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Initial training of judges and prosecutors in the European Union

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General description

The initial training of judges and prosecutors is carried out by the National Institute of Magistracy (NIM) and is mandatory for judicial trainees. The number of available positions is decided annually by the Superior Council of Magistracy (SCM), based on the needs of the judiciary. In 2024, 250 positions were open, and the competition is currently ongoing.

Initial training lasts for two years, as stipulated by law. Starting in 2025, judicial trainees will choose their profession - either as a judge or a prosecutor - only after graduation.

During both years of study, the initial training is generalized. All judicial trainees follow the same curriculum and undergo the same evaluation process, regardless of their future profession.

The initial training focuses mainly on practical skills rather than solely on knowledge of legal provisions or texts. Judicial trainees are thus trained to conduct court or criminal prosecution hearings, examine the evidence presented by the parties, understand the psychology of different types of litigants, analyse a case file efficiently, and draft decisions or other jurisdictional documents.

Access to the initial training

Access to initial training is granted exclusively through the NIM admission competition, organized by the SCM through NIM, based on professional competence, skills, and good reputation.

The NIM admission contest is open to law graduates holding a bachelor's degree, regardless of age or previous professional experience, and consists of four stages:

- An exam verifying legal knowledge through a multiple-choice test to ensure an objective and efficient first selection.
- A written exam aimed at assessing the ability to process and correlate information, interpret and apply the law, and argue in writing, demonstrating logical and correct reasoning.
- A psychological exam, including a written test and an interview, to determine whether candidates are psychologically fit to exercise the profession.
- An oral exam, consisting of an interview that evaluates not only knowledge but also the skills, abilities, motivation, and personal qualities necessary for such a profession.

Successful candidates acquire the status of judicial trainees and follow the NIM initial training program, completed with the NIM graduation exam.

There are no alternative routes to access initial training. However, one can also enter the judiciary through the competition for admission to the magistracy, organized by the SCM through NIM. This competition is aimed at individuals holding a law degree and at least five years of experience in certain legal positions provided by law.

Accepted candidates acquire the status of judge or prosecutor and are required to attend a professional training course within NIM for six months.

Format and content of the initial training

The initial training of judicial trainees takes place over a period of two years and consists of both theoretical and practical training (through courses and seminars held at the Institute), as well as internships.

The initial training program is approved annually by the Plenary of the SCM, based on the proposal of the NIM, which develops this program and submits it for analysis to its Scientific Council.

The curriculum specifies the fields of study, the number of courses and seminars related to each field, the practical training internships, as well as the assessment methodology.

The training of judicial trainees is conducted by the NIM training staff, typically recruited from among active judges and prosecutors. Trainers are organized into departments according to their areas of expertise.

The trainers develop the curriculum for each field, which includes the topics and sub-topics, the number of hours allocated to each, the training methodology, and the details regarding the assessment of the judicial trainees.

Throughout their internships in courts and prosecutor's offices, judicial trainees are guided by practice coordinators - judges and prosecutors selected by NIM from among the magistrates carrying out their duties in the internship centers.

Theoretical and practical training through courses and seminars

The theoretical and practical training takes place at the NIM headquarters, where judicial trainees attend courses and seminars as part of the initial training program. This training aims to expand their legal knowledge and develop skills specific to the profession of judge and prosecutor. At NIM, the study of law is primarily practical, replicating real-life conditions in which magistrates carry out their duties. It includes case studies conducted in small groups, guided by practitioners who have drafted the documents. The seminars also include practical activities such as reviewing records, drafting procedural documents, and participating in mock proceedings.

The study of fundamental fields (Civil Law and Civil Procedure Law, as well as Criminal Law and Criminal Procedure Law) holds significant importance in the curriculum, as the work of a judge or prosecutor largely relies on knowledge specific to these areas.

In addition to these fundamental legal fields, judicial trainees also study Administrative Law, Litigation with Professionals, Family Law, Forensics, Constitutional Law, EU Law, and Human Rights.

The training program includes both legal and non-legal skills, grouped into a set of disciplines dedicated to socio-human sciences. These cover topics such as psychology, communication, personal development, sociology, and critical thinking. The study of foreign languages also aims at acquiring knowledge and developing non-legal skills relevant to the exercise of the profession. A significant component of the initial training program is the study of professional ethics and deontology. The purpose of this subject is to establish and instil the behavioural and moral standards specific to the role of judge/prosecutor, both in professional practice and in interactions with society, in accordance with national and international regulations.

Internships

According to the law, internships have a minimum duration of 3 months in the first year of studies and 6 months in the second year.

In order to develop the professional skills acquired during courses and seminars and to familiarize themselves with their future professional environment, judicial trainees undertake internships within courts and prosecutor's offices. They are guided by practice coordinators (judges and prosecutors), who ensure they participate in all relevant activities within a court and prosecutor's office. These coordinators are part of the NIM training staff.

Additionally, judicial trainees complete internships in law firms, notary offices, and bailiff offices. They also carry out practical activities within probation departments, police stations, and penitentiaries. The purpose of these

internships is to provide an overview of the judiciary and to introduce the trainees to the realities of other legal professions, so they can establish effective and productive collaborations in their future professional careers.

Throughout their initial training, judicial trainees have the opportunity to familiarize themselves with the common European legal space by participating in exchanges organized within the EJTN AIAKOS component of the exchange program, the THEMIS competition, as well as summer schools aimed at developing and enhancing the skills and competencies specific to the magistrate profession, linguistics, etc.

Starting 2025, the initial training program will include the engagement of judicial trainees in volunteer activities, as part of the activities aimed at developing soft skills. These activities aim to raise awareness of societal issues and contribute to their personal, social, civic, and professional growth.

Termination of the initial training and qualification process

After completing the initial training program provided by NIM, judicial trainees take a psychological exam and a graduation exam.

The psychological exam includes a written test and an interview, to determine whether candidates are psychologically fit to exercise the profession.

The graduation exam assesses the knowledge, skills, and abilities necessary to perform the functions of judge or prosecutor.

It consists of written tests in the subjects of civil law and civil procedural law, criminal law and criminal procedural law, ethics, and judicial organization.

Passing this exam grants NIM graduates the status of junior judges or junior prosecutors. Based on their ranking and the number of available positions established by the SCM, they may choose the position of either a judge or a prosecutor, as well as the courts and prosecutor's offices where they will begin their professional career.

After a probationary period of one-year, junior judges and prosecutors must pass a capacity exam in order to become in-service judges and prosecutors. This exam assesses both theoretical and practical knowledge through written and oral examinations. Successful junior judges and prosecutors are appointed as judges and prosecutors by the President of the State.

One of the major objectives of the entry-level training at NIM is to provide future magistrates with comprehensive training and to help them expand their knowledge across as many branches of law as possible. The objective of fostering European and international openness in law is consistently achieved through training sessions on EU law, the European Court of Human Rights (ECHR), and European legal concepts. This is further supported by the inclusion of comparative law elements in the curriculum, as well as through the development of cooperation programs with European institutions responsible for the training of judges and prosecutors, and with other European judicial institutions.

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