

## Judges

### General description

Since 2017, there has been fixed-term (i.e. three-year) positions of assessors in Finland in the Courts of Appeal, Administrative Courts, the Labour Court, the Insurance Court and the Market Court for training purposes. The term may, for special reasons, be extended by a maximum of two years. A person who has served as an assessor for two years may, for the remainder of his or her term, serve also in another position as a judge or referendary at the Supreme Court or the Supreme Administrative Court.

Link: [Courts Act section 18 chapter 1](#)

The Judicial Training Board shall decide on the announcement of a vacancy of the position of the assessor, re-announcement of a vacancy, extension of an application period and cancellation of the announcement of a vacancy. The National Courts Administration will take care of the practical arrangements for declaration a post and the preparation and submission of a summary of the candidates merits to the Judicial Training Board.

The number of assessors is at the moment 58.

### Access to the initial training

To be appointed as an assessor, the candidate must be a Finnish citizen with integrity, who has a Master's degree in law other than a Master's degree in international and comparative law, and have at least three years' experience in the duties of a judge, court referendary or draftsman, prosecutor, attorney or legal counsel or in other corresponding legal duties that can be deemed to prepare the person for the duties of a judge. A further qualification is that the person has successfully passed an examination that demonstrates knowledge of the key legislation and general principles concerning the duties of a judge. The provisions of Chapter 10, section 9 in the Courts Act apply to the proficiency of an assessor in the Finnish and Swedish languages.

Link: [Courts Act section 18 chapter 2](#)

The Judicial Training Board determines the national selection criteria related to the selection of assessors, that specifies the selection and appointment criteria in the law. According to the preparatory works of legislation ([HE 7/2016 vp. s. 119](#) (HE= government proposals, only in Finnish)) the application documents are scored on the basis of the applicant's academic success, work experience and other qualifications.

The Judicial Training Board organises a pre-selection exam once a year in January. All applicants will take the exam. In the exam the candidate must demonstrate knowledge of the key provisions and general principles concerning the performance of the judge's duties. The pre-selection exam material usually consists of legal articles and case studies. The exam will be graded either passed or failed.

The academic success, work experience and other qualifications of the candidates, who have passed the pre-selection test, will be scored in accordance with the criteria established by the Judicial Training Board. The pre-selection of assessors will be confirmed by the Judicial Training Board, after which the courts in which the posts of assessors will be assessed, will also evaluate applicants through interviews. The courts make a nomination to the Supreme Court and the Supreme Administrative Court on the basis of pre-election and their own assessment. The assessors are appointed by the Supreme Court and the Supreme Administrative Court.

### Format and content of the initial training

The purpose of training for assessors is to increase their legal knowledge and judicial competence, and to provide them a good ability to make independent judicial decisions also in extensive and complicated cases. In the course of their term of office, assessors shall participate at their training site in the training programme developed by the Judicial Training Board in accordance with personal training plans prepared for them.

Link: [Courts Act section 18 chapter 4](#)

The Judicial Training Board is responsible for planning the training programme for assessors and the National Courts Administration is responsible for organising the training sessions included in the training programme.

Link: [Courts Act section 19 a chapter 2 subsection 2 paragraph 4](#)

The three-year training programme consists of on-the-job learning and training sessions with assignments as well as feedback and assessment. A tutor judge will be named to the assessor to guide their on-the-job learning and to act as a support and interlocutor. One of the evaluation methods for the assessor degree programme is also a learning diary to be kept throughout the whole programme.

The assessors are divided into two groups. The appellate group of the Court of Appeal consists of assessors working in the courts of appeal and the other appellate group consists of assessors working in the administrative courts and special courts.

The assessor's degree programme study guide includes information on the structure of the degree programme, training sessions for assessors and related preliminary assignments.

The training sessions organised by the National Courts Administration for all assessors or groups of assessors focus on the first two years of assessment. Compulsory studies in the first year includes for example one day training in European law and one day of training in the methods of the European Court of Human Rights. The second year's compulsory studies include one advanced training day of European law. Elective training in the second and third years includes nine days of study identified in the assessor's personal curriculum as optional training according to the assessor's individual needs. Optional training can be completed by participating in training that National Courts Administration's nationwide training is offering. Participation in the Themis competition organised by the EJTN will also be accepted as part of the optional studies. Optional training may include up to five days of optional studies, i.e. EJTN and ERA training (excluding language courses and magistrate exchange).

### Termination of the initial training and qualification process

An assessor, having served in his or her duties for the three-year minimum period shall submit a final paper or pass a final examination demonstrating the skills and knowledge required in judicial duties. The Judicial Training Board organises the examination. An assessor who has successfully completed the training programme, and whose final paper has been accepted or who has passed the final examination, may be granted the right to use the title "judicially trained". The right is granted by the Judicial Training Board on application.

Link: [Courts Act section 18 chapter 6 subsection 2](#)

As a final thesis within the context of the Courts Act, the assessors make a portfolio designed to demonstrate the development of their skills during the three-year training programme. Portfolios are not appraised. They are checked to ensure that they include the requested performance, i.e. the reflection of the assessor's term of office, the judgement drawn by the assessor and a description thereof, and samples of the written assignments for certain days of training. The assessor will present a summary of his/her portfolio at the final seminar of the degree programme at the end of the third year. No actual final exam will be held, because it is replaced by the above-mentioned portfolio.

At the end of their term of office, the assessor may apply for other posts through the normal application procedures. The first graduates of the assessor training programme are very well employed in the judiciary. The number of assessors is so small, that in Finland the duties of a judge are still generally qualified by working in a court or other legal profession.

Further information: [oikeus.fi](http://oikeus.fi) (also in English), provides general information about the activities of the judicial authorities.

## **Prosecutors**

### **General description**

The training team in the Office of the Prosecutor General is in charge of prosecutor training. The team plans and realises training in collaboration with state prosecutors, specialised prosecutors, universities and other stakeholders. Most of the training courses are given by state prosecutors and specialised prosecutors from the National Prosecution Authority. Prosecutor training consists of basic, general, advanced and specialisation studies.

The basic studies of a prosecutor consist of a Prosecutor's Start training programme and a Basic Prosecutor Course. Prosecutor's Start is an orientation programme for new prosecutors, while the Basic Prosecutor Course deepens the prosecutors' skills and knowledge. The basic studies are part of the training of each prosecutor.

### **Access to the initial training**

A new prosecutor is recruited for the temporary office of a junior prosecutor. During this time, they will familiarise themselves with the National Prosecution Authority and its operations and the work of a prosecutor and their role in criminal proceedings, as well as complete the Prosecutor's Start training programme.

The junior prosecutor period is a time for both the employer and the prosecutor to review the prosecutor's ability to act in this role. It is also an opportunity for the prosecutor to ensure that they are actually interested in the profession. After the junior prosecutor period, the employer and the junior prosecutor have an assessment discussion before reaching a decision as to whether the person will continue their work as a district prosecutor.

### **Format and content of the initial training**

The Prosecutor's Start training programme is an online course covering all of the key topics for a new prosecutor, including the required study materials and exercises. It covers topics such as the prosecutor's role in criminal proceedings, decision-making and the options available to a prosecutor, limiting of a pre-trial investigation and the waiving of charges, the role of a prosecutor at a District Court, as well as matters involving publicity.

The training programme also includes New Prosecutors' Days, i.e. training events arranged as classroom teaching, and a variety of online courses. The orientation is supported and guided by a personal tutor, who is a more senior prosecutor, usually from the same office, although remote tutoring is becoming more common.

The Basic Prosecutor Course consists of four separate courses, which include a total of 11 days of classroom teaching. Objectives of the course include understanding the prosecutor's role in a pre-trial investigation and the significance of cooperation, being aware of the options available at the pre-trial investigation stage, getting to know the basics of the consideration of charges, understanding the significance and content of an application for a summons, being able to utilise the other tools available to a prosecutor, understanding the progress of a trial, the related stages and the appeal process, as well as becoming intimately familiar with the doctrines of criminal law.

### **Termination of the initial training and qualification process**

It usually takes around two years to complete the basic studies, at which point the person is considered fit to be a prosecutor. There are no examinations. When these steps have been completed, the person will continue on to the general and advanced studies.

Last update: 21/06/2023

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