



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

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

**Objective :**

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

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

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

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

**Instruction :**

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

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

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

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## 1. General and financial information

### 1.1. Demographic and economic data

#### 1.1.1 Inhabitants and economic general information



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

[ 48 059 777 ]

Comments National Institute of Statistics (INE).



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

[ 28 280 ]

Comments Published Information

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

[ 25 381 ]

[ ] NA

Comments The increase can be explained by increase of minimum legal salary.

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

[            ]

Allow decimals : 5

[ X ] NAP

Comments

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

Sources: Eurostat

### 1.1.2 Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	4 018 981 240 [ ] NA [ ] NAP	3 942 873 476 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	2 877 080 286 [ ] NA [ ] NAP	2 948 473 113 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	340 700 609 [ ] NA [ ] NAP	291 580 372 [ ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>2.2 Maintenance of the IT equipment of courts</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	93 254 549 <input type="checkbox"/> NA <input type="checkbox"/> NAP	84 719 281 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	465 577 565 <input type="checkbox"/> NA <input type="checkbox"/> NAP	440 433 883 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	123 364 462 <input type="checkbox"/> NA <input type="checkbox"/> NAP	76 747 406 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Annual public budget allocated to training</b>	21 287 998 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other (please specify)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The increase in the budget allocated to computerisation is due in part to the Next Generation EU financial instrument. A first agreement was adopted by the Sectoral Conference on June 25, 2021, in which there were Priority Projects 2022-2023 on which common work is developed and financial distribution is made. The increases in the budget allocated to the justice expenses and the budget allocated to training is due to the higher budgetary prevision.

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

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

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

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

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

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

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

- It is a fixed amount.

In general terms, the civil procedure can be verbal and ordinary (less or more than 15,000 euros). Taking into account that natural persons are exempt from the fees.

The fixed sums are these:

Verbal: 150 eu

Ordinary: 300 eu

Payment order: 100 eu

Enforcement: 200 eu

Insolvency: 200 eu

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

- [ 150 ]
- [ ] NA
- [ ] NAP

Comments

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

- [ 46 543 000 ]
- [ ] NA
- [ ] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	342 464 909 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

12.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments

### 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)	334 159 784 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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



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

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

Comments

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	365 266 042 <input type="checkbox"/> NA <input type="checkbox"/> NAP	373 399 744 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	6 271 390 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The variation in the implemented budget are within normal parameters taking into account the variation in the price of money

in two years. The budget allocated to training includes a part of the training institution's budget corresponding to the prosecutors training. Regarding approved budget allocated to training the increase is related to the Program 111R "Training of Prosecution Career" that is financed from the State General Budget.

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

Sources: National Commission for Judicial Statistics  
 Budgetary public information  
 Budget General of the State - Program 111R

### 1.1.3 Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	6 948 500 834 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

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

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

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

Comments

### 015-3. Other budgetary elements

Included

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

If "Other", please specify: Regarding the probation services, it does not exist a unit or department called 'probation services'. Depending on the phase of the proceeding (Judgement or Enforcement), the Court competent to order the suspension of the prison penalty can be the

Court that has judged the case or other specialized Courts (on Prison Supervision). The subsequent control of the compliance by the person sentenced of the legal conditions is followed by the Police, and by the 'Penalty and Alternative Measures Management Services' (both of them within the Ministry of Interior) and also by the competent Court. The Budget for the judicial system includes only the part for Courts and civil servants that serve in Courts. Not the control carried out by bodies within the Ministry of Interior.

Regarding forensic services, these services are under the competences of the Ministry of Justice, and their buildings, material resources and main professionals are part of the budget for Justice provided.

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

Sources: National Commission of Judicial Statistics

**2. Access to justice and all courts**

**2.1. Legal Aid**

**2.1.1 Scope of legal aid**

**016. Does legal aid apply to:**

	<b>Criminal cases</b>	<b>Other than criminal cases</b>
<b>Representation in court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Legal advice, ADR and other legal services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

- In each provincial capital, a Legal Aid Commission is set up as the body responsible, in its corresponding territorial area, for recognizing the right. The Legal Aid Commissions are formed by the Dean of the Bar Association, the Dean of the Association of "Procuradores" , or the lawyer or Procurador designated by them, and by two members designated by the public Administrations on which they depend.

The right to free legal aid will be recognized for those individuals who lack sufficient assets, gross economic resources and income. It is computed annually for all concepts and per family unit that do not exceed some indicators related to the 'public income indicator'.

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

Yes

No



If yes, please specify: The right to legal aid includes the exemption of Court fees.

**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: - Free insertion of announcements.

- Free expert assistance. - Free copies, testimonies, instruments and notarial acts. - Reduction of 80 per 100 (or exclusion) of the corresponding costs for the granting of public deeds. - Reduction of 80 per 100 (or exclusion) of the rights for obtaining notes, certifications, annotations, seats and inscriptions in the Registries.

**2.1.2 Information on legal aid**

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

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	2 002 595 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In criminal cases</b>	1 447 261 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In other than criminal cases</b>	555 334 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please specify when appropriate: Source 2022 data: "XVII Informe del Observatorio de la Justicia Gratuita"

Criminal cases = arrested person assistance of a lawyer (page 26) + genre violence (page 26) + officio lawyer criminal cases (page 28)

Probably the recovery of normal work after pandemic has had an impact reflected in the increase of number of cases.

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

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In other than criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please specify when appropriate:

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

( ) Yes

( X ) No

Comments

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

	Total	Males	Females
Number of recipients of legal aid	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP

Comments

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

( X ) Yes

( ) No

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

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

( X ) Yes

( ) No

Comment: If yes, please specify:

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

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	70 206 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments The number of cases of Legal Aid in Genre Violence against Women (cases in which the victim is always a woman) has been 70.206.

The number is a good estimation.

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

	Time in days
Maximum duration prescribed in law/regulation	30 [ ] NA [ ] NAP

Actual average duration	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information:

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

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

Comments - If yes, please specify:

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

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

Comments

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

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: The figure is higher in case the person is integrated into a family unit (and even higher if the family has 4 or more members). (Article 3 Legal Aid law).

As for assets, there is no numerical value. The legal reference indicates that "the person does not have enough assets", and to assess this, it is necessary to take into account whether the person has other real estate (other than their home) or income from real estate.

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

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	16 212 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Full legal aid to the applicant for other than criminal cases	16 212 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
Partial legal aid to the applicant for criminal cases	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP
Partial legal aid to the applicant for other than criminal cases	[ ] NA [ X ] NAP	[ X ] NA [ ] NAP

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

Yes

No

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

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

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

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

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

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

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

Sources: Law on Legal Aid, 10 January 1996. Website IPREM - (Public Indicator of Rent for multiple effects)
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**2.2. Court users and victims**

**2.2.1 Rights of the users and victims**

**028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where**

general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> <a href="https://www.boe.es/">https://www.boe.es/</a>	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> <a href="https://www.poderjudicial.es/cgpj/es/Temas/Centro-de-Documentacion-Judicial--CENDOJ-/">https://www.poderjudicial.es/cgpj/es/Temas/Centro-de-Documentacion-Judicial--CENDOJ-/</a>	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> <a href="https://www.administraciondejusticia.gob.es/">https://www.administraciondejusticia.gob.es/</a>	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> <a href="https://www.mjusticia.gob.es/es/ciudadania/tramites/relacion-descarga-modelos">https://www.mjusticia.gob.es/es/ciudadania/tramites/relacion-descarga-modelos</a>	<input type="checkbox"/>

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

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

Yes, always

No

Yes, only in some specific situations

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

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

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

<b>Specific for minors (child-friendly systems)</b>	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No
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Comments - Please provide more information on these systems and specify how this assistance is provided:

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

	<b>Information mechanism</b>	<b>Special arrangements in hearings</b>	<b>Other specific arrangements</b>
<b>Victims of sexual violence/rape</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of terrorism</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Minors (witnesses or victims)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of domestic violence</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Ethnic minorities</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Persons with disabilities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

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

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

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

Comment

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

	Civil proceedings	Criminal proceedings
<b>Capacity to initiate a proceeding and take other procedural actions in his/her own name</b>	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
<b>To be a witness</b>	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected "Other". Non-emancipated minors can initiate a proceeding in his/her own name through the representation or assistance

required by law (generally parents). Article 7 Civil Procedural Act.

