1660 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	192 <input type="checkbox"/> NA <input type="checkbox"/> NAP	97 <input type="checkbox"/> NA <input type="checkbox"/> NAP	95 <input type="checkbox"/> NA <input type="checkbox"/> NAP

5. Other non-judge staff	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If "other non-judge staff", please specify: Differences with previous evaluation cycles within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

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: On 31. 12. 2016 there have been Rechtspfleger posts filled: 168 judicial advisers and 348 independent and senior judicial assistants.

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

- Yes
- No

Comments

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

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

Comments

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

Sources: The Supreme Court, human resources departments of individual courts.

3.3. Public prosecution

3.3.1. Public prosecutors and staff



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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	217 [] NA [] NAP	69 [] NA [] NAP	148 [] NA [] NAP
1. Number of prosecutors at first instance level	164 [] NA [] NAP	44 [] NA [] NAP	120 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	42 [] NA [] NAP	19 [] NA [] NAP	23 [] NA [] NAP
3. Number of prosecutors at supreme court level	11 [] NA [] NAP	6 [] NA [] NAP	5 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: Slovenian state prosecutors perform their function in 13 organizational units. There are 11 district prosecutor's offices and one Specialised State Prosecutor's Office of The Republic of Slovenia, where local, district and higher state prosecutors are positioned. At The Office of the Prosecutor General of the Republic of Slovenia supreme state prosecutors and State Prosecutor General perform their functions. Here are also some state prosecutors of lower ranks assigned to perform demanding professional tasks.

There are no higher state prosecutor's offices as the proceedings before the courts of appeal are governed by the district prosecutor's offices. According to the State Prosecutor Act prosecutors with the rank of at least local state prosecutor may represent a case before local courts, prosecutors with the rank of at least district state prosecutor may represent a case before district courts, prosecutors with the rank of at least higher state prosecutor may represent a case before higher courts and only supreme state prosecutors may represent a case before the supreme court. Local state prosecutors may also appear before district courts if authorized by the head of a state prosecutor's office for certain categories of matters, for a particular matter, for certain categories of procedural acts or for a particular procedural act. According to amendment of legislation in 2015 local and district prosecutors may in their cases appear along with a higher prosecutor before the courts of appeal if authorized by the head of an appellate division of the state prosecutor's office for a particular case. Higher and supreme state prosecutors are competent to represent a case also before first instance courts.

In the context of question 55 we counted local and district prosecutors as prosecutors at first instance level (164), higher prosecutors as prosecutors at second instance level (42) and supreme prosecutors as prosecutors at Supreme Court level (11) without regard of the rank of court before they perform their function in fact or if they are assigned to other institution for a limited period of time (e.g for the administration of State Prosecutorial Council). The information is in form of full-time equivalent.

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

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	13 [] NA [] NAP	8 [] NA [] NAP	5 [] NA [] NAP

1. Number of heads of prosecution offices at first instance level	12 [] NA [] NAP	7 [] NA [] NAP	5 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at supreme court level	1 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above: The position of the Supreme Court president was not filled on 31. 12. 2016 . The term of the previous president ended during 2016 and new president was not elected until 2017. The new president for the next 6-years-term is male.

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

- () Yes, please specify their number (in full-time equivalent):
- (X) No

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

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

- () Yes
- (X) No

Comments NAP

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

- (X) Yes
- () No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	296 [] NA	57 [] NA	239 [] NA

Comments The information is in form of full-time equivalent.

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

Sources: The Office of the Prosecutor General of the Republic of Slovenia

3.4. Management of the court budget

3.4.1. Court budget

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

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

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments - If yes, please give further details:

3.6.2. Performance and evaluation of courts

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

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

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, Županciceva 3, 1000 Ljubljana T: +386 (0)1 369 5342 F: +386 (0)1 369 5783 gp.mp@gov.si http://www.mp.gov.si/

No

Comments The data for Court statistic, published by Ministry of Justice is obtained from the Supreme Court's Data warehouse (PSP Project).

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): For the content of the report and audience, please see Q73.

