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Find an expert

Croatia

### I. Lists and registers of experts

Based on their expertise, court-appointed experts provide the Court with the service of an expert opinion when necessary, for ascertaining or clarifying the facts ascertained in the proceedings.

The County and Commercial Courts maintain a list of experts who can be appointed by the courts as well as a list of legal persons, institutes, institutions and State bodies that have been authorized to perform as an expert (hereinafter: list of Legal Entities). The lists are published on the Courts' websites.

The Ministry of Justice maintains a unique electronic [list of experts who can be appointed by courts](#) which is sorted by fields of expertise, and a [list of legal entities](#) for the entire territory of the Republic of Croatia, and publishes them on [its website](#).

The procedure for appointing experts to the list is initiated by a request submitted to the President of the county or commercial court, having jurisdiction over the applicant's place of residence or the seat of the legal entity. Nationals of Member States of the European Union and nationals of States signatories to the Agreement on the European Economic Area that do not have permanent residence in the Republic of Croatia, shall apply to the County Court of Zagreb or the Commercial Court of Zagreb for an appointment.

If the candidate for the appointment to the list meets the requirements, the President of the respective County or Commercial Court will send the candidate for an assessment of their knowledge of the structure of the judiciary, public administration and legal terminology, before deciding on his/her appointment as a listed expert. The examination is carried out by the knowledge-assessment committees of the county courts, which have a president and two members among the judges of that court. A candidate for a full-time job who has a law degree is not required to take the examination. The president of the appropriate court will refer a candidate for the registration and who has passed the exam, to a vocational training in a professional association of court experts. (However, a forensic specialist holding a valid work permit (license) as well as the employees who perform expertise in institutes, institutions and government bodies are not obliged to do vocational training in areas of expertise for which these institutes, institutions and government bodies have been authorized to conduct an expertise).

After completing professional training and gathering evidence on the eligibility for appointment as a registered expert, or on the fulfilment of the conditions for performing a judicial expertise, the president of the respective county or commercial court will decide on the request by a decision.

Court-appointed experts or legal entities must be insured throughout the period of performing the expertise. Evidence of the concluded contract of liability insurance (insurance policy) shall be submitted to the president of the competent county or commercial court, prior to the appointment to the list and every subsequent year during the appointment or approval period.

Experts are appointed to the list for a term of four years. A legal entity, institute, institution or government body shall be authorized to perform judicial expertise for a period of four years.

The appointed expert takes an oath before the president of the court, who appointed him as registered expert.

After the lapse of time for which he/she is appointed, a listed expert may be re-appointed for a term of four years and a legal entity, an institute, an institution or a state body, can be re-approved for the performance of court expertises. The request for re-appointment or approval shall be submitted no later than 30 days before expiry of the current appointment.

The appointment of an expert to the register will be revoked (temporarily) by the president of the relevant county or commercial court:

if requested by the expert,

if the expert changes his/her place of residence, if it is determined that the conditions for registration were not fulfilled or that the conditions for the appointment ceased to be fulfilled,

if, based on a final decision of the competent authority, he or she has been declared unfit to perform activities in the area for which he or she has been appointed,

if he/she has been deprived of legal capacity by a final judgment,

if he/she has been convicted of a criminal offense which is an obstacle to admission to public service,

if he/she performs the tasks of an expert in bad faith or negligently,

if he/ she fails to submit, upon expiry of the prescribed period, proof of the conclusion of a liability insurance contract for the performance of the duties of a registered expert,

if he/she does not comply with the provisions on secrecy of all that he has learned during conducting an expertise.

The President of the relevant county or commercial court will permanently revoke an expert from the list if the expert performs the work of a court-appointed expert after the order of temporary refusal or prohibition of the performance of his tasks became enforceable.

Experts, or legal entities who are authorized to perform as court-appointed experts, are obliged to immediately report any changes to their data to the court that appointed them or authorized them to the list. The court is obliged to immediately implement these changes in the lists in which experts or legal entities who/which may be appointed by courts are registered.