Emancipation is possible from the age of 16, complying with the rules of the Civil Code. The emancipated minor can participate in trial. Minors under 14 years of age may testify as witnesses if, in the criterion of the Court, they possess the necessary discernment to know and to testify.

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

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

Comment The minor is represented by his/her parents or guardian. Failing that, a 'judicial defender' is appointed. While the judicial defender is appointed, he/she is represented by the Prosecutor.

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

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

Comment

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

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

[ 14 ]

[ ] NA

[ ] NAP

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

[ 14 ]

[ ] NA

[ ] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? The 'Law of criminal responsibility of minors' applies to people over 14 and under 18. The law does not speak of penalties. The Law speaks of measures. Among them the internment, in a specific center for minors.

For the choice of the appropriate measure, attention must be paid in a flexible manner, not only to the legal proof and assessment of the facts, but especially to age, family and social circumstances, personality and interest of the minor.

-

-

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

( ) Yes, but only if the offender is unknown

( X ) Yes, but only if compensation could not be obtained from the offender

( ) Yes, in both situations

( ) No

Comment

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

( ) For all types of offences

( X ) For some types of offences

[ ] NAP

Comment - Please specify:

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

( X ) Yes

( ) No

Comments

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

( ) For all types of offences

( X ) For some types of offences

[ ] NAP

Comment - Please specify:

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

( X ) Yes

( ) No



Comments

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

For all types of offences

For some types of offences

NAP

Comment - Please specify:

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

Yes

No

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comment - If yes, please specify:

-

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

Yes

No

NAP

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	673 [ ] NA [ ] NAP	84 [ ] NA [ ] NAP	841 296 [ ] NA [ ] NAP
<b>Excessive length of proceedings</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Non-execution of court decisions</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Wrongful arrest/detention</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Wrongful conviction</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Other</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions):

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

	Responsible authorities	Legal time limit
<b>Court concerned</b>	[ ]	[ ]
<b>Other court</b>	[ X ]	[ X ]
<b>Ministry of Justice</b>	[ X ]	[ X ]
<b>High Judicial Council</b>	[ ]	[ ]
<b>Other external bodies (e.g. Ombudsman)</b>	[ ]	[ ]

Comments

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

	Existence of statistical data disaggregated by gender
<b>Persons who initiate a case in other than criminal matters</b>	( ) Yes - If yes, please specify for which categories of cases: [Comment] ( X ) No [ ] NA

<b>Victims recognised as such by the court</b>	( X ) Yes - If yes, please specify for which types of offences: [Comment]Domestic Violence ( ) No [ ] NA
<b>Perpetrators of criminal offences</b>	( X ) Yes - If yes, please specify for which types of offences: [Comment]Domestic Violence, and Violence against women ( ) No [ ] NA

Comments The General Council for the Judiciary offers statistical information by gender on perpetrators only for domestic violence and violence against woman. The National Institute for Statistics (INE) offers statistical information on perpetrators for all types of crimes.

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

( X ) Yes

( ) No

If yes, please specify: The National Institute for Statistics (INE) offers statistical information.

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

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

	National level	Court level
Surveys for judges	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for court staff	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for public prosecutors	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for lawyers	[ ] Annual [ X ] Other regular [ X ] Ad hoc	[ ] Annual [ X ] Other regular [ ] Ad hoc
Surveys for other professionals	[ ] Annual [ ] Other regular [ ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for the parties	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	[ ] Annual [ ] Other regular [ X ] Ad hoc	[ ] Annual [ ] Other regular [ ] Ad hoc

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

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: Council for the Judiciary published the results of a survey conducted to the Judicial Career, and another survey among the general public (February 2023 "La imagen de la Justicia entre los usuarios de sus servicios". The General Bar Association conducts surveys among lawyers on the problems of Justice and the treatment that they receive in Courts. The Ministry of Interior published a survey conducted among victims of hate crimes, that includes questions about the proceeding to report these kind of crimes.

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

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

	Number of courts
<b>Total number of all courts - legal entities (1 + 2)</b>	4 222 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)</b>	2 585 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.1 First instance courts of general jurisdiction - legal entities</b>	2 342 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.2 Second instance courts of general jurisdiction - legal entities</b>	240 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2 Total number of specialised courts - legal entities</b>	1 637 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

	First instance	Higher instances
<b>Total number of specialised courts - legal entities</b>	1 578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Commercial courts (excluded insolvency courts)</b>	101 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insolvency courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Labour courts</b>	389 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Family courts</b>	137 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Rent and tenancies courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Enforcement of criminal sanctions courts</b>	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Fight against terrorism, organised crime and corruption</b>	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	243 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Juvenile courts</b>	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised courts</b>	602 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: Courts Labour specialised in enforcement; Courts on enforcement of Arbitration; Civil Registry; Courts on Penitentiary Surveillance; Courts for mortgage enforcement; Courts on capacity of persons; Criminal Courts of Violence against Women; other

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

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	695 [ ] NA [ ] NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	715 [ ] NA [ ] NAP

Comments

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

Sources: National Commission Judicial Statistics  
Deputy Directorate of Territorial Cooperation and Coordination (MoJ)

## 3.2. Court staff

### 3.2.1 Judges and non-judge staff

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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	5 728 [ ] NA [ ] NAP	2 509 [ ] NA [ ] NAP	3 219 [ ] NA [ ] NAP
1. Number of first instance professional judges	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
2. Number of second instance (court of appeal) professional judges	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
3. Number of Supreme Court professional judges	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

=

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

( X ) Yes

( ) No

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

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

Comments Women Judges in case of being victim of gender violence, in order to make effective their protection or their right to comprehensive social assistance.

The Regulation of the judicial career contemplates other possible causes of reduction of the working day. This reduction does not always imply a reduction in the remuneration. It supposes a reduced remuneration when it affects the hours of public hearing.

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

	Total	Males	Females
<b>Total (1 + 2 + 3)</b>	3 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>1. At first instance level</b>	3 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>2. At second instance (court of appeal) level</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. At Supreme Court level</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments

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

	Adjustment of working time or conditions with or without reduced remuneration
<b>Temporary reduction of the workload</b>	( X ) Yes ( ) No
<b>Temporary reduction of the working time / special leave</b>	( X ) Yes ( ) No
<b>Other measures</b>	( ) Yes ( X ) No

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

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

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

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
<b>Total number of judges</b>	5 728 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>First instance</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Second instance</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Supreme Court</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

=

**047. Number of court presidents .**

	Total	Males	Females
<b>Total number of court presidents (1 + 2 + 3)</b>	102 [ ] NA [ ] NAP	77 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	96 [ ] NA [ ] NAP	71 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	6 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP



**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	1 008 [ ] NA [ ] NAP
In full-time equivalent	[ X ] NA [ ] NAP

Comments - If necessary, please provide comments to explain the answer provided: Number of Judges substitutes listed in the substitute pools.

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

- ( X ) Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....
- ( ) No  
[ ] NAP

Comments

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

	Figure
Gross figure	7 700 [ ] NA [ ] NAP
In full time equivalent	[ X ] NA [ ] NAP

Comments Judges of Peace

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

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

Labour law cases	( )	( X )	( )
Social law cases	( )	( X )	( )
Commercial law cases	( )	( X )	( )
Insolvency cases	( )	( X )	( )
Other civil cases	( X )	( )	( )

[ ] NAP

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

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

( X ) Yes

( ) No

Comments

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

[ X ] Criminal cases

[ ] Other than criminal cases

Comments

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

[ 3 906 ]

[ ] NA

[ ] NAP

Comments The higher number in 2022 is probably because of the higher number of jury trials.

=

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

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	49 802 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	4 470 [ ] NA [ ] NAP	1 347 [ ] NA [ ] NAP	3 123 [ ] NA [ ] NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Technical staff</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Other non-judge staff</b>	45 332 <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 - If "Other non-judge staff", please specify: The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:45332

In addition to that, there are 1155 Forensic Doctors.

Regarding the distribution males / females: This distribution can only be given from the Autonomous Regions of the direct competence of the Ministry of Justice (5 out of 17). In these Autonomous Regions the proportion of females within the civil servants in Courts is 71% (therefore, 29% of males). This proportion is possibly applicable to the whole national system.