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

- Internet

Intranet (internal) website

Paper distribution

Comments The law provides for annual report (see Q73) to be submitted to higher court, the Supreme Court, the Judicial Council and the Ministry of Justice. The reports are sent electronically, the courts are also recommended to make their annual reports publicly available through their web pages, however this is not mandatory.

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

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

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

Yes

No

Comments Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

[] Other (please specify):

Comments

New node



4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial



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

- []
- [X] NA
- [] NAP

Comments

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

- (X) Yes, number of successful challenges in a year 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)	(X) Yes () No [] NAP
For civil procedures (timeframe)	(X) Yes () No [] NAP
For criminal procedures (timeframe)	(X) Yes () No [] NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations: Slovenian authorities have taken a series of legislative (Protection of Right to Trial without Undue Delay Act), capacity-building, awareness-raising and other measures nationwide aimed to prevent the excessive length of court proceedings within the context of the execution of the judgments of the European Court of Human Rights in Lukenda group of cases. In December 2016 the Committee of Ministers of the Council of Europe adopted a Final Resolution CM/ResDH(2016)354 recognizing that the court backlogs are no longer a systematic problem in Slovenia (for a monitoring system see the Action report (DD(2016)1212)). Slovenia also took further institutional steps regarding the prompt and full execution of other judgments of the European Court of Human Rights (with regard to Article 46 of the European Convention), i.e. in

spring 2016 an Intergovernmental Working Group on the Enforcement of Judgments of the European Court of Human Rights and a Task Force within the Ministry of Justice were established.

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

Sources: The 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:

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)
Total of other than criminal law cases (1+2+3+4)	192231 [] NA [] NAP	710366 [] NA [] NAP	753615 [] NA [] NAP	148653 [] NA [] NAP	83331 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	45550 [] NA [] NAP	51659 [] NA [] NAP	54982 [] NA [] NAP	42227 [] NA [] NAP	9660 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	118604 [] NA [] NAP	483065 [] NA [] NAP	518674 [] NA [] NAP	82668 [] NA [] NAP	[] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	113760 [] NA [] NAP	184457 [] NA [] NAP	220914 [] NA [] NAP	77068 [] NA [] NAP	73198 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	4844 [] NA [] NAP	298608 [] NA [] NAP	297760 [] NA [] NAP	5600 [] NA [] NAP	418 [] NA [] NAP
2.2.1. Non litigious land registry cases	4442 [] NA [] NAP	240849 [] NA [] NAP	240018 [] NA [] NAP	5181 [] NA [] NAP	416 [] NA [] NAP
2.2.2 Non-litigious business registry cases	402 [] NA [] NAP	57759 [] NA [] NAP	57742 [] NA [] NAP	419 [] NA [] NAP	2 [] NA [] NAP
2.2.3. Other registry cases	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
2.3. Other non-litigious cases	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
3. Administrative law cases	1619 [] NA [] NAP	2972 [] NA [] NAP	2589 [] NA [] NAP	2000 [] NA [] NAP	7 [] NA [] NAP
4. Other cases	26458 [] NA [] NAP	172670 [] NA [] NAP	177370 [] NA [] NAP	21758 [] NA [] NAP	48 [] NA [] NAP

Comments In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

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

. See general comments.

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

. See general comments.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	27230 [] NA [] NAP	70862 [] NA [] NAP	70660 [] NA [] NAP	27378 [] NA [] NAP	2451 [] NA [] NAP
1. Severe criminal cases	15563 [] NA [] NAP	36119 [] NA [] NAP	36090 [] NA [] NAP	15538 [] NA [] NAP	2219 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	11667 [] NA [] NAP	34743 [] NA [] NAP	34570 [] NA [] NAP	11840 [] NA [] NAP	232 [] 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": The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

