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## Tiesnešu un prokuroru sākotnējā apmācība Eiropas Savienībā

### Initial training of judges and prosecutors in the European Union

Horvātija

#### General description

The State School for Judicial Officials (hereinafter “the State School”) is an organisational unit of the Judicial Academy and it is in charge of the initial training of judges and prosecutors. The Judicial Academy is a public institution established by the Ministry of Justice and Administration in 2010 providing the continuous training of judicial officials (i.e. judges and prosecutors) and judicial advisors, the initial training of judicial trainees and candidates for future judges and prosecutors, as well as the professional training of clerks in the judiciary and other participants in the proceedings before judicial bodies (the Judicial Academy Act, *Narodne novine*, the Official Gazette of the Republic of Croatia, No. 54/2019).

The initial training of judges and prosecutors is compulsory and it lasts for one year. In the 2021-2022 generation of attendants of the State School there are 97 enrolled students with the status of civil servants employed as advisors in judicial bodies. The State School provides the acquisition of skills and knowledge that are necessary for autonomous, accountable, independent and unbiased performance of the duties of judges sitting at municipal, commercial and administrative courts, as well as the duties of deputy municipal prosecutors.

#### Access to the initial training

The persons employed permanently in the civil service and assigned to the positions of judicial advisors are required to attend the State School. Judicial advisors are employed in the civil service based on the public announcements for these positions in accordance with the Civil Servants Act (*Narodne novine*, the Official Gazette of the Republic of Croatia, Nos. 92/2005, 140/2005, 142/2006, 77/2007, 107/2007, 27/2008, 34/2011, 49/2011, 150/2011, 34/2012, 38/2013, 37/2013, 1/2015, 138/2015, 102/2015, 61/2017, 70/2019, 98/2019). The candidates for the positions of judicial advisors need to have completed university studies in the field of law and passed Bar Exam.

The Commission for Processing the Public Call is appointed by the head of the competent judicial body. The candidates meeting the formal requirements need to take a written test and present themselves for a structured interview. The written test consists of the assessment of knowledge, competences and skills of the candidates. The best candidates applying for the positions of judicial advisors in public prosecution offices need to undergo a security check conducted by the Security and Intelligence Agency.

#### Format and content of the initial training

The professional training is primarily conducted by enhancing the skills and practical knowledge that are necessary for the performance of duties in judicial bodies. It is composed of workshops organised by the Judicial Academy and the practical work in judicial bodies and, if needed, in other state bodies. The theoretical part of the judicial training programme is the same for all the attendants of the State School regardless of the position of the candidates, who may be future judges or future prosecutors, and regardless of the field of law that they deal with in the judicial body in which they work. The Judicial Training Programme is adopted by the Steering Council upon the proposal of the Programme Council of the Judicial Academy. In the course of their practical training, the attendants have their mentors who monitor their work and prepare them for autonomous, accountable, independent and unbiased performance of judicial duties.

In the academic year 2021/2022, a total of 23 one-day workshops are being organised for the attendants of the State School for Judicial Officials encompassing civil and criminal law, administrative law, EU law, ethics and skills. As a rule, the workshops are organised face-to-face and the trainers are judicial officials (i.e. judges and prosecutors), university professors or other experts.

Considering EU law, particular attention is dedicated to the preliminary ruling reference before the Court of Justice of the European Union, cross-border cooperation and CURIA case law search. The participation in the activities of the European Judicial Training Network (EJTN), the Academy of European Law (ERA) and other international activities is voluntary, as well as foreign language training.

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

The Final Exam is taken before the Commission for Taking the Final Exam at the State School for Judicial Officials (as per the Ordinance on the Final Exam at the State School for Judicial Officials, *Narodne novine*, the Official Gazette of the Republic of Croatia, No. 25/2020, 108/2020). The Commission for Taking the Final Exam consists of five members, i.e. two judges of the Supreme Court of the Republic of Croatia, a high court judge and two Deputies of the Chief State Prosecutor. The Commission is nominated by the Steering Council of the Judicial Academy.

The Final Exam consists of a written and an oral part assessing the acquired practical knowledge and skills required for the performance of judicial duties through practical examples and problem situations.

The Final Exam at the State School may also be taken by persons who have not attended the State School and who, upon passing the Bar Exam, have acquired a minimum of four years of work experience in the field of legal matters. The Final Exam may be taken twice and the candidates who have acquired a minimum of 225 points are considered to have passed the Final Exam. The highest number of points that may be achieved at the Final Exam is 300.

Having passed the Final Exam, the candidates for first-instance judges apply for the vacancies announced by the State Judicial Council, while the candidates for deputy municipal prosecutors apply for the vacancies announced by the State Prosecutorial Council. The candidates may achieve a maximum of 15 points in the structured interview before the State Judicial Council or the State Prosecutorial Council. The candidates with the highest total number of points are directed by the two Councils, respectively, for psychological testing and a security check by the Security and Intelligence Agency.

The candidates for the positions of first-instance judges are then appointed by the State Judicial Council, while the candidates for the positions of deputy municipal prosecutors are appointed by the State Prosecutorial Council.

Last update: 09/06/2023

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