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

	Total	Males	Females
<b>Total non-judge staff working in courts (1+2+3)</b>	49 802 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	44 869 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	4 452 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	481 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

=

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

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases

Non-litigious cases

Other cases not mentioned (please describe in comment)

NAP

Comments - Please briefly describe their status and exact duties: Letrado de la Administración de Justicia: Legal body with the following tasks:

- Public authentication of judicial acts.
- Responsible of documentation and judicial archives.
- Responsible of the information about the proceedings. -Responsible of the report to the Judge.
- Responsible of the deposit of movables and sources of evidence.
- Responsible of the bank account of the Court.
- Technical Direction of the personnel.
- Conciliation.
- Admission of the lawsuit or claim. Request of requisites to the party and/or report to the Judge in case of cause of possible non-admission.
- Impulse of proceedings according to Law.
- Procedural decisions on the course of the proceeding.
- Certification and legal guarantee in search or entry into home by police.
- Proceedings on judicial costs and fees of Lawyers.
- Collaboration with Tax Administration in the management of judicial fees.
- Judicial statistic of the Court.
- Functions of collaboration and cooperation with other Public Administrations, with the General Council of the Judiciary and with the Autonomous Regions. -Promotion on the use of technical, audio-visual and IT means.

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

Yes

No

Comments

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

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

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

NA

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

Sources: Organic Law for the Judiciary  
Ministry of Justice  
General Council for the Judiciary

### 3.3. Public prosecution

#### 3.3.1 Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	2 679 [ ] NA [ ] NAP	891 [ ] NA [ ] NAP	1 788 [ ] NA [ ] NAP
1. Number of prosecutors at first instance level	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
2. Number of prosecutors at second instance (court of appeal) level	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
3. Number of prosecutors at Supreme Court level	40 [ ] NA [ ] NAP	26 [ ] NA [ ] NAP	14 [ ] NA [ ] NAP

Comments - Please indicate any useful comment for interpreting the data above: As mentioned in previous exercises, the structure of the Prosecution service does not distinguish prosecutors by 'instance level'.

However, it distinguishes three categories: First, First category ("Fiscales de Sala") Prosecutor of Chamber: Total 40, Males 26, Females 14 (this category includes the Prosecutors of chamber of Supreme Court).

Second. "Fiscal": Total 1908, Males 704, Females 1204

Third: "Abogado-Fiscal": Total 771, Males 187, Females 584

=

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

Yes

No

Comments

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

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify: women prosecutors victims of gender violence, in order to make effective their protection or their right to comprehensive social assistance

Comments

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

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total (1 + 2 + 3)</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>1. At first instance level</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>2. At second instance (court of appeal) level</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. At Supreme Court level</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments 2 Women Prosecutors with reduced working time, but WITHOUT reduced remuneration.

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

	<b>Adjustment of working time or conditions with or without reduced remuneration</b>
<b>Temporary reduction of the workload</b>	( X ) Yes ( ) No
<b>Temporary reduction of the working time / special leave</b>	( X ) Yes ( ) No
<b>Other measures</b>	( X ) Yes ( ) No

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

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

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

Comments - Child-care  
 - Elderly care or other dependant persons' care  
 - Training  
 - Other reason, please specify - Prosecutor victim of violencia against women

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

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	87 [ ] NA [ ] NAP	45 [ ] NA [ ] NAP	42 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Please provide any useful comment for interpreting the data above: The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17 (Males 9, Female 8)

Number of Heads of offices of Province: Total 44 (Males 25, Female 19)

Number of Heads of offices of Area: Total 26 (Males 11, Females 15)

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

( X ) Yes

( ) No

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

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

[ ] NA  
[ X ] NA

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

( ) Yes

( X ) No

[ ] NAP

Comments

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

-

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

Comments - If yes, please specify

=

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

	Total	Males	Females
<b>Number of staff (non-public prosecutors) attached to the public prosecution service</b>	2 336 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply:

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

<p>Sources: Ministry of Justice  Sub-Directorate for Access and Promotion of the Personnel of the Administration of Justice.</p>
--

### **3.4. Gender equality**

#### **3.4.1 Specific provisions for facilitating gender equality**

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

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



lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( X )	( )

[ ] NA

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

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

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

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

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

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

Comments

**3.4.2 At national level**

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

( X ) Yes

( ) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? - The II Equality Plan for the Judicial Career, approved by the Plenary of the General Council of the Judiciary, on January 30, 2020. - Equality Plan for the Prosecution Career, approved by the Prosecution Council on December 3, 2015, and the Action Plan 2021-2022 for Equality, approved by the State Attorney General on July 20, 2021.

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

	Yes, please specify	No
<b>The recruitment of judges</b>	( X ) Equality Commission, within the General Council of the Judiciary.	( )
<b>The promotion of judges</b>	( X ) Equality Commission, within the General Council of the Judiciary.	( )
<b>The recruitment of prosecutors</b>	( X ) Equality Commission, within the Prosecution Council	( )
<b>The promotion of prosecutors</b>	( X ) Equality Commission, within the Prosecution Council	( )
<b>The recruitment of non-judge staff</b>	( )	( X )
<b>The promotion of non-judge staff</b>	( )	( X )

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences: In the Ministry of Justice there is also a Equality Unit: The functions of the Equality Unit are regulated in article 77 of Organic Law 3/2007, of March 22, for the effective equality of women and men, and article 3.2 of Royal Decree 259/2019, of April 12, which regulates the Equality Units of the General Administration of the State

**3.4.3 At court/public prosecution services level**

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

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

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

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

have been already implemented (please specify) : By legal norm, both the General Council of the Judiciary and the Prosecution Council have a Equality Commissions.

Both Commissions have developed their Equality Plans. The breadth of both documents does not allow a brief summary of its objectives and actions.

The Judicial Career Plan contains 20 lines of action (including access to the judicial career, promotion, training, conciliation, equality mainstreaming, etc.).

On July 20, 2021, the Action Plan 2021-2022 for Equality in the Prosecution Career was approved. It is structured in 4 specific objectives, which set expected results, and concrete actions:

1. Take Knowledge of the situation of the Public Prosecution in matters of equality.
2. Raise awareness of the Prosecution on equality and gender perspective.
3. Strengthen / promote the exercise of the social rights of the Prosecutors.
4. Promote the use of inclusive and non-sexist language.

In addition to that, the Ministry of Justice has implemented an Equality Unit. This Unit is in charge of ehe effective transversal application of equal treatment and opportunities between women and men that affect the department's personnel, as well as the exercise of the functions regulated by article 3 of Royal Decree 259/2019, of April 12, by which regulate the Equality Units of the General State Administration.

This unit has impelled relevant initiatives:

- a) Studies on equality in figures
- b) Training and awareness: Seminars, Institutional declarations.
- c) Guide for the use of more inclusive and egalitarian language

are planned (please specify) : The Judicial Career Equality Plan contains 20 lines of action (including access to the judicial career, promotion, training, conciliation, equality mainstreaming, etc.).

On July 20, 2021, the Action Plan 2021-2022 for Equality in the Prosecution Career was approved. It is structured in 4 specific objectives, which set expected results, and concrete actions.

Comments - If the situation changed since reference year, please specify in the comments. Both commissions of Equality (General Council for the Judiciary and Prosecution) are active in the adoption of measures to implement the respective Plans for Equality. On the other hand, the Equality Unit of the Ministry of Justice organised sessions of training and relevant seminars. In this line, in 2023 has approved the Guide for the use of more inclusive and egalitarian language.

[ ] NAP

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

[ X ] Recruitment procedures, please specify: .....

[ X ] Appointment to the position of court president, please specify: .....

Appointment to the position of head of prosecution services, please specify: .....

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

Other studies, please specify: .....

NAP

Comments - Please specify also the reference documents. The Equality Plan of the Judicial Career includes sections for evaluation and diagnosis, and periodically reports are published on topics as discretionary positions in the Judicial Career by gender, professional promotion, Judicial Career access, and other.

### 3.5. Use of information technologies in courts

#### 3.5.1 Governance

#### ICT STRATEGY

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

Yes

No

Comments Given the territorial composition of Spain in 17 autonomous regions, 12 of which have jurisdiction over the means of the Administration of Justice, the coordination of the digitalization of Justice is carried out in two cooperation bodies: The State Technical Committee of the Administration of Justice Electronics and the Justice Sector Conference.

Currently, Royal Decree Law 6/2023 determines a legal framework with a series of digital services and implementation commitments with specific deadlines, in relation to a budget mechanism that has been previously agreed at the Sectoral Conference.

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

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify)Public Administration of Autonomous Regions

NA

NAP

Comments

#### LEGISLATION

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

Yes

No

Comments

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

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

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

Relevant texts are included in dedicated technical documents/specifications

Other, please specify .....