4.2.3. Case flow management – second instance

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



	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	4215 [] NA [] NAP	18684 [] NA [] NAP	18756 [] NA [] NAP	4143 [] NA [] NAP	2 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	2887 [] NA [] NAP	10798 [] NA [] NAP	10817 [] NA [] NAP	2868 [] NA [] NAP	2 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1328 [] NA [] NAP	7886 [] NA [] NAP	7939 [] NA [] NAP	1275 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1249 [] NA [] NAP	7442 [] NA [] NAP	7484 [] NA [] NAP	1207 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	79 [] NA [] NAP	444 [] NA [] NAP	455 [] NA [] NAP	68 [] NA [] NAP	0 [] NA [] NAP
2.2.1. Non litigious land registry cases	54 [] NA [] NAP	345 [] NA [] NAP	339 [] NA [] NAP	60 [] NA [] NAP	0 [] NA [] NAP
2.2.2 Non-litigious business registry cases	25 [] NA [] NAP	99 [] NA [] NAP	116 [] NA [] NAP	8 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic

situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	859 [] NA [] NAP	5839 [] NA [] NAP	5941 [] NA [] NAP	756 [] NA [] NAP	4 [] NA [] NAP
1. Severe criminal cases	683 [] NA [] NAP	4434 [] NA [] NAP	4476 [] NA [] NAP	640 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	176 [] NA [] NAP	1405 [] NA [] NAP	1465 [] NA [] NAP	116 [] NA [] NAP	4 [] NA [] NAP

Comments The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

4.2.4. Case flow management – Supreme Court



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	1282 [] NA [] NAP	2719 [] NA [] NAP	2770 [] NA [] NAP	1231 [] NA [] NAP	9 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	798 [] NA [] NAP	1808 [] NA [] NAP	1847 [] NA [] NAP	759 [] NA [] NAP	6 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	13 [] NA [] NAP	22 [] NA [] NAP	26 [] NA [] NAP	9 [] NA [] NAP	0 [] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	11 [] NA [] NAP	21 [] NA [] NAP	24 [] NA [] NAP	8 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	2 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
2.2.1. Non litigious land registry cases	2 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	471 [] NA [] NAP	889 [] NA [] NAP	897 [] NA [] NAP	463 [] NA [] NAP	3 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

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

(X) Yes, please indicate the number of cases closed by this procedure:336

() No

Comments Some procedures do not require a procedure of manifest inadmissibility (e.g. criminal cases, cases where the value of the claim exceeds a limit, set by law).

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	188 [] NA [] NAP	736 [] NA [] NAP	673 [] NA [] NAP	251 [] NA [] NAP	10 [] NA [] NAP

1. Severe criminal cases	175 [] NA [] NAP	670 [] NA [] NAP	606 [] NA [] NAP	239 [] NA [] NAP	10 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	13 [] NA [] NAP	66 [] NA [] NAP	67 [] NA [] NAP	12 [] NA [] NAP	0 [] NA [] NAP

Comments The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

4.2.5. Case flow management – specific cases

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	896 [] NA [] NAP	1748 [] NA [] NAP	1829 [] NA [] NAP	815 [] NA [] NAP
Employment dismissal cases	551 [] NA [] NAP	887 [] NA [] NAP	868 [] NA [] NAP	570 [] NA [] NAP
Insolvency	11999 [] NA [] NAP	5517 [] NA [] NAP	4519 [] NA [] NAP	12997 [] NA [] NAP
Robbery case	98 [] NA [] NAP	104 [] NA [] NAP	108 [] NA [] NAP	93 [] NA [] NAP
Intentional homicide	18 [] NA [] NAP	15 [] NA [] NAP	14 [] NA [] NAP	19 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	15 [] NA [] NAP	204 [] NA [] NAP	198 [] NA [] NAP	21 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	110 [] NA [] NAP	137 [] NA [] NAP	151 [] NA [] NAP	96 [] NA [] NAP

Comments Differences (insolvency cases):

The effects of the past economic situation are still producing a high number of incoming insolvency cases, with a high percentage of personal bankruptcies. Following the legislation changes, introducing new, simplified types of (preventive) compulsory settlement, there has been an increase in pending cases due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – personal insolvency; in this period the court cannot influence the duration and the case is still classified as not finished).

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:

. After entering the country, an alien must immediately state the intention to apply for international protection. An alien is taken to the

asylum house, where he/she is appropriately informed about the procedure and his/her rights. At the filing the request for protection, an interpreter is present. The decision on the request for protection can be subject to appeal at the Administrative Court and the Supreme Court. In such procedures, free legal aid is provided by specialised advisers, appointed by the Ministry of Justice. Information for aliens can be found in multiple languages at http://www.mnz.gov.si/si/mnz_zavaj/tujci_vsloveniji/.

