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Initial training of judges and prosecutors in the European Union

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Sweden

Judges

General description

Swedish National Administration, Judicial Training Academy is responsible for judicial training for judges and administrative judges and judicial court staff. The initial training for judges and administrative judges is compulsory. (Swedish Prosecution Authority trains the Swedish prosecutors). The links to the statutory basis are strong. The number of participants in initial training sessions is about 300 each year.

Access to the initial training

The duration for initial training is four years.

After finishing university, which usually takes five years, the initial stage is to apply for being a law clerk for two years.

The next step (for becoming a judge) is to apply to become a reporting clerk at a court of appeal or an administrative court of appeal. After at least one year of service at the court of appeal or administrative court of appeal, the trainee judge returns to a district court or county administrative court for a period of at least two years. Thereafter follows at least one year of service at a court of appeal or administrative court of appeal, during which the trainee is co-opted to the bench. After completing this period of probation, the reporting clerk is appointed as an associate judge. Reporting clerks and associate judges are referred to as non-permanent judges.

Format and content of the initial training

There are 9 compulsory trainings sessions (one week each). Most of the trainers are senior judges or university professors but also physicians, psychologists and experts of different fields.

The training covers a wide range of EU law topics like civil law, criminal law and horizontal law issues/specialised areas of law, administrative and social law, tax, commercial, labour, judgecraft and fundamental rights.

We provide blended learning (lectures, seminars, discussions, webinars). The training is in small groups. The average number of participants is an 20-25 per session. There is no language training.

Termination of the initial training and qualification process

Providing information on final exam, who is responsible for the exam, further recruitment procedure to become a judge/prosecutor/lawyer upon completion of the initial training.

There is no final exam, but the associate judges get grades. After being an associate judge one has to work in different fields (for example, by being delegated to work with a State Ministry or as an assistant at one of the Supreme Courts) for some years before one can apply for a permanent appointment.

Concerning the recruitment of permanently appointed (senior) judges incl. promotions, the National Courts of Administration is only competent to notify of the vacancy. The appointment itself, however, is made by the government on a proposal by the Judicial Council. Its members are appointed by the government, but it is also a fully independent state authority. The council is competent for the process of choosing candidates, which, amongst others, includes asking for references from the positions the applicant held in the past years. Once the references have been given, the council sends a written statement about the applicants to the head of the court in question, who then conducts the interviews with candidates he/she considers to be eligible for the vacant post and who afterwards gives a written opinion about the candidates, incl. a ranking. The council then makes its own ranking and sends its recommendation to the government. The government is not bound by the council's recommendation, but has to seek the council's opinion in case it wants to derogate from it.

Prosecutors

General description

All new prosecutors must undergo compulsory basic training. However, they will simultaneously work as a prosecutor at a public prosecution office. Thus, the basic training consists of work-integrated training.

The overall purpose of the basic training is that every prosecutor should feel safe and secure in independently fulfilling the prosecutor's task in all the types of cases that are normally managed by a prosecutor.

Format and content of the initial training

The aim of the basic training is that new prosecutors should acquire such knowledge and experience that will provide them with the ability to handle all existing cases that do not require direct specialist competence. Furthermore, the basic training aims to give new prosecutors a substantial training in order to prepare them for on-call duty.

The basic training begins with a digital introductory course which is to be completed during their first nine months as a prosecutor. It is a completely digital program where distance learning in the form of webinars is mixed with e-training, videos, and various documents to read. During this period, they will also have at least one mentor at their local public prosecution office whom will guide them.

The next step in their basic training is divided into eight different courses. Each course consists of three to seven days of on-site training, as well as two to four days of distance learning combined with self-studies. This step takes place during approximately two years and the prosecutor will normally attend two courses every semester.

Each course has two course leaders (prosecutors) who plan and organize the course and take care of the course participants. Most trainers are internal trainers, i.e. senior prosecutors within the Public Prosecutor's Office. There are also external trainers, such as police officers, judges, forensic scientists, psychologists and journalists.

The content of the basic training is very broad as the training extends over approximately ten weeks. There is no specific training in EU law. However, there is training in the European Convention on Human Rights and in European judicial cooperation in criminal matters, such as the European investigation order and the European arrest warrant. The prosecutors will also be able to apply to the AIKOS-program during this period.

Termination of the initial training and qualification process

There is no final exam. The participants work as a prosecutor from day one of their employment. However, they will be assigned more complicated criminal investigations at the end of their training. At the end of course eight, a form of graduation ceremony will be held.

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