NA

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

NA

## IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

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

Yes

No

Comments

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

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

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

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation. - The comprehensive security process must be continually updated and improved. The Judicial Interoperability and Security Scheme must be kept permanently updated.

The Security Subcommittee is the specialized and permanent body for judicial cybersecurity of the State Technical Committee of the Electronic Judicial Administration. It is up to the State Technical Committee of the Electronic Judicial Administration to approve the bases for updating the Judicial Interoperability and Security Scheme.

- There is a data-aimed system that allows to control in real time every Justice system in the territory. Thanks to this, it is possible to measure, in real time, the impact on the operation of the processes and their time, or the impact on the workload on human resources.

- Electronic communications or automatized processes are periodically assessed.

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

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

- NA
- NAP

Comments

## 3.5.2 Electronic case processing

### ELECTRONIC SUBMISSION OF CASES

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

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

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

Comments In Spain, the Lawyer is not mandatory, exclusively, in procedures whose financial amount is less than 2,000 euros. It is mandatory in all other cases (claims for higher amounts, and cases on any other matter). Just because it is not mandatory does not mean that the party cannot hire a lawyer if they wish.

Electronic communication is mandatory for Justice professionals (consequently in all cases in which a lawyer participates).

Electronic communication is voluntary for the citizen (non-professional).

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

<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
----------------------------	--	-------------------------

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

Comments

## SENDING ELECTRONIC DOCUMENTS TO COURT





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

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

Comments

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

<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
----------------------------	--	-------------------------

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

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details. The presentation of documents in paper is an exception: - For citizens (not professionals) in cases in which Lawyer is not compulsory. - For those kind of especial documents that (for size or other especial circumstances) cannot be digitalized, or for which this option is particularly difficult.

## ELECTRONIC NOTIFICATIONS

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

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

Comments

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

Electronic or paper	Type of notification	Data integration

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

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

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details. Notifications in paper are also an exception: Only for citizens not represented by Lawyer.

Lawyers and private companies must be notified electronically.

## CONSULTATION OF A CASE ONLINE

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

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

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

Comments

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

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

Comment - If you have selected the option “Other”, please specify details. Public Prosecutor Office

**REMOTE HEARINGS**



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

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

Comments

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

Functionalities	Modalities

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



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

## ELECTRONIC ARCHIVES



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

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

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

Comments

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

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

Comments

**3.5.3 Tools**

**CASE MANAGEMENT SYSTEMS (CMS)**

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

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

Comments Guided processing, templates for resolutions, application to extract statistics digitally, other.

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

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

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

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details. Guided processing, templates for resolutions, application to extract statistics digitally, other.

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

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

Comment - If you have selected the option “Other special functionality”, please specify the details. Guided processing, templates for resolutions, application to extract statistics digitally, other.

## WRITING ASSISTANCE TOOLS

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

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

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

Comments

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

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

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

## RECORDING OF COURT HEARINGS

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

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

Comments

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

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

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

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

## DATABASE OF COURT DECISIONS

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

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



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

Comments

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

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

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

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

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

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

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

Comment - If you have selected the option “Other special functionality”, please specify the details. Related to the point 'Open data', the use of the database for commercial uses, nor the massive downloading of information, is not permitted. The reuse of this information for the creation of databases or for commercial purposes must follow the procedure and conditions established by the CGPJ through its Judicial Documentation Center.

## STATISTICAL TOOLS

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

Deployment rate
-----------------

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

Comments

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

Functionalities	Data available for statistical analysis
-----------------	---

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

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

Comment - If you have selected the option “Other special functionality”, please specify the details Statistical On line Data Base with annual information at court level. Possibilities of geographical aggregation

## OTHER TOOLS

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

Yes

No

Comments

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

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

No

Comments

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

Small claim litigation

Undisputed claim

Payment order

Misdemeanour criminal cases

Enforcement of civil cases

Other, please specify .....

Comment: Please describe the existing online procedures:

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

Yes

No

Comments

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

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

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

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

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

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

Comments The System of Administrative Records to support the Administration of Justice (SIRAJ) constitutes a single, non-public information system that allows the connection between the different records: Its main objective is to support the activity of Courts, the Public Prosecutor's Office, the State Security Forces and Police Bodies. The management of the databases that make up the SIRAJ corresponds to the Ministry of Justice.

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

Yes

No

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

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

Yes

No

Comment: If yes, please list and describe these ICT tools. Among others: - The technological solution, Virtual Digital Immediation Desktop (EVID), is a virtual desktop that makes it possible to carry out actions by videoconference and other means, with full legal validity, allowing attention to citizens in exactly the same way and with the same guarantees as if they were at the headquarters in person. - System for the systematised and digitalised management of judicial effects, deposits and evidence of judicial procedures, and whose management corresponds to the judicial bodies. - Single application on a national level for the management of the judicial bodies' bank accounts in which deposits and judicial consignments are constituted, in the field of judicial processes. It allows you to consult the economic status of the judicial procedure, consult the deposits made into the account, as well as transfers and the issuance of payment orders. The application also allows the ordering of judicial embargoes, evidence management, as well as the publication of electronic judicial auctions in the Official Spanish Gazette (BOE). - Artificial Intelligence anonimisation systems. - Carpeta Justicia.

**3.6. Performance and evaluation**

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

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

Yes

No

Comments - If yes, please specify:

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

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

Comments

**3.6.2 Measuring court/public prosecution services**



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

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

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs



- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify): .....

Comments

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

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

Comments

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

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

Comments

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

- ( X ) Yes
- ( ) No

Comments

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

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

Comments - If “Less frequent” or “More frequent”, please specify:

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

- ( X ) Yes

( ) No

Comments

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

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- Other (please specify): .....

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- Other (please specify): .....

Comments

=

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

- High Judicial Council
- Ministry of Justice
- Inspection authority

- Supreme Court
- External audit body
- Other (please specify): .....

Comments Inspection Service of the General Council of the Judiciary.  
Ministry of Justice in the scope of its competences.

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

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

Comments Inspection Service, within the State Attorney General office

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

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

- Yes (please indicate the name and the address of this institution):National Commission for Judicial Statistics
- No

Comments

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

- Yes, on the internet (please provide the link)<https://www.poderjudicial.es/cgpj/es/Temas/Estadistica-Judicial/Informacion-general/>
- No, only internally (on an intranet website)
- No

Comments

=

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

- Yes (please indicate the name and the address of this institution):Attorney General's office
- No

Comments

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

- Yes, on the internet (please provide the link)<https://www.fiscal.es/>
- No, only internally (on an intranet website)
- No



=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments



=

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

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

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify): .....

NAP

Comments

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

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment] Inspection by the Inspection Service of the General Council for the Judiciary
With disciplinary procedure	<input checked="" type="checkbox"/> Warning by court's president <input checked="" type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment] Depending on the severity, intentionality, or repetition, it may give rise to disciplinary sanctions.
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

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

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

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

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

- ( ) Annual
- ( ) Less frequent
- ( ) More frequent
- ( X ) Different frequencies used, please specify: quarterly (statistics) and semi-annual (variable remuneration)
- [ ] NAP

=

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

- ( X ) Yes
- ( ) No

Comments

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

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

Comments

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

	<b>Consequences:</b>
<b>Without disciplinary procedure</b>	( X ) Warning by head of prosecution ( ) Temporary salary reduction ( ) Reflected in the individual assessment ( ) Other, please specify: [Comment]
	[ ] NAP

<b>With disciplinary procedure</b>	<input checked="" type="checkbox"/> Warning by head of prosecution <input checked="" type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment]In case of disciplinary flie, possibility of sanction <input type="checkbox"/> NAP
<b>No consequences</b>	<input type="checkbox"/> No consequences <input type="checkbox"/> NAP

Comments

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

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

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

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

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

Comments

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

<p>Sources: - Law 15/2003, of May 26, regulating the remuneration regime for judicial and fiscal careers.</p> <p>- Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service.</p> <p>- Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, by which Regulation 2/2018 is approved, regulating the remuneration regime Judicial career .</p>
---

## 4.Fair trial

### 4.1.Principles

## 4.1.1 Principles of fair trial

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

[            ]

NA

NAP

Comments - Please add methodology for calculation used.

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

Yes

No

Comments - Please could you briefly specify:

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

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

Comment - Please, could you briefly specify:

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

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

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

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

For civil cases

For criminal cases

For administrative cases

NAP

Comments



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

Sources: Civil, Criminal Procedural Acts.  
General Council of the Judiciary website.  
Constitutional Court annual report.