### II. Experts' qualifications

The Ordinance on court-appointed experts ("Official Gazette" 38/14, 123/15, 29/16 Correction and 61/19) establishes the conditions and procedure for the appointment, rights and duties of court-appointed experts.

A person may work as a court-appointed expert if the person meets the following requirements:

1. he/she is a citizen of the Republic of Croatia, a national of a Member State of the European Union or a national of a State party to the Agreement on the European Economic Area,

2. he/she is able to perform the duties of a court-appointed expert,

3. he/she, after completing the appropriate studies or schools, worked in the profession, namely:

at least 8 years - if he/she has completed a university degree or a specialist postgraduate degree;

at least 10 years - if he/she has completed the relevant undergraduate or undergraduate professional studies;

at least 12 years - if he/she has completed the appropriate secondary education, and there is no relevant undergraduate or undergraduate professional degree or undergraduate degree or specialist postgraduate degree,

4. he/she has successfully completed the examination of knowledge on the organization of the judiciary, state administration and legal terminology,

5. he/she has successfully completed vocational training as defined by the relevant professional association,

6. he/she has a contract of liability insurance for the performance of court-appointed expert,

7. he/she has obtained the degrees relevant in his or her fields of expertise,

8. there are no obstacles for the person's entry into civil service.

Vocational training cannot last longer than one year. Professional associations are obliged to appoint mentors for vocational training. A registered expert may be appointed training mentor if he has at least five years of experience in carrying out the work of a court-appointed expert. The list of mentors is to be transmitted to the county and commercial courts. The ability of a candidate (who has been referred to vocational training) to perform the duties of a court-appointed expert shall be determined based on the report about the professional training carried out by the applicant. Within one month after the completion of the professional training, the relevant professional association is required to draw up an opinion in writing on the successfulness of candidate's training and his competence to perform the work of a court-appointed expert, based on a report written by the training mentor. The relevant professional association is required to send this report to the President of the relevant county or commercial court.

Specialised doctors fulfil the requirements for appointment to the list after passing the specialist examination.

Legal entities are eligible for the performance of judicial expertise:

if they are also registered in their field of expertise for a particular area;

if their employees have been appointed to the list of experts for the area for which approval is sought;

if they have a contract of liability insurance for the performance of judicial expertise.

### **III. Remuneration of experts**

In court proceedings, experts are primarily chosen from the list of registered experts.

Court-appointed experts are entitled to fees and compensation of material costs. The amount of the compensation is individually determined by the court according to a special price list of compensation of material costs and fees of court-appointed experts. The above price list is an integral part of the Rulebook on court-appointed experts.

The court-appointed expert is reimbursed for the expertise after it has been completed.

### **IV. Liability of experts**

A court-appointed expert or legal entity, must be insured during the entire period of conducting the expertise. The lowest amount of liability insurance for the performance of a judicial expertise is HRK 200,000.00 HRK (approx. 26,807.50 EUR) for natural persons and HRK 500,000.00 (approx. 67,018.74 EUR) for legal entities.

A citizen of an EU Member State or State Parties to the Agreement on the European Economic Area may be insured for the performance of duties as an expert in his home country.

### **V. Additional information about expert proceedings**

The appointment of an expert is regulated by procedural laws, i.e. by the Code of Civil Procedure and the Code of Criminal Procedure.

### **VI. Appointment of experts**

Court-appointed experts appointed by the court at the request of a party or ex officio in a particular court proceeding, when it is required to present expert evidence to establish or clarify the facts to be determined.

#### **VI.1. Expert report**

The form of findings and opinions of a court-appointed expert is not regulated. The Court will determine whether the expert will present his/her findings and opinion only orally at the hearing or submit them in writing before the hearing. The Court will set a deadline in writing for the submission of findings and opinions, which may not exceed 60 days. The expert must always state his/her opinion. The Court will provide the parties with a written finding and opinion no later than 15 days before the hearing at which the findings will be discussed.

#### **VI.2. Court hearing**

The Court can ask questions about the expert's findings during the court hearing.

*The information presented here was gathered during the Find an Expert Project from contacts per country selected by the [European Expertise & Experts Institute EEEI](#).*

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