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Swedish

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Initial training of judges in the European Union

Sweden

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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 1000.

Access to the initial training

The duration for initial training is four years.

After finishing university which usually takes six 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 be-come 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 as-sociate judges are referred to as non-permanent judges.

Format and content of the initial training

Information on duration and time structure, organisation, learning content and the learning objectives, methodology and trainers used and specificities regarding EU law training, European, cross-border training components, participation in EJTN/CCBE/others activities, linguistic training.

There are 10 compulsory trainings sessions (one week each) in Stockholm. 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 associates 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 the vacancy. The appointment itself, however, is made by government on a proposal by the Judicial Council. Its members are appointed by 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 or 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.

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