### 4.2. Timeframe of proceedings

#### 4.2.1 General information

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

- civil cases  
 criminal cases  
 administrative cases  
 There is no specific procedure for urgent matters

Comments - If yes, please specify:

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

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

Comments - If yes, please specify:

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

- civil cases  
 criminal cases  
 administrative cases

Comments - If yes, please specify:

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

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



## 4.2.2 Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	1 969 766 [ ] NA [ ] NAP	2 834 976 [ ] NA [ ] NAP	2 711 212 [ ] NA [ ] NAP	2 091 634 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	1 302 968 [ ] NA [ ] NAP	1 372 020 [ ] NA [ ] NAP	1 343 849 [ ] NA [ ] NAP	1 323 049 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	491 414 [ ] NA [ ] NAP	1 279 083 [ ] NA [ ] NAP	1 189 272 [ ] NA [ ] NAP	588 327 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	491 414 [ ] NA [ ] NAP	1 279 083 [ ] NA [ ] NAP	1 189 272 [ ] NA [ ] NAP	588 327 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	175 384 [ ] NA [ ] NAP	183 873 [ ] NA [ ] NAP	178 091 [ ] NA [ ] NAP	180 258 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>4. Other cases</b>	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

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

. Payment order procedures without opposition; requests for undisputed cases; divorces and family issues with mutual consent.

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

. NAP

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	395 299 <input type="checkbox"/> NA <input type="checkbox"/> NAP	766 522 <input type="checkbox"/> NA <input type="checkbox"/> NAP	755 978 <input type="checkbox"/> NA <input type="checkbox"/> NAP	419 948 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	284 198 <input type="checkbox"/> NA <input type="checkbox"/> NAP	326 349 <input type="checkbox"/> NA <input type="checkbox"/> NAP	322 873 <input type="checkbox"/> NA <input type="checkbox"/> NAP	296 839 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	111 101 <input type="checkbox"/> NA <input type="checkbox"/> NAP	440 173 <input type="checkbox"/> NA <input type="checkbox"/> NAP	433 105 <input type="checkbox"/> NA <input type="checkbox"/> NAP	123 109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

**4.2.3 Case flow management – second instance**

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



	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	171 921 [ ] NA [ ] NAP	235 486 [ ] NA [ ] NAP	210 961 [ ] NA [ ] NAP	196 470 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	134 329 [ ] NA [ ] NAP	209 783 [ ] NA [ ] NAP	177 497 [ ] NA [ ] NAP	166 663 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.3. Other registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.3. Other non-litigious cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Administrative law cases</b>	37 592 [ ] NA [ ] NAP	25 703 [ ] NA [ ] NAP	33 464 [ ] NA [ ] NAP	29 807 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If “Other cases” please specify 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase in the

number of incoming civil (and commercial) litigious cases. The reduced clearance rate has been due to the increase in appeals against judgements in ordinary trials related to floor clauses (cláusulas suelo); clause that a specific financial institution can include in a variable interest mortgage loan contract and that establishes the minimum interest rate that customers will pay.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of criminal law cases (1+2+3)</b>	9 926 [ ] NA [ ] NAP	54 975 [ ] NA [ ] NAP	54 368 [ ] NA [ ] NAP	10 580 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	6 832 [ ] NA [ ] NAP	38 041 [ ] NA [ ] NAP	37 248 [ ] NA [ ] NAP	7 886 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	3 094 [ ] NA [ ] NAP	16 934 [ ] NA [ ] NAP	17 120 [ ] NA [ ] NAP	2 694 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

#### 4.2.4 Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	34 828 [ ] NA [ ] NAP	27 483 [ ] NA [ ] NAP	24 742 [ ] NA [ ] NAP	36 416 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	26 996 [ ] NA [ ] NAP	16 162 [ ] NA [ ] NAP	14 464 [ ] NA [ ] NAP	27 391 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	7 832 [ ] NA [ ] NAP	11 321 [ ] NA [ ] NAP	10 278 [ ] NA [ ] NAP	9 025 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If “Other cases”, please specify 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

### 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: .....

( ) No

Comments

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

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court

<b>Total of criminal law cases (1+2+3)</b>	6 379 [ ] NA [ ] NAP	9 467 [ ] NA [ ] NAP	8 648 [ ] NA [ ] NAP	7 198 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

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

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

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	30 886 [ ] NA [ ] NAP	36 253 [ ] NA [ ] NAP	35 676 [ ] NA [ ] NAP	30 609 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	62 253 [ ] NA [ ] NAP	120 935 [ ] NA [ ] NAP	115 094 [ ] NA [ ] NAP	66 855 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Insolvency</b>	38 902 [ ] NA [ ] NAP	27 751 [ ] NA [ ] NAP	20 524 [ ] NA [ ] NAP	45 871 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Robbery case</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Intentional homicide</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments According to the economical information, increase of insolvencies has taken place in companies and in natural persons.

=

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	12 247 [ ] NA [ ] NAP	4 352 [ ] NA [ ] NAP	4 378 [ ] NA [ ] NAP	12 173 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	14 235 [ ] NA [ ] NAP	26 782 [ ] NA [ ] NAP	27 380 [ ] NA [ ] NAP	14 028 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments The increase in the number of cases on asylum seekers can be clearly related to migration flows.

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

. The inadmissibility of the request for asylum by the Ministry of the Interior can be appealed before the Courts of Contentious Administrative by the abbreviated procedure (article 78.1 of Law on Contentious Administrative Jurisdiction).  
 In addition, if the asylum seeker requests the suspension of the decisión (of the Ministry), the urgency procedure will be applicable. Then, the judge must decide (on the suspension) in two days without hearing the other party, who will be heard in the next three days (Article 29 of Law regulating Right of Asylum, linked to Article 135 of Law of Contentious Administrative Jurisdiction).

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Child sexual abuse</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Child pornography</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Article 181 Criminal Code. Article 189 Criminal Code.

Legal definitions.

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

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	345 <input type="checkbox"/> NA <input type="checkbox"/> NAP	260 <input type="checkbox"/> NA <input type="checkbox"/> NAP	673 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP



<b>Litigious divorce cases</b>	_____ Allow decimals : 2 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	311 <input type="checkbox"/> NA <input type="checkbox"/> NAP	392 <input type="checkbox"/> NA <input type="checkbox"/> NAP	672 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	196 <input type="checkbox"/> NA <input type="checkbox"/> NAP	264 <input type="checkbox"/> NA <input type="checkbox"/> NAP	892 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insolvency cases</b>	_____ Allow decimals : 2 32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 009 <input type="checkbox"/> NA <input type="checkbox"/> NAP	275 <input type="checkbox"/> NA <input type="checkbox"/> NAP	998 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Robbery cases</b>	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	173 <input type="checkbox"/> NA <input type="checkbox"/> NAP	729 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	787 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	344 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The percentage of increases maybe minor if compared with 2021 data.

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

. Estimation made by Judicial Statistic Department of the General Council for the Judiciary.

**4.2.6 Case flow management – public prosecution**

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

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

effective aid and assistance. Exercise in matters of criminal responsibility of minors the functions entrusted by the specific legislation, addressed to the satisfaction of the best interests of the minor. Promote or, where appropriate, provide international judicial assistance.

Comments The prosecutor has competence 'to discontinue a case without the need for a judge's decision' only in two specific categories of cases: the investigation of crimes committed by minors, and the pre-procedural proceedings of article 773.2 of the Criminal Procedure Law.

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

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

=

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

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Incoming/received cases</b>	2 077 465 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3.1.4 Discontinued for other reasons</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.3.Cases brought to court</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Comments

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

( X ) Yes

( ) No

Comments

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

Sources: La Justicia Dato a Dato (documento published by the GCJ)  
The annual report of the General State Attorney.

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

**5.1. Recruitment and promotion**

**5.1.1 Recruitment and promotion of judges**

**110. How are judges recruited?**

[ X ] through a competitive exam (open competition)

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

[ X ] other (please specify): One from each four posts for Magistrate will be covered by jurists with recognised experience with more than 10 years of professional experience. These candidates also have to pass the training period at the Judicial School.

