



# Court staff categories in the EU

## Romania

Information provided by: Școala națională de grefieri (National School for Clerks)

May, 2014

### DESCRIPTION OF CATEGORIES OF COURT STAFF in Romania

#### 1. Court staff category / profession

Name of Court Staff  
Category

In Romanian: **Grefier**

In English: **Clerk** – clerks attending the court hearings and clerks working in prosecutor's offices

The Law 567/2004 on the statute of the specialised auxiliary personnel of the law courts and prosecutor's offices and the personnel functioning within the National Institute of Forensic Expertise in Art.3(2) provides for the following categories of clerks:

- (a) Clerks
- (b) Statistician Clerks
- (c) Documentary Clerks
- (d) Archivist clerks
- (e) Registering, documents keeping clerks
- (f) IT specialists

Art.3 (3) of the Law 567/2004 stipulates the body of clerks consist of clerks with higher legal education and clerks with high-school education.

Art. 3(4) of the Law 567/2004 provides for the following connexed functions:

- (a) Ushers/huissier

	(b) Procedural Agents (c) Driver
Legal basis / regulatory documents	<p>(1) Law no. 567/2004 on the status of the specialised auxiliary personnel working in law courts and prosecutor's offices and of the personnel working within National Institute of Forensic Expertise, ((Lege privind statutul personalului auxiliar de specialitate al instanțelor judecătorești și al parchetelor de pe lângă acestea și al personalului care funcționează în cadrul Institutului Național de Expertize Criminalistice) as amended by the <a href="#">Law no. 255/2013</a>.</p> <p>(2) Law no. 304/2004, republished, regarding the judicial organisation, (Legea nr. 304/2004 privind organizarea judiciară)</p> <p>Both laws provisions were detailed and implemented through the rules and regulations of the law courts and prosecutor's offices</p>

## 2. Access to the category / profession

Main Access conditions	<p><b>Qualifications:</b></p> <ul style="list-style-type: none"> <li>• Secondary school/high-school diploma</li> <li>• Higher education degree</li> <li>• Higher education degree in law</li> </ul> <p>A person who fulfils the following requirements can be appointed as a clerk:</p> <ul style="list-style-type: none"> <li>- is a Romanian citizen, has the domicile in Romania and full exercise capacity;</li> <li>- does not have a criminal record, no tax record and a good reputation;</li> <li>- speaks Romanian;</li> <li>- is medically able to hold the office;</li> <li>- has higher legal education or high-school education, PC or</li> </ul>
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	<p>typing skills.</p> <p>- Has graduated National School of Clerks (this requirement is not compulsory for those who are recruited through contests for the direct occupation of the vacant clerk offices)</p> <p><b><u>Aspects of EU law:</u> are not compulsory</b></p>
Access process	<p><b>Recruitment procedure:</b> takes place at <b>national level and at court/prosecution level</b></p> <p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>• State/public exam</li> </ul>
Alternative access routes	<p>Transfer routes from other professions: <b>Yes</b>, direct recruitment for vacant clerk posts, since the NSC does not have the capacity to train enough new clerks. The law provides for this possibility through competitions organised by the Courts of Appeal, the Prosecutors' Office, the National Anticorruption Directorate. The candidates are tested by an examination Commission at the Courts.</p>
<b>3. Responsibilities / Duties</b>	
General responsibilities	<ul style="list-style-type: none"> <li>• Specific competences regarding judicial decisions</li> <li>• Procedures</li> <li>• Management</li> <li>• Administrative tasks</li> </ul> <p><b>This court staff category plays an important role in:</b></p> <ul style="list-style-type: none"> <li>• Civil law and procedures (cross-border civil procedures)</li> <li>• Commercial law and procedures (cross-border commercial procedures)</li> <li>• Criminal law and procedures (cross-border criminal procedures)</li> <li>• Procedural rights in criminal procedures</li> <li>• Service of judicial and extra-judicial documents</li> <li>• Enforcement of court decisions</li> <li>• Human rights</li> <li>• Access to justice</li> <li>• Rights of the victim</li> <li>• Rights of the child</li> <li>• Administrative law and procedures</li> <li>• Competition law and procedures</li> <li>• Environmental law and procedures</li> </ul>

	<ul style="list-style-type: none"> <li>• Assistance to judges and/or public prosecutors</li> <li>• Management of Courts</li> <li>• E-justice</li> <li>• Data protection</li> <li>• Authentication of judicial and extra-judicial documents</li> <li>• Court programming/management of court agendas</li> <li>• Human resources/personnel issues</li> <li>• Budget</li> <li>• Health &amp; safety, building administration</li> </ul>
Role in process with EU law aspects	<b>Aspects of EU law:</b> are becoming more important as more EU legislative instruments are being adopted
<i>4. Organisation of the category / profession</i>	
Organising Structure	<ul style="list-style-type: none"> <li>• Ministry of Justice, Bucharest, Str. Apolodor, No.17, sector 5, Web: <a href="http://www.just.ro">www.just.ro</a>, phone number +4037 204 1999</li> <li>• Prosecutor's Office attached to the High Court of Cassation and Justice, Blvd. Libertății no.12, sector 5 – Bucharest, postal code: 050706, phone number :+4021/319.38.33, +4021/319.38.56</li> <li>• Superior Council of Magistracy, Bucharest, Calea Plevnei no. 141B, sector 6, Postal Code: 060011, Telephone exchange : +4021.3116901, +4021.3116909, Fax: +4021.311.69.01</li> <li>• <a href="#">National School of Clerks</a> (also in partnership with National Institute of Magistracy and international partners)</li> </ul>
Training providers	<ul style="list-style-type: none"> <li>- National School of Clerks, Blvd. Regina Elisabeta no. 53, Sector 5, Bucharest, Phone: 0040-21-310.34.80, Fax: 0040-21-310.32.47, E-mail: <a href="mailto:grefieri@just.ro">grefieri@just.ro</a>, Web: <a href="http://www.grefieri.ro">http://www.grefieri.ro</a></li> <li>- Department of Information Technology within Ministry of Justice, Bucharest, Str. Apolodor, No.17, sector 5, Web: <a href="http://www.just.ro">www.just.ro</a>, phone number +4037 204 1999</li> <li>- Department of Information Technology within Prosecutor's Office attached to the High Court of Casation and Justice, Blvd. Libertății no.12, sector 5 – Bucharest, postal code: 050706, phone number :+4021/319.38.33, +4021/319.38.56</li> </ul>

	numbers	1 National level structure
	types	Public sector structures
	Name(s)	See above "Training providers"
<b>Professional organisation(s)</b>		<b>N/A</b>

Source: Pilot Project - European Judicial Training: "*Lot 3 – State of play of training of court staff in EU law and promotion of cooperation between training providers at EU level*", carried out by the European Institute of Public Administration (EIPA) together with a consortium