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	4 [] NA [] NAP	187 [] NA [] NAP	45 [] NA [] NAP	0 [] NA [] NAP	[X] NA [] NAP	0 [] NA [] NAP
Employment dismissal case	40 [] NA [] NAP	214 [] NA [] NAP	177 [] NA [] NAP	136 [] NA [] NAP	[X] NA [] NAP	0 [] NA [] NAP
Insolvency	3 [] NA [] NAP	500 [] NA [] NAP	12 [] NA [] NAP	0 [] NA [] NAP	[X] NA [] NAP	24 [] NA [] NAP
Robbery case	30 [] NA [] NAP	324 [] NA [] NAP	79 [] NA [] NAP	223 [] NA [] NAP	690 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	93 [] NA [] NAP	271 [] NA [] NAP	93 [] NA [] NAP	233 [] NA [] NAP	578 [] NA [] NAP	[X] NA [] NAP

Comments All cases: Differences with 2015 (2014) data are due to the small numbers of cases.

Criminal cases - average length in 3rd instance: In 2016, the methodology for reporting the duration of cases at third instance changed. In previous years, only appeals to the Supreme court were taken into account, however for 2016, also the extraordinary legal remedies at the Supreme court were taken into account. This methodology is more coherent with civil cases, where no appeal to the Supreme court is possible, only extraordinary legal remedies.

Robbery cases - average total length of the total procedure: the average duration appears longer due to one case, resolved in 2016 with the duration of 6093 days (17 years!). Without the aforementioned case, the average duration of the procedure is 632,2 days (difference more than 50 days).

Criminal cases - % of cases pending for more than 3 years for all instances: Only the cases at the first instance were taken into account (32 robbery cases and 7 intentional homicide cases) - the data for all instances was not prepared in time. The total number of pending cases for more than 3 years for all instances is: 36 robbery cases and 12 intentional homicide cases.

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

. See general comments.

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 comments.

4.2.6. Case flow management – public prosecution



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

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

Comments The primary function of Slovenian prosecutors is to decide whether or not to initiate or continue a prosecution of the alleged perpetrator of criminal offence before a court. The role of investigating crimes is attributed to the police, but the prosecutors can set guidelines for police work by giving directions, expert opinions and proposals. They can also coordinate national or international joint investigation teams.

Prosecutors cannot impose or negotiate a penalty without the judicial approval. They can divert the prosecution of cases that meet statutory conditions by imposing a measure (elimination of or compensation for damage, payment of a contribution to a public institution or a charity or fund for compensation for damage to victims of criminal offences, performance of community service, fulfillment of a maintenance obligation) or transfer the case to a settlement procedure – both only upon consent of the injured party and a suspect.

Other significant powers: prosecutors can file extraordinary legal remedies against final judicial decisions and file a lawsuit against the defendant to forfeit the assets of illegal origin.

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

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

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	68624 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17032 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10184 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The explanation by the state prosecution (data source) concerning the decrease in the number of received cases during the reference year between 2014 and 2016: - since 2013, the number of reported offences to the police is decreasing, hence the decrease in number of cases received (especially cases where the offender is unknown)

- due to several local factors (austerity measures, increased number of immigrants in 2015-2016 and a long strike of police officers in 2016), the number of cases (against identified offenders) processed by the police also decreased

As concerns the decreased number of cases brought to court:

- a decrease in new cases (see above)

- exercising a stricter selection of cases, not appropriate for court procedure (in 2014, almost 30% of resolved cases were brought to court, in 2016 only 25%). The state prosecution also noted some minor differences might be attributed to changes in their methodology for data reporting.

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

	Number of guilty plea procedures
Total	365 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments From the enforcement of the provisions on guilty plea bargaining procedures in Criminal procedure act in 2012 there is a steady rise in the number of concluded agreements between the defendant and the prosecutor. The proportion of these agreements compared to filed indictments also grows (2012: 1,1 %, 2014: 2,0%, 2016: 3,8 %). The most general interpretation of this trend would be that the parties of criminal procedures have recognised these new instrument as beneficial in terms of speeding up the process of reaching the final decision and the reduction of the sanction that would be issued, if the complete trial took place.

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

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	17032 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	13553 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Discontinued by the public prosecutor for reasons of opportunity

3479

NA

NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

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

Sources: The Supreme State Prosecutor Office

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges



110. (Modified question) How are judges recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

Yes

No

Comments - If yes, please specify:

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

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If

there are several authorities, please describe their respective roles:

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Competitive test / Exam

Other procedure (interview or other)

No special procedure

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

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

5.1.2. Status, recruitment and promotion of prosecutors



115. What is the status of prosecution services?

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

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

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

- Yes
- No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

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

Comments

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

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

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

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

- Yes
- No

Comments - If yes, please specify:

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

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

Comments

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

- Competitive test / exam

Other procedure (interview or other)

No special procedure

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

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

Yes

No

Comments - If yes, please specify:

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): Please refer to Q113.

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

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:70

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

NAP

Comments

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

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The function of public prosecutor can be terminated for the same reasons as for judges, and at latest at the age of 70.

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

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

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments The Judicial Training Centre is a body of the Ministry of Justice. Its approved budget was 220.000 EUR and implemented budget 412.020 EUR.

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[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
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No

In-service training for the use of computer facilities in office	(X) Yes () No	() Yes (X) No	() Yes (X) No
-------------------------------------------------------------------------	---------------------	---------------------	---------------------

Comments

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

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

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

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

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

One single institution for both judges and prosecutors

860867

NA

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?

. See comment to Q131.

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	32628 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20088 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	63660 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34356 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	32103 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18493 <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).	53454 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28306 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

133. Do judges and public prosecutors have additional benefits?

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

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

Comments

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

[X] NAP

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

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

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

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No

Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

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

- Yes
- No

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

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

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

Comments

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

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)

- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

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

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

Comments

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

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

Comments

5.4.2. Number of disciplinary procedures and sanctions

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

Judges	Prosecutors
--------	-------------

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

Comments - If “other”, please specify: Judges: Seven disciplinary proceedings were initiated in 2015.

Prosecutors: One disciplinary proceeding was initiated in 2015 for the reason of professional inadequacy.

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

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

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

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

Sources: The office of State Prosecutor General.

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:

[1711]

[] NA

[] NAP

Comments

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

Yes ()

No (X)

Comments

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

[]

[] 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)
Civil cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Dismissal cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Criminal cases - Defendant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Criminal cases - Victim	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
There is no monopoly	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> 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)
Civil society organisation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Family member	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Trade union	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP

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

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

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

Comments

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 Slovenian Lawyers (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?

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 See general comment.

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

Number of disciplinary proceedings

Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	28 [] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify: Please note: the figures above include data from 1. 3. 2016 to 31. 1. 2017.

Differences to previous cycle (2014 data): No particular reason was given by the bar association.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	8 [] NA [] NAP
1. Reprimand	2 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	6 [] NA [] NAP
5. Other	[] NA [X] 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. Please note: the figures above include data from 1. 3. 2016 to 31. 1. 2017.

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.

(X) Yes

() No

Comments The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned Act, all courts of first and second instance have to adopt ADR programmes. On the basis of these programmes, mediation is offered in disputes arising from commercial, labour, family and other civil relationships, with regard to claims that are at parties' disposal and that parties can agree upon. Courts may also introduce other forms of ADR.

The Act refers to local, district and labour courts, as well as to high courts and the Higher labour and social disputes court. The court may adopt and implement the programme as an activity organised directly in court (court-annexed programme) or on the basis of a contract with a suitable provider of ADR (court-connected programme). Courts can also cooperate when implementing the programme. Mediators in these programmes have to fulfil conditions, determined by the Act. The courts' budget shall provide the funds for the programmes that are offered by courts. Mediation in disputes in relations between parents and children and in labour disputes due to termination of an employment contract is free of costs for parties. In other disputes, the first three hours of mediation are free of costs for parties. The only exception is mediation in commercial disputes; parties pay the costs of such mediation. Parties may be referred to mediation in two different ways: on the basis of parties' agreement or on the basis of the information session (in this case they may oppose to referral and in such case, mediation does not start). In case mediation starts, the court proceedings are suspended for 3 months. The Act expressly refers to cases in which the state is a party. In all judicial disputes where this Act is applied and where the Republic of Slovenia is a party, the State Attorney shall give consent for mediation when such a decision is appropriate, given the circumstances of the case. If the State Attorney deems mediation to be unsuitable, he shall submit an explanation and a proposal to the Government of the Republic of Slovenia and ask for a decision. Criminal matters: The possibility of a settlement proceeding has been introduced in 1998, with the changes of Criminal Procedure Act. The proceeding is not called 'mediation' but 'settlement in criminal matters'. It may be introduced before filing a request for investigation or before filing a charge sheet without the investigation; it may be applied in case of minor criminal offences. The aim of such proceedings is to reach a settlement, which contains certain moral or material satisfaction for the victim. It is up to the public prosecutor to transfer the case into the settlement proceedings. In doing so, the public prosecutor shall take account of the type and nature of the offence, the circumstances in which it was committed, the personality of the perpetrator and his prior convictions for the same type of / or for other criminal offences, as well as his degree of criminal liability. The settlement proceedings shall be run by the settlement agent. The settlement proceedings may only be implemented with the consent of the suspect and the victim. The suspect and the victim bear the costs of the proceedings. The control over these proceedings is exercised by a board, established by the Supreme Public Prosecutor's Office.

Other specific legislation that regulates mediation and other ADR:

- The Patient Rights Act (Official Gazette of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (Article 71 and 72).
- The Employment Relationship Act (Official Gazette of the Republic of Slovenia, No. 21/13, 78/13 and 47/15 - ZZSDT) stipulates in article 201 the possibility that the employer and the employee agree on resolving their dispute in mediation or arbitration proceedings.

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

[] Before going to court

[X] 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
Civil and commercial cases	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family law cases (ex. divorce)	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

- Yes
 No

Comments - If yes, please specify:

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

- [281]
[] NA
[] NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	2844 [] NA [] NAP
1. Civil and commercial cases	2320 [] NA [] NAP
2. Family cases	[X] NA [] NAP
3. Administrative cases	[] NA [X] NAP
4. Employment dismissal cases	524 [] NA [] NAP
5. Criminal cases	[] NA [X] NAP

Comments - Please indicate the source: Data source: The Supreme Court`s Data Warehouse.

The figures represent resolved mediation cases (no matter what was the outcome of mediation). The category 1. Civil cases includes family cases. The figure at the category 4. Employment dismissals cases is the number of mediations at the labour and social courts and includes employment dismissals cases.

The difference (decrease) in number of mediation cases compared to 2014 can be partially due to decrease in number of incoming court cases (see Q91). In 2016, the mediation was offered in 7.969 civil and 1.475 labour cases.

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 - According to the Act on Alternative Dispute Resolution in Judicial Matters all local, district, labour and higher courts and higher labour and social court are obliged to provide mediation to the parties. Besides, they may also provide other forms of alternative dispute settlement. An alternative dispute settlement is defined as a procedure that does not entail trial and in which one or more neutral third parties co-operate in the dispute settlement using the procedures of mediation, arbitration, preliminary neutral evaluation or other similar procedures.

- The Mediation in Civil and Commercial Matters Act regulates mediation in disputes arising from civil, commercial, labour, family and other property relationships with regard to claims which may be freely disposed of and settled by the parties, unless otherwise stipulated for individual disputes by a special law. Pursuant to Article 2(2) of MCCMA, mediation is also possible in case of other disputes as well (other than civil, commercial, labour, family, and property disputes), as long as it is not contrary to law.

- The Arbitration Act provides legal framework for all kind of arbitration proceedings.

G1. Please indicate the source for answering question 166:

Source: The Ministry of Justice

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

[37]

NA

NAP

Comments

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

judges

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

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

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

Yes

No

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

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

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

Comments

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

Service of judicial and extrajudicial documents

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

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments

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

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

Comments

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

- Yes
- No

Comments

175. Are enforcement fees freely negotiated?

- Yes
- No

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: The 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): the court presidents

Comments "Other" - court presidents

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

(X) No

Comments - If yes, please specify:

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

(X) 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

[X] lack of information

[X] excessive length

[X] 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?

(X) Yes

() No

Comments - If yes, please specify: See 208.7

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

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

Comments

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

(X) between 1 and 5 days

() between 6 and 10 days

() between 11 and 30 days

() more (please specify):

Comments The enforcement on the basis of authentic document procedure was taken into account. The average time from receiving the claim to issuing a decision is 3,1 days (median 2 days) and the average time from issuing to sending a decision to parties is 1,7 days (median 1 day).

The time it actually takes for all parties to receive a decision was not taken into account, due to the procedural law provisions (addressee is notified about the incoming court writing immediately and has 15 days to actually reclaim the mail at the post office). On average, the time from sending to the moment, when all the parties have reclaimed the court writing (in this type of procedure) amounts to 12,16 days (median 12 days).

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	13 [] NA [] NAP
1. For breach of professional ethics	0 [] NA [] NAP
2. For professional inadequacy	13 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	7 [] NA [] NAP
1. Reprimand	5 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP

4. Fine	2 [] NA [] NAP
5. Other	0 [] NA [] NAP

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

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

Source: The Ministry of Justice

8.2.Execution of decisions in criminal matters

8.2.1.Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple 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	92 [] NA [] NAP
Private professionals (without control from public authorities)	[] NA [X] NAP
Private professionals under the authority (control) of public authorities	92 [] NA [] NAP
Public agents	[] NA [X] NAP
Other	[] NA [X] NAP

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

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

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

Comments

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

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

Comments

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

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

Comments

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

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

in the field of mediation

other

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

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

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

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

Yes

No

Comments

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

a professional body

the judge

the Ministry of Justice

the public prosecutor

the Ministry of Interior

other (please specify):the presidents of higher courts

Comments "Other" - the presidents of higher courts

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

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Chamber of Notaries of Slovenia

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:

556]

NA

NAP

Comments

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

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: The Ministry of Justice.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

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

- "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,
- "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,
- "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).
- Other (please specify):

Comments

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

- Yes
- No

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

203. Is the title of judicial experts protected?

- Yes
- No

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

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

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

Comments A specialised training (e.g. specialised school or programme) is not required for experts. However, they must pass the knowledge and skills examination in order to enlist as court experts.

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:

1232]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- The remuneration is set by Minister of Justice (tariff in Rules on court experts and court appraisers).

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 The Ministry of Justice forms the list of eligible court experts (selects the experts to appear on the list). However, the court selects a judicial expert (from the list) in individual cases.

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

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: The 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 /

2. Budget /

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) /

3.1. Access to justice and legal aid /

4. High Judicial Council In April 2017, a new Judicial Council Act was adopted, which for the first time regulates the competences and the position of this body at the systematic level. The Judicial Council shall assume more important role in the process of providing of high-quality personnel in the judiciary, therefore the main solutions of the new law are directed towards strengthening the role and position of the Judicial Council, and to define more specifically the relationship of the Judicial Council to the Supreme Court of the Republic of Slovenia and the Ministry of Justice. The purpose of new competences of Judicial Council in the field of judicial administration and of the transfer of jurisdiction for disciplinary proceedings against judges to the Judicial Council is to increase general confidence in the judiciary. Accordingly, the law follows the principle of systematic and coherent regulation of the fundamental aspects of the position, organization and functioning of the Judicial Council within a single normative act.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. STATE ATTORNEY

In April 2017, a newly adopted State Attorney Act replaced the 20 years old State Attorney Act. The new Act already came into force and shall begin to apply in November 2017. Act establishes a new, special body of the State Attorney's Office of the Republic of Slovenia as a state authority, which shall independently and autonomously perform its tasks and execute competences.

The State Attorney's Office shall perform professional tasks in the field of the protection of property and other rights and interests of the state via legal representation before courts and administrative authorities in the Republic of Slovenia, before foreign courts and in foreign arbitration, and before international courts and in international arbitration. The State Attorney's Office shall also perform the tasks of legal counselling, the amicable solution of disputes in initial proceedings, and other tasks determined with this Act or other acts. In accordance with the provisions of Act, the Ministry for Justice shall supervise the work of the State Attorney's Office.

Some of the most important aims of the new Act are: - more effective execution of competences,

- business optimization,
- more flexible organization of work,
- greater transparency of business,
- better career system for young people and successful lawyers,
- preventing political recruitment,
- strengthening the advisory role of State Attorneys and search for solutions of disputes before the beginning of court proceedings.

EDUCATION

Ministry of Justice is also going to prepare a reform of the initial training for judges, prosecutors and advocates. One of the most important aims of the reform is to rationalize the legal education and training after completing legal studies by taking into consideration actual needs for lawyers who have passed the state legal exam. Ministry of Justice is currently preparing the thesis for reform and the first draft of a new law in this field.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities The proposed amendments of Criminal procedure code (ZKP-N), which is in the parliamentary procedure, will introduce additional measures for support to victims of a crime and modify several procedural instruments, such as defining the conditions for police interrogation to have a value of evidence in court, speeding up proceedings by promotion of application of individual investigation measures instead of formal court investigation, and other changes etc.

Recently amended provisions of the Civil Procedure Act will start to apply in September this year;

The amendment of the Claim Enforcement and Security Act is in the process of preparation;

In the near future we plan to draft a new Non-litigious Civil Procedure Act.

7. Enforcement of court decisions Ministry of justice has prepared amendments to the Enforcement and Securing of Civil Claims Act (ESCCA), which shall increase efficiency of enforcement proceedings by introduction of electronic auction of movable and immovable property. Moreover, public will be informed of any auction online. There will be an online search machine, which will enable potential bidders to easily search for movables or real estate they want to buy. Amendments to the ESCCA also include in their main objectives changes to national legislation, necessary in order to implement Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) and other regulations in area of civil law and also harmonization of ESCCA rules regarding book entry securities following the intergration of Slovenia in TARGET2-Securities system - a pan-European platform for securities settlement in central bank money.

8. Mediation and other ADR A State Attorney's Office Act was recently adopted. It introduced a compulsory pre-litigation procedure for a peaceful settlement of the dispute before the initiation of a civil or other proceedings against the State.

9. Fight against crime /

9.1. Prison system The draft amendments to Penal Sanctions Enforcement Act is being prepared, with foreseen adoption in 2018. Among other, it will introduce the right of a victim to be informed about escape and leave of convicted persons in line with the Directive 2012/29/EU. According to the Probation Act the Probation service is being established. The Act has been adopted in 2017 and will come into force in April 2018.

9.2 Child friendly justice In June 2017 the Government proposed to the Parliament a draft Act amending the Human Rights Omdurman Act. The proposal includes formal establishment of the Child Advocacy institute (new Articles 25.a-25d under the title "Child Advocacy are introduced). The purpose of this institute (which has been until now undertaken for 10 years as a Pilot Project) is to empower the child in all proceedings, where the child's rights and interests are affected. Based on the proposed Act, the Ombudsman will continue to organize and ensure the professional network of Children' Advocates, who are specialized volunteers providing assistance to children in order to express their opinions in all proceedings and activities where they are involved and to provide child's opinion to the competent authorities. It is suggested that anyone who believes that a child cannot express freely his or her opinion can submit a proposal for appointing an advocate. If both parents or child's legal representatives consent to the appointment, the Ombudsperson shall be appointing authority, otherwise the proposal shall be sent to the competent Center for Social Work or the court, that manages proceedings. The Ombudsperson shall keep a publicly available list of children' advocates. The relationship between the child and the Child Advocate shall be confidential.

9.3. Violence against partners /

10. New information and communication technologies /

11. Other JUDICIAL EXPERTS, APPRAISERS AND INTERPRETERS

Ministry of Justice is preparing the draft of the Act on Judicial Experts, Appraisers and Interpreters. It is a completely new law that

will cover the field of judicial expertise, appraisal and interpretation, and introduces several new institutes, which ensure a greater role of the profession in dealing with expert issues; the responsibility of court experts, appraisers and interpreters is enhanced and the law also ensures high level of quality of opinions, appraisal and interpretation or translations. The material is expected to be submitted for professional harmonization in autumn.