Comments

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

. - In Spain, the access to the judicial and prosecutorial career is made through the same procedure: Candidates (with law degree) must pass a competitive and public exam composed of three phases (a written test, and two oral exams) before the recruitment tribunal. Once the candidates pass the theoretical exams and based on the scores obtained and the number of posts available, they

choose the career of judge or prosecutor. For both careers and after the theoretical exams, an initial training is needed. Judges have a long period of training at the Judicial School (Escuela judicial) and prosecutors at the Center of Judicial Studies (Centro de Estudios Jurídicos). In addition to the training in the respective Schools, they have to overcome a period of traineeship in courts

- One from each four posts for Magistrate will be covered by jurists with recognised experience with more than 10 years of professional experience. These candidates also have to pass the training period at the Judicial School.

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

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

Comments - If “other”, please specify: Personal requirements are inherent to the position of judge.

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

	Total	Males	Females
<b>Number of applicants</b>	4 865 <input type="checkbox"/> NA	1 344 <input type="checkbox"/> NA	3 499 <input type="checkbox"/> NA
<b>Number of recruited persons</b>	206 <input type="checkbox"/> NA	69 <input type="checkbox"/> NA	137 <input type="checkbox"/> NA

Comments These figures include the people who took the exam (general procedure), and those others who applied through the shift of jurists of recognized competence (ten years experience). The total number of people recruited refers only to those who, once they passed the exam (common for judges and prosecutors) chose a judge position.

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

- Yes
- No

Comments

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

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

Comments: If “other”, please, specify:

=

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

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

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

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

	Total	Males	Females
<b>Members</b>	9	3	6
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: Composition of Tribunal qualificador number 2

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

- Yes
- No

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

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

- Yes
- No

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

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

- Competitive test / Exam
- Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

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

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

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

Comments

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

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

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

Has an independent status as a separate entity among state institutions

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

Is part of the executive power (without functional independence)

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

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

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

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

Yes

No

Comments - If yes, please specify:

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

- Yes
- No
- NAP

Comments - Please describe these exceptions:

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

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other
- NAP

Comments - If "Other", please specify:

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

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other
- NAP

Comments - If "Other", please specify:

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

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned
- Recorded in the case file
- Other
- NAP

Comments - If "Other", please specify:

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

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

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

- Yes

( ) No

[ ] NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions. The Prosecutor who receives an instruction that he/she considers contrary to the law or, for any other reason, inadmissible, will inform his/her Head Prosecutor by means of a reasoned report. The Head Prosecutor can raise the matter to the Board of prosecutors (Junta de Fiscalía) and, once it is manifested, will definitively resolve it by written means. (Article 27 Estatute of Prosecution).

=

## 116. How are public prosecutors recruited?

through a competitive exam (open competition)

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

other (please specify): .....

Comments

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

. The access to the judicial and prosecutorial career is made through the same procedure: Candidates (with law degree) must pass a competitive and public exam, composed of three phases, a written test, and two oral exams before the recruitment tribunal. Once the candidates pass the theoretical exams and based on the scores obtained and the number of posts available, they choose the career of judge or prosecutor. For both careers and after the theoretical exams, an initial training is needed. Judges have two year training at the Judicial School (Escuela judicial) and prosecutors 1 year training at the Center of Judicial Studies (Centro de Estudios Jurídicos).

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

Age

Nationality

Physical/Psychological capacity

General studies in law

Advanced studies in law (Master, PhD)

Number of years of relevant experience

Traineeship/judicial functions in courts

Validation of a general state examination in law

Validation of a specific examination for prosecutors

Clean criminal record

Foreign languages

Personal requirements (related to integrity)

Other

[ ] NAP

Comments - If "other", please specify:



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

	Total	Males	Females
Number of applicants	3 862 [ ] NA	[ X ] NA	[ X ] NA
Number of recruited persons	127 [ ] NA	33 [ ] NA	94 [ ] NA

Comments The exam is common for Judge and Prosecutor position.  
The figure (3862) refer the people who was admitted for the common exam.

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

- ( ) Yes  
( X ) No

Comments

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

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

Comments: If "other", please, specify:

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

- [ ] An authority composed of public prosecutors only  
[ ] An authority composed of non-public prosecutors only  
[ X ] An authority composed of public prosecutors and non-public prosecutors  
[ ] Other

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

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

	Total	Male	Female
Members	9 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: Composition of Tribunal qualificator number 2

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

- Yes
- No

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

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

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

Comments

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

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

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

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

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

Comments

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

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

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

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

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

- Yes, please indicate the compulsory retirement age:72

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards): .....

No

Comments

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

Yes, duration of the probation period (in years):2

No

Comments

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

Yes, please indicate the compulsory retirement age:72

No

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

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

Yes, duration of the probation period (in years):8 months

No

Comments

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

[            ]

NA

NAP

Comments

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

Yes

No

NAP

Comments

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

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

[            ]

[ ] NA

[X] NAP

Comments

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

( ) Yes

( ) No

[X] NAP

Comments

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

Sources: Organic Law for the Judiciary  
Estatute of the Public Prosecution

## 5.2. Training

### 5.2.1 Training of judges

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

	Compulsory	Optional	No training proposed
<b>Initial training (e.g. attend a judicial school, traineeship in a court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

<b>Other in- service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
-----------------------------------	---------------------	---------------------	---------------------

Comments Article 312: Organic Law for the Judiciary, "To access selective or specialization tests [for the promotion Judge-Magistrate], it will be necessary to prove that you have participated in continuing training activities with a gender perspective".

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

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

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

<b>Per judge</b>
------------------

<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0 <b>1</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0 <b>630</b> <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The Initial (compulsory) Training of Judges is made up of the following phases:

- The phase in person (Judicial School, Barcelona) -10 months-
- The supervised internship phase -6 months-
- The replacement and reinforcement phase -5 months-

The training process, based on the recommendations of the European Charter of Judges approved by the Council of Europe, aims to guarantee that all judges have the theoretical, social and cultural knowledge necessary for the development of the jurisdictional function. Once the person enter the Judicial School (after passing the civil examination), the person follow a in person course of one academic year for those in the examination shift (or one month for lawyers). And a subsequent period of supervised internships, in court (nine or three months, respectively). The practices are structured and directed by the EJ, under the supervision of the tutor Magistrates assigned throughout the national territory directed by specialized professors from the EJ. When these two phases are passed, the first jurisdictional destination is accessed.

There is a third and final phase in which the Judge develops replacement and reinforcement functions, assuming responsibility as Judge. Source: GCJ website and Teaching Plan.

## 5.2.2 Training of prosecutors

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

	<b>Compulsory</b>	<b>Optional</b>	<b>No training proposed</b>
<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

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

Comments

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

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

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

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

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 335 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The selective course of the Prosecution Career takes 11 months approx: - Theoretical-practical phase: Middle January - Middle June, with the preference for in-person format

- Supervised internship phase: Middle June - Middle November. Incorporation of trainee prosecutors to the Provincial and Area Prosecutor's Offices under the direction of a tutorial team.

- Intermediate phase. It will take place during the month of August. Consists of asynchronous teaching material.

- December, until the appointment as Prosecutors, training with online content.

Source: Centre of Legal Studies (CEJ) Website and Teaching Plan

### 5.2.3 Training institutions

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

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

Comments

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

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	20 314 782 <input type="checkbox"/> NA <input type="checkbox"/> NAP



<b>Institution(s) for prosecutors</b>	16 247 000 [ ] NA [ ] NAP
<b>Institution(s) for both judges and prosecutors</b>	[ ] NA [ X ] NAP

Comments Sources:

Statistics Department of the Judicial Council for the Judiciary

Program 111R: General Budget of the State - The budget for the Autonomous Body "Centre of Legal Studies" is 16.247.000. The specific part referred to Prosecution Career Training is 6.271.000 (as informed in Q 13)

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

. NAP

## 5.2.4 Number of trainings

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	830 [ ] NA [ ] NAP	729 [ ] NA [ ] NAP	2 405 [ ] NA [ ] NAP	178 [ ] NA [ ] NAP
<b>For judges</b>	562 [ ] NA [ ] NAP	503 [ ] NA [ ] NAP	1 601 [ ] NA [ ] NAP	44 [ ] NA [ ] NAP
<b>For prosecutors</b>	131 [ ] NA [ ] NAP	99 [ ] NA [ ] NAP	546 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP
<b>For non-judge staff</b>	137 [ ] NA [ ] NAP	127 [ ] NA [ ] NAP	258 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP
<b>For non-prosecutor staff</b>	137 [ ] NA [ ] NAP	127 [ ] NA [ ] NAP	258 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP

Comments The numbers are different compared to 2020 because the question has changed a bit. The categories of civil servants are common for Judicial and Prosecutor Office. In order to non duplicate the numbers, their trainings are indicated in both categories non judge staff and non prosecutor staff trainings but counted only one once in the total (in order not to duplicate the number).

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

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	8 232 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 532 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Judges</b>	6 116 <input type="checkbox"/> NA <input type="checkbox"/> NAP	864 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Prosecutors</b>	1 023 <input type="checkbox"/> NA <input type="checkbox"/> NAP	670 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-judge staff</b>	1 093 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 998 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-prosecutor staff</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The categories of civil servants are common for Judicial and Prosecutor Office so the number of trainings for these categories cannot be separated. Therefore, the number of trainings for these categories is included in the line non-judge staff whereas in non-prosecutor staff the reply NA is selected.

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

Sources: Statistics Department GCJ  
Centre of Legal Studies

### 5.3.Practice of the profession

#### 5.3.1Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
<b>First instance professional judge at the beginning of his/her career</b>	57 855 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 234 <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
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)</b>	140 534 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89 944 <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
<b>Public prosecutor at the beginning of his/her career</b>	57 855 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 234 <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

<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).</b>	140 534 [ ] NA [ ] NAP	89 944 [ ] NA [ ] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
--	------------------------------	-----------------------------	-------------------	-------------------

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.462.886,71 euros, Judges 6.889.266,33 euros.  
- Professional substitutions. Prosecution 1.014.132,71 euros, Judges 10.489.137,61 euros.

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

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

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

<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<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. Prior declaration of compatibility by the General Council of the Judiciary

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

	With remuneration	Without remuneration
<b>Teaching</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Research and publication</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Arbitrator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Consultant</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Cultural function</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<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: Prior declaration of compatibility by the Prosecutor Council.

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

Yes

No

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

### 5.3.2 Body/institution of ethics

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

Yes

No

Comment - Please specify:

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

Only judges

Judges and other legal professionals

Other, please specify: Six members of the judicial career. Who appoint another non-judicial member, an academic expert in Ethics or Philosophy of Law.

Comments

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

Yes

No

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

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

[ 3 ]

[ ] NA

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

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

Yes

No

Comment: Please specify

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: SIX Prosecutors and ONE academic expert in Ethics or Philosophy of Law.

Comments

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

Yes

No

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

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

[            ]

[ X ] NA

## 5.4. Disciplinary procedures

### 5.4.1 Authorities responsible for disciplinary procedures and sanctions

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

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

Comments

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

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

Comments

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

- Court
- Higher Court / Supreme Court
- High Judicial Council

- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify): President of the Court, and disciplinary Commission

Comments

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

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

Comments

**5.4.2 Number of disciplinary procedures and sanctions**

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

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

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

prosecutors:

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Position downgrade</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>8. Resignation</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>9. Other</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>10. Dismissal</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Sources: Statistics Department GCJ  
Annual report General State Attorney - Inspection section -

**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:

	Total	Males	Females
Number of lawyers	148 388 <input type="checkbox"/> NA	82 168 <input type="checkbox"/> NA	66 220 <input type="checkbox"/> NA

Comments Lawyers 'census' [Abogacía en datos] (General Bar Association website): Information on practicing and resident lawyers. Percentage of women and men (45 and 55% aprox.)

### 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

NAP

Comments

=

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP
Dismissal cases	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP
Criminal cases – Defendant	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP
Criminal cases – Victim	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP

<b>Administrative cases</b>	<input type="checkbox"/> Yes always	<input type="checkbox"/> Yes always	<input type="checkbox"/> Yes always
	<input type="checkbox"/> Yes in some cases	<input type="checkbox"/> Yes in some cases	<input type="checkbox"/> Yes in some cases
	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

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

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Family member</b>	<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
<b>Self-representation</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Trade union</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

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

Comments

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

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

Comments

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

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

Comments

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

Yes

No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: General Bar Association website.

Procedural Acts.

Law 34/2006 regulates the access to the profession of lawyers and "procuradores

**6.1.2 Practicing the profession of lawyer**

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

Yes

No

Comments The answer is YES in the prior and direct negotiation with the Lawyer, because the Royal Decree 135/2021, (Estatute General for the profession of Lawyer) - Article 48 -obligates the private lawyer to present the client an 'order paper' or similar document to inform the client on possible costs.

The answer would be NO in abstract (through website or other public information, without a direct contact with the professional).

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

Yes

No

Comments

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

negotiated)?

- Yes, laws provide rules
- Yes, standards of the bar association provide rules
- No, neither laws nor bar association standards provide rules

Comments

### 6.1.3 Quality standards and disciplinary procedures for lawyers

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

- Yes
- No

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

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

- the bar association
- the Parliament
- other (please specify): .....

Comments

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

- the performance of lawyers
- the amount of fees

Comments - Please specify:

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

- a judge
- Ministry of Justice
- a professional authority
- other (please specify): .....

Comments

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

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

2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

## 162. Sanctions pronounced against lawyers.

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

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

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

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

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

Yes

No

Comments

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

Before/instead of going to court

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

No mandatory mediation

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

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

Yes

No

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

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

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Labour cases including employment dismissals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Consumer cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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

Yes

No

NAP

Comments - If yes, please specify:

=

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

Total	Males	Females



<b>Number of mediators</b>	10 723		
	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments The figure provided is the number of mediators (natural and legal persons) registered in the Registry of Mediators. This Registry is not compulsory, so the number of persons that act as mediators may be higher.

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

. According to Article 11 of Law 5/2012, of July 6, on mediation in civil and commercial matters:

Natural persons who are in full exercise of their civil rights can be mediators.

Legal entities that are dedicated to mediation, whether professional companies or any other provided by the legal system, must designate a natural person who meets the requirements set forth in this Law for their exercise.

The mediator must be in possession of an official university degree or higher professional training and have specific training to practice mediation.

The mediator must take out insurance or equivalent guarantee that covers civil liability arising from his actions in the conflicts in which he intervenes.

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

	<b>Number of cases for which the parties agreed to start mediation</b>	<b>Number of finished court-related mediations</b>	<b>Number of cases in which there is a settlement agreement</b>
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil and commercial cases</b>	868 <input type="checkbox"/> NA <input type="checkbox"/> NAP	526 <input type="checkbox"/> NA <input type="checkbox"/> NAP	99 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Family cases</b>	3 037 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 807 <input type="checkbox"/> NA <input type="checkbox"/> NAP	336 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Labour cases including employment dismissal cases</b>	1 788 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 893 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 062 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Criminal cases</b>	2 615 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 834 <input type="checkbox"/> NA <input type="checkbox"/> NAP	888 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Consumer cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

=

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

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

Comments

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

Source: National Commission of Judicial Statistics.  
 Procedural Laws  
 Law on Mediation in Civil and Commercial matters

**8.Enforcement of court decisions**

**8.1.Execution of decisions in civil matters**

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

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

	Total	Male	Female
<b>Total (1+2+3+4)</b>	47 845 [ ] NA [ X ] NAP	[ X ] NA [ X ] NAP	[ X ] NA [ X ] NAP
<b>1. Private professionals under the authority (control) of public authorities</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	44 093 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Judges</b>	3 752 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If other, please specify their status and competences:

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



diploma

professional experience

specific exam

appointment procedure by the State

initial training

other

Comments - If "other", please specify:

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

Yes, please indicate the age of retirement: 72 in case of Judges and Letrados de la Administración de Justicia: 70 in case of civil servants

No, please specify the duration of the appointment: .....

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

**8.1.2 Activities/scope of competence**

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

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

Other	( X ) Yes ( ) No	( X ) Yes ( ) No
-------	---------------------	---------------------

Comments - If "other", please specify: Other enforcement proceedings underway - Not in general, but in two cases: a) When it is a bankruptcy proceeding, b) When the proceeding has caused anotation in the Real State Property Registry.

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

	Option
<b>Seizure of movable tangible properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of movable tangible properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of motorised vehicles</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

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

Comments

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

Service of judicial and extrajudicial documents

Debt recovery

Voluntary or public auctions of moveable or immovable property

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

Comments

### **8.1.3 Training and ICT**

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments

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

- Yes
- No

Comments - Please explain:

## 8.1.4 Fees

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

Yes

No

Comments

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

Yes

No

Comments

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

The debtor

The creditor

Other – please specify .....

Comments

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

Yes

No

Comments

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

Source: - Royal Decree 1373/2003, of November 7, which approves the tariff of Procuradores.

- Law 10/2012, of November 20, which regulates certain taxes in the field of the Administration of Justice.

## 8.1.5 Organisation of profession and efficiency of enforcement services

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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify):Insolvency, difficulty and/or impossibility to find assets of the debtor

Comments

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

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

Comments

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

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify): .....

NA

Comments

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

	Number of disciplinary proceedings initiated
<b>Total number of initiated disciplinary proceedings (1+2+3+4)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. For breach of professional ethics</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. For professional inadequacy</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. For criminal offence</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

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

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

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

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

Source: Civil Procedural Act

### 8.2. Execution of decisions in criminal matters

#### 8.2.1 Functioning of execution in criminal matters

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

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

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

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

- Yes  
 No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

Total	Males	Females



<b>TOTAL (1+2+3+4)</b>	2 869 [ ] NA [ ] NAP	1 832 [ ] NA [ ] NAP	1 037 [ ] NA [ ] NAP
<b>1. Private professionals (without control from public authorities)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Holders of public offices appointed by the State</b>	2 869 [ ] NA [ ] NAP	1 832 [ ] NA [ ] NAP	1 037 [ ] NA [ ] NAP
<b>3. Civil servants (paid by the State)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

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

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): .....

Comments

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

yes, please indicate the age of retirement: 70 is the compulsory retirement age, but they can request extension up to 72 years; from the age of 65 notaries can retire voluntarily.

no, please specify the duration of the appointment: .....

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

**9.1.2 Activities/scope of competences**

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

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

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

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

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

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

### 9.1.3 ICT, organisation of the profession and training

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

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

Comments

## 194-4. Which computerised registries can notaries consult?

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

Comments

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

- Yes
- No

Comments - If yes, please specify: The Single Digital Index, a huge database containing the relevant data provided by all the Spanish notaries out of the authentic instruments signed before them. The Beneficial Ownership Database, containing information about the natural persons who by way of ownership of shares or interests in the capital or by way of management hold the real control of companies and other moral persons.

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

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Business registry</b>	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Civil status/ Population registry</b>	( ) Yes ( X ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>Succession / Family law registry</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP
<b>Any other registry (please specify)</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP
<b>None</b>	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

Comments

=

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

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

Comments Law 11/2023 modifies the Notarial Law in order to regulate an electronic protocol that reflects the matrices of public instruments, the possibility of motivated digital consultation of a single general computerized index by the General Council of Notaries and Public Administrations and the introduction of a new article that establishes the possibility of granting certain instruments through videoconference and electronic appearance, as well as provisions regarding security and files. This modification of the Notarial Law has already come into force on November 9, 2023, and will allow more agile circulation of the notarial document with authorized electronic copies equipped with a secure verification code.

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

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

Comments

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

- Yes
- No

Comments

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

options possible)?

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

Comments General Council of the Notariat  
 General Directorate of Legal Security and Public Faith

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

- Yes
- No

Comments

**196-2. Do notaries have training on:**

	Yes	No
European law	( X )	( )
Law of another Member State (cross-border training programmes)	( X )	( )

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

**I1. Please indicate the sources for answering the questions in this part**

Sources: Public Websites of the Notariat  
 Legislation in force

**10.Judicial experts**

**10.1.Profession of judicial expert**

**10.1.1Status of judicial experts**



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

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify .....

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

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

Yes

No

Comments

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

national

administrative district or federal entity

judicial district

other

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

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

Yes, available on the internet

Yes

No

Comments

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

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

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

Yes, for how long? YEAR

No

Comments

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

Yes

No

Comment - If yes, please specify in which cases:

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

Yes

No

Comments - If appropriate, please explain the meaning of this protection: There is not a title for judicial expert. However there are expertises that need a title and have a particular status. For example, accountant separating an inheritance bankruptcy administrator.

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

	Obligation of training
<b>Initial training</b>	( X ) Yes ( ) No
<b>Continuous training</b>	( X ) Yes ( ) No

Comments

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

- judicial proceedings
- the profession of expert
- other

Comments

=

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

	Total	Males	Females
<b>Number of experts</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

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

Number of cases
-----------------

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

Comments

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

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

Comments - If other, please specify:

### 206. Are there binding provisions for judicial experts regarding:

	<b>Yes</b>	<b>No</b>
<b>Deadlines to provide expertise</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Quality of expertise</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NAP



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

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

Yes

No

If yes, please specify:

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

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

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

Sources: - Civil Procedural Act.

- Insolvency Law (Ley Concursal).

- Organic Law for the Judiciary.

- Royal Decree 892/2013, of November 15, which regulates the Public Registry of Insolvency.

## 11.Reforms in judiciary

### 11.1.Foreseen reforms

#### 11.1.1Reforms

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

### 208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Ministry has 'Justicia 2030' as a plan to promote projects to improve Justice.

On the other hand, the agreements of the Sectoral Conference on the Administration of Justice, which formalize the criteria for the distribution of credit assigned by the Recovery and Resilience Mechanism (EU), have become relevant, especially in digitalization.

### 208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Resolution of June 14, 2022, of the Secretary of State for Justice, and the Resolution of March 27, 2023, of the Secretary of State for Justice, publish Agreements of the Sectoral Conference of Administration of Justice, on credit assigned by the Recovery and Resilience Mechanism and the resulting financial commitments associated with projects are formalized.

**208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Royal Decree 1170/2023, of December 27, creating seventy judicial units corresponding to the 2023 programming, and adapting the judicial plant.

**208-4. Access to justice and legal aid**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In his first appearance, the Minister of the Presidency, Justice and Relations with the Parliament announced the project of a new Law of Legal Aid.

**208-5. High Judicial Council (competent for judges and/or prosecutors)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

**208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Royal Decree 775/2023, of October 3, which updates the remuneration regime for the judicial and prosecution careers, to comply with the Agreement between the State Administration and the representatives of the professional associations of the judicial and prosecution careers.

Real Decreto 774/2023, of October 3, increased also the remuneration of Letrados de la Administración de Justicia (Rechtspfleger).

## 208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## 208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: - Royal Decree-Law 6/2023, of December 19, which approves urgent measures for the execution of the Recovery, Transformation and Resilience Plan in matters of public service of justice, public service, local regime and patronage, presents a total renovation of the legal framework of the digital justice.

This Royal Decree Law is especially focused on digital transformation, but contains other rules for modifying civil, criminal, administrative and labor procedural laws, to regulate aspects related to the use of technologies and other points of streamlining procedures.

- Organic Law 3/2023, of March 28, modifying the Criminal Code, regarding animal abuse.

- Organic Law 4/2023, of April 27, for the modification of the Criminal Code, Criminal Procedural Law and Law on responsibility of Minors, on crimes against sexual freedom.

- Organic Law 10/2022, of September 6, of comprehensive guarantee of sexual freedom.

## 208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Among the norms modified by the Royal Decree-Law 6/2023, mentioned before, there are certain rules

of the Civil Procedural Law related to civil enforcement.

## **208-10. Mediation and other Alternative Dispute Resolution**

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

Comments - If yes, please specify: The procedural efficiency measures bill remains a project of the Ministry of the Presidency, Justice and Relations with Parliament in order to give further relevance to the Appropriate Means of Dispute Resolution.

## **208-11. Fight against crime**

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

Comments - If yes, please specify:

## **208-12. Prison system**

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

Comments - If yes, please specify:

## **208-13. Child friendly justice**

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

Comments - If yes, please specify:

## **208-14. Domestic violence**

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

Comments - If yes, please specify: Resolution of March 16, 2023, of the Secretary of State for Equality and Against Gender Violence, by which the Agreement of the Sectoral Equality Conference is published, which approves the multi-annual joint plan on violence against women ( 2023-2027). It is not a Justice plan but it contains measures related to the Administration of Justice.

## 208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Royal Decree-Law 6/2023, of December 19, which approves urgent measures for the execution of the Recovery, Transformation and Resilience Plan in matters of public service of justice, public service, local regime and patronage, presents a total renovation of the legal framework of the digital justice. Among other measures, it presents:

- Digital services comparable in all regions.
- Rules on electronic files and documents.
- Rules on digital identification.
- The creation of a new tool, called 'carpeta justicia' (the justice folder), aimed at citizens and professionals.
- The general principle of data orientation of case management systems.
- Videoconferencing and non-face-to-face services.
- Rules on co-governance
- Cybersecurity standards
- Reforms of procedural rules to adapt to the increased use of technology.

## 208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: