



JUST/2012/JUTR/PR/0064/A4

Implementation of the Pilot Project – European Judicial Training

Lot 3

*STUDY ON THE STATE OF PLAY
OF COURT STAFF TRAINING IN EU LAW AND
PROMOTION OF COOPERATION
BETWEEN COURT STAFF TRAINING PROVIDERS AT EU LEVEL*

Final report



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Implementation of the Pilot Project – European Judicial Training - Lot 3

*"STUDY ON THE STATE OF PLAY OF COURT STAFF TRAINING IN EU LAW AND PROMOTION
OF COOPERATION BETWEEN COURT STAFF TRAINING PROVIDERS AT EU LEVEL"*

EUROPEAN COMMISSION

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Abstract

The ***Study on the state of play of court staff training in EU law and promotion of cooperation between court staff training providers at EU level*** is a one-year project commissioned by the Directorate General (DG) JUSTICE of the European Commission in order to:

- Map out the different categories of court staff in each EU Member State, with a specific attention to their roles in implementing various aspects of EU law, as well as cross-border judicial cooperation;
- Describe the general organisation of court staff training at national level, and contact the main training providers;
- Pay specific attention to their training in EU law, organisation of other European judicial and legal systems and knowledge of legal terminologies in all EU Member States;
- Collect and analyse data (description and statistics) on existing training activities specifically on EU law aspects, be they organised at European, national, regional or local level;
- Work with training providers to assess needs regarding training in EU law aspects and develop recommendations;
- Provide a framework for direct initial contacts between training providers and promote their cooperation.

The current ***Final Report*** describes the findings of the project, on the basis of the analysis of statistical data received as well as the input from the representatives of the training providers regarding training needs and ideas for future cooperation between training providers. Factsheets describing the various court staff categories have been established. A list of training providers and of participants in the project's meetings is a starting point for future involvement of court staff training providers at European level. Recommendations for actions at regional, national or European level to improve training of court staff in EU law as well as cooperation between national training providers stem from input from questionnaires as well as discussions in meetings and workshops.

Acronyms and abbreviations

CEJ – Centro de Estudios Juridicos (Spain)
CNHJ – Chambre nationale des huissiers de justice (France)
EIPA – European Institute of Public Administration
ENG – École nationale des greffes (France)
EJT – European Judicial Training
KSSIP - Krajowa Szkoła Sądownictwa i Prokuratury (Poland)
JCI – Justice Cooperation Internationale (France)
Justiz Sachsen - Staatsministerium der Justiz und für Europa, Sachsen (Germany)
SCS – Scottish Court Service (United Kingdom)

Member States

AT = Austria	LU = Luxembourg
BE = Belgium	LV = Latvia
BG = Bulgaria	MT = Malta
CY = Cyprus	NL = the Netherlands
CZ = Czech Republic	PL = Poland
DE = Germany includes	PT = Portugal
BDB = Brandenburg	RO = Romania
BV= Bavaria	SE = Sweden
MHP = Mecklenburg Hither Pomerania	SI = Slovenia
NWR = NorthRhein Westphalen	SK = Slovakia
SX = Saxony	UK includes
DK = Denmark	SCOT = Scotland
EE = Estonia	EN & WL = England & Wales
EL = Greece	NI = Northern Ireland
ES = Spain	EU = European Union
FI = Finland	
FR = France	
HR = Croatia	
HU = Hungary	
IE = Ireland	
IT = Italy	
LT = Lithuania	

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Executive Summary: A journey of discovery

The current study has been a journey of discovery: for the project's team and participants it meant learning about the various professions and tasks of the personnel working with judges and/or prosecutors (court staff) but it has also been a journey of discovery for all parties involved, including court staff, about the increasing importance of EU law for court staff in performing their duties.

The study involved the participation of training providers from all Member States - except Cyprus – who answered three questionnaires and participated in regional meetings and European conferences – showing that the topic at hand is of high interest in the EU. Many training providers expressed a thirst for cross-border cooperation and access to more European level information and support.

Through the study court staff discovered that their profession is a priority at EU level and that their contribution to an efficient and professional justice service in the benefit of citizens and enterprises is visible and of great importance.

For the first time 133 factsheets have been drafted, presenting the state of play and work of different categories of court staff in all Member States, providing a tool to be used in the future for cross border comparisons or possibly joint training activities on common EU law topics. While some court staff categories may still be missing as some Member States provided information only about court staff with legal backgrounds, the delivered results are an important step forward for the visibility and recognition of the various professions.

A short list of tasks with potential EU law aspects had been integrated in the questionnaires. The answers we received allowed us to present the activities with EU law aspects for each listed category of court staff. In some cases it might be just one task amongst a multitude of tasks with no EU law aspects, but by doing this EU law specificities are highlighted and can be addressed by training providers.

These are positive outcomes and in terms of monitoring the current state of play, the study can be considered a benchmark for future developments regarding training in EU law.

About half the court staff undertaking an induction period¹ in 2012 did follow at least one training activity with EU law aspects (3046 out of 6826). However these sessions are of very short duration, very fragmented and cannot be considered structured enough to build the habit of considering EU law in national procedures amongst the newly recruited court staff.

The training in EU law available through continuous training is so limited that it cannot be considered that continuous training can compensate the lack of EU law training during induction period. The comments from respondents to the questionnaires revealed and underlined that, in general, one of the main problems is that there are too few training activities for court staff, let alone when talking about EU law training.

Mapping out the tasks of court staff around a list of topics which have some EU law aspects provides the necessary arguments for increasing the number of training activities on EU law since now it can be demonstrated that in each Member State there are court staff who need a thorough training in EU law to fulfil their tasks and duties.

In the mapping document (see annex C), the original names of each court staff category have been carefully preserved² as communication with and between national judicial authority regarding training of court staff will be easier if the precise national titles are used. This will ensure for instance that communication will go beyond the stage of "there is no need for such training", since the interlocutors will be aware of precisely which category is being discussed and which of their tasks have EU law aspects.

One direct result of the project is seen in the comments received with the answers to the questionnaires – in several Member States, there are now plans afoot to reassess how training can provide the right tools for court staff, or at least some categories of court staff, to address court cases which have more and more EU law aspects.

This is why things can only improve in the future, but they have to improve in time to ensure that the training of court staff will achieve the target set by the European Commission, that of training at least half of all legal practitioners in EU law by 2020, target set in its Communication of 13 September 2011.

¹ See definition in glossary

² Names in Greek or Cyrillic alphabet have been transliterated

This will require the development of a real proactive support from some Member States as there is a general need for additional funding to train court staff, in particular in those Member States where dedicated yearly programmes, objectives and funding for training of court staff are non-existent.

The future needs assessment performed by the respondents underlines the fact that further action is hampered by the lack of funding and human resources. While in certain Member States, analysis is on-going on how to use more efficiently the available resources and develop training activities in EU law, this is not a possible course of action in the Member States where there is not even a dedicated budget for training of court staff. Such a lack of funding undermines the competences of court staff in such Member States, with a direct impact on the quality of justice in the European Area of Justice.

A look into the future was envisaged by assessing the current situation, by collecting information on the needs still to be answered and through discussions during meetings and workshops.

All these elements were taken into consideration when drafting a set of recommendations for future development. These recommendations can be considered as the first cross-border activity of the Court Staff training providers.

The project team has strived to draft recommendations in a very practical way, addressing them to different target audiences, be they Member States, national training providers, European Institutions, individual court staff and to reach a coherent collective set of actions that can reinforce each other.

Recommendations addressed to the different structures responsible for setting the general context and organisation of training of court staff aim to develop national multiannual strategies with concrete targets, dedicated funding and human resources.

Recommendations targeting national or regional training providers focus on the need for overall awareness of the EU law aspects of court staff duties and tasks. The answers to the questionnaires show that training providers themselves are not really aware of this so the first recommendation to training providers is based on the need to organise training of trainers focused on the way EU law aspects can be integrated and made visible in existing and future training activities pertaining to the legal procedures in which court staff intervene.

The recommendations also target the European Institutions, asking first that the European Parliament and Council underline in their resolutions that training of court staff and training of court staff in EU law has an important role to play for the development of an efficient service of justice to citizens and firms undertaking a court case in another Member State than their Member State of origin. Second, the recommendations request that European projects regarding training of court staff in EU law are supported by the existing European financial programmes.

It is also stated that individual court staff have a responsibility in the development of their competences in EU Law.

All actors in training of court staff are also requested to develop the visibility of EU law aspects in the tasks and duties of court staff in each Member State.

There is a need to make these recommendations visible also online as court staff remain interested in the outcomes of the study and will be searching online for results.

A plan of action by the European Commission might be helpful to maintain the high level of interest, to ensure that training providers explore further the possibilities for cross-border cooperation, to help make the issue a EU level priority in the Council and European Parliament.

Résumé : un voyage de découvertes

Cette étude fut un voyage de découvertes : pour l'équipe projet comme pour les participants elle a amené à découvrir les diverses professions et tâches des personnels des tribunaux travaillant avec les juges et/ou les procureurs et cela a aussi permis à l'ensemble des acteurs, y compris les personnels des tribunaux eux même, de s'apercevoir du développement de l'importance du droit de l'UE dans la réalisation des tâches dévolues aux personnels des tribunaux.

L'étude a été basée sur la participation de prestataires de formations de tous les États Membres avec l'exception de Chypre qui ont répondu à trois questionnaires et participé à des réunions régionales et une conférence européenne, montrant que le sujet était d'un grand intérêt pour l'ensemble de l'UE. Beaucoup de prestataires de formation ont exprimé un besoin de plus de coopération transfrontalière et d'accès à plus d'information et de soutien au niveau européen.

Grâce à l'étude, les personnels des tribunaux ont aussi découvert que leurs professions pouvaient constituer une priorité au niveau européen et que leur contribution à un service de la justice efficace et professionnel au profit des citoyens et des entreprises est visible et important.

Pour la première fois, 133 fiches ont été rédigées pour présenter l'état et le travail des différentes catégories de personnels des tribunaux dans tous les Etats Membres, établissant un outil qui pourra être utilisé dans l'avenir pour réaliser des comparaisons transfrontalières ou pour mettre en place des activités de formation communes sur certains aspects du droit de l'UE. Bien que des informations sur certaines catégories de personnels des tribunaux puissent encore manquer car certains Etats Membres n'ont fourni des renseignements que sur les catégories ayant une formation juridique, les résultats obtenus sont un pas en avant important pour la visibilité et la reconnaissance des professions, dans toute leur diversité.

Une courte liste de tâches ayant potentiellement des aspects liés au droit de l'UE avait été fournie dans les questionnaires. Les réponses reçues nous ont permis de présenter pour chaque catégorie de personnel des tribunaux les activités comportant des aspects de droit de l'UE. Dans certains cas ce sera juste une seule tâche parmi de nombreuses autres sans relations avec le droit de l'UE, mais en ce faisant, les spécificités liées au droit de l'UE sont soulignées et pourront être prises en compte par les prestataires de formation.

Ces résultats sont positifs et, en permettant de décrire la situation actuelle, l'étude peut être considérée comme un point de référence pour évaluer les développements à venir.

Près de la moitié des personnels des tribunaux qui ont suivi une formation initiale en 2012 (3046 sur 6826) ont participé à au moins une session de formation ayant des aspects de droit de l'UE. Cependant ces sessions sont de très courte durée, ne sont pas intégrées dans un plan d'ensemble et ne peuvent pas être considérées comme établies de façon suffisamment structurée pour créer l'habitude parmi les nouvelles recrues de prendre en compte tous les aspects de droit de l'UE existant dans les procédures nationales.

La formation en droit de l'UE disponible par la formation continue est tellement limitée qu'on ne peut pas considérer que la formation continue permet de compenser le manque de droit de l'UE de la formation initiale.

Les commentaires fournis dans les réponses aux questionnaires révèlent et soulignent qu'en général, il n'y a pas suffisamment d'activités de formation pour les personnels des tribunaux, ce manque étant simplement plus marqué en ce qui concerne la formation en droit de l'UE.

Décrire les tâches des personnels des tribunaux qui touchent à un certain nombre de sujets qui ont des aspects de droit de l'UE fournit l'argumentaire nécessaire à l'augmentation du nombre d'activités de formation incluant le droit de l'UE puisqu'il est maintenant démontré que, dans chaque Etat Membre, il y a des personnels des tribunaux qui ont besoin de formation avancée en droit de l'UE pour réaliser leurs tâches et devoirs.

Dans le document descriptif (cf Annexe C), le nom de chaque catégorie de personnel des tribunaux a été indiqué dans la langue d'origine³ car la communication avec et entre les autorités judiciaires nationales au sujet de la formation des personnels des tribunaux sera plus aisée si les titres nationaux précis sont utilisés. Cela permettra par exemple d'aller au-delà de l'étape « il n'y a pas besoin d'une telle formation » puisque les interlocuteurs sauront précisément quelle catégorie de personnel des tribunaux est concernée et lesquelles de leurs tâches ont des aspects de droit de l'EU.

Une conséquence directe du projet est visible dans les commentaires reçus avec les réponses aux questionnaires – dans plusieurs Etats Membres, des plans ont été mis en place pour réévaluer la façon dont la formation peut fournir les outils afin que les personnels des tribunaux – ou tout du moins certaines catégories – puissent s'occuper de procédures ayant de plus en plus d'aspects de droit européen.

³ Les noms en alphabet grec ou cyrillique ont été translittérés.

C'est ainsi que la situation ne peut que s'améliorer dans les années à venir, mais les améliorations doivent avoir lieu rapidement afin que la formation des personnels des tribunaux atteigne les objectifs fixés par la Commission européenne, c'est-à-dire la formation d'au moins la moitié des professionnels de justice en droit de l'UE d'ici à 2020, objectif indiqué dans sa Communication du 13 septembre 2011.⁴

Cela nécessite un soutien volontariste de certains Etats Membres car il y a un besoin général de financement supplémentaire pour la formation des personnels des tribunaux, en particulier dans ceux des Etats Membres où il n'existe ni programme annuel, ni budget, ni objectifs spécifiquement mis en place pour la formation des personnels des tribunaux.

L'évaluation des besoins effectuée dans les réponses aux questionnaires met en lumière le fait que le développement d'actions supplémentaires est bloqué par le manque de financement et de ressources humaines. Bien que dans certains Etats Membres des analyses en cours cherchent à utiliser de façon plus efficace les ressources disponibles et développer des actions de formation en droit de l'UE, ceci n'est pas une possibilité dans les Etats Membres qui n'ont même pas un budget spécifique pour la formation des personnels des tribunaux. Un tel manque de financement porte atteinte aux compétences des personnels des tribunaux dans ces Etats Membres, avec des conséquences directes sur la qualité de la justice dans l'Espace européen de justice.

Un aperçu de l'avenir a été envisagé en évaluant la situation actuelle, en rassemblant des données sur les besoins auxquels il reste à répondre et lors de discussions en réunions et ateliers.

Tous ces éléments ont été pris en compte lors de la rédaction d'un ensemble de recommandations tournées vers les possibilités futures de développement. Ces recommandations peuvent être considérées comme la première activité transfrontalière des prestataires de formation pour les personnels des tribunaux.

L'équipe projet a cherché à produire des recommandations orientées vers la pratique, prenant en compte les différents publics à atteindre, qu'ils soient les Etats Membres eux-mêmes, les prestataires de formation nationaux, les institutions européennes, les personnels des tribunaux – et ainsi fournir un ensemble cohérent d'actions collectives qui peuvent se renforcer mutuellement.

⁴ [Susciter la confiance dans une justice européenne: donner une dimension nouvelle à la formation judiciaire européenne, COM\(2011\) 551 final.](#)

Les recommandations s'adressant aux diverses structures responsable du contexte général et de l'organisation de la formation des personnels des tribunaux ont pour but le développement de stratégies pluriannuelles nationales avec des objectifs concrets, un financement et des ressources humaines dédiées.

Les recommandations s'adressant aux prestations de formation au niveau régional comme national se focalisent sur le besoin d'une prise de conscience générale des aspects de droit de l'UE existant dans les activités et tâches des personnels des tribunaux. Les réponses aux questionnaires montrent que les prestataires de formation eux-mêmes n'ont pas toujours conscience de cet aspect aussi la première des recommandations porte sur le besoin d'organiser des formations de formateurs autour de la façon dont les aspects de droits de l'UE peuvent être intégrés et rendus visibles dans les activités de formation existantes ou à créer et concernant les procédures juridiques dans lesquelles les personnels des tribunaux jouent un rôle.

Les recommandations s'adressent aussi aux institutions européennes, invitant tout d'abord le Parlement européen comme le Conseil à affirmer dans leurs résolutions l'importance que peut jouer la formation des personnels des tribunaux et leur formation en droit de l'Union européenne pour le développement d'un service de la justice efficace pour les citoyens et les entreprises engageant une procédure dans un autre Etat Membre que leur Etat Membre d'origine, et demandant par ailleurs que les projets européens concernant la formation des personnels des tribunaux en droit de l'UE puissent être soutenus par les programmes financiers européens existants.

Il faut aussi souligner que chacun des personnels des tribunaux a une responsabilité à prendre dans le développement de ses compétences en droit de l'UE.

Tous les acteurs de la formation des personnels des tribunaux sont invités à augmenter la visibilité des aspects de droit de l'UE dans les tâches et obligations des personnels des tribunaux dans chaque Etat Membre.

Il est nécessaire de rendre ces recommandations accessibles en ligne car les personnels des tribunaux manifestent un intérêt pour les résultats de l'étude et en chercheront en ligne les résultats.

Un plan d'action par la Commission européenne pourrait utilement aider à maintenir un haut niveau d'intérêt, afin d'encourager les prestataires de formation à explorer plus en avant les possibilités de coopération transfrontalière et de faire de ce sujet une priorité au Parlement européen et au Conseil.

Study on training of court staff in EU law

1. Introduction

On 12 July 2012, DG Justice published a call for tender "implementation of the pilot project – European judicial training" including four lots.

This was in response to a European Parliament amendment to the 2012 EU budget which had proposed a pilot project on European judicial training: "A specific pilot project on judicial training can help fulfil the goal of building a European judicial culture, as expressed in the Stockholm Programme and in several resolutions adopted by the European Parliament in 2009/2010".

The contract to carry out Lot 3 of this tender, a ***"Study on the state of play of court staff training in EU law and promotion of cooperation between court staff training providers at EU level"*** was awarded to a consortium consisting of the European Institute for Public Administration (EIPA) Luxembourg, Justice Cooperation International (FR) representing the French National School of Procedure and the National Chamber of Bailiffs, the Centre of Judicial Studies (ES), Saxony Ministry of Justice and European Affairs (DE), the National Institute for the Judiciary and Public Prosecution (PL) and the Scottish Court Services (UK).

The title of the study under lot 3 underlined that, contrary to other professions involved in the justice system, court staff, in its diversity, is not directly represented at EU level regarding issues relative to training. Furthermore the national training providers are not currently in regular contacts with each other's cross-borders. This situation informed the project's deliverables and actions.

This document is the final report on this project. It sets out a brief overview of the project's key objectives and activities and describes the main project deliverables (which are also annexed to this document) as well as some of the additional outputs produced. The report also explores some of the difficulties faced by the project team in carrying out this project, which have affected the quality of some of the deliverables. Finally, the report concludes with some suggestions and lessons that could be learned from this project, as well as next steps that could usefully be taken in order to build on its results

Objectives of the project

The objectives of the study are to:

- Map out the categories of court staff with a view to
 - Establishing succinct description of each court staff category in each Member State (factsheets)
 - Determining which categories are concerned by implementation of aspects of EU law, and contact with other national legal systems;
- Determine which aspects of EU law are relevant to specific roles and tasks;
- List the main training providers;
- Establish a state of play of court staff training in EU law through collection of data - this state of play concerns not only how EU law is addressed in training but also information about the general training activities as it appears that training of court staff is not well developed in certain Member State;
- Look at possibilities for improvement of training systems through
 - Assessment of needs
 - Recommendations for future actions;
- Develop the first actions for cooperation between training providers through organisation of several meetings at European level, as well as organisation of workshops to inform future recommendations.

Achievements of the project

The main activities undertaken to meet those objectives were:

- The elaboration of three questionnaires subsequently disseminated to the national training providers and/or any other institution relevant to the organisation of court staff and training (text in Annex A)
- The development of a dedicated website integrated into the JCI's website which allowed for the publication of the questionnaires and some project documents online (no longer active);
- The organisation of three regional meetings (in Edinburgh, Dresden and Madrid) and a European Conference (in Dijon) to which representatives of all national or regional institutions involved in training of court staff were invited;
- The elaboration of a project's glossary to ensure that all participants have the same understanding of the issues covered;
- The drafting of factsheets describing court staff categories in each Member State on the basis of the answers received to questionnaire one;
- The collection of statistical data on training activities, in general and on EU law issues, through questionnaire two;
- The collection of information about training gaps, through questionnaire three, input received during meetings at European level as well as analysis of the differences between training on offer and tasks;
- The drafting of a document called "lessons learnt" drawing from the discussions which took place during the various meetings and from the problems met during the project;
- The establishment of a list of recommendations for future development;
- The development of three short videos summarising the ambiance and findings of the European Conference, which can be used to maintain interest in the topics of the study after the end of the project.

Contacts with representatives of training providers, ministries of justice, court services show a great deal of interest for the topic of the project, with several contact points indicating that such a European project would have positive impact on training of court staff in their country, by raising the visibility of the issue among decision-makers. As a result of this interest, we have received information from all Member States except for Cyprus.

Respondents were encouraged to publicise the project amongst Member States. The members of the consortium have done so by putting information on their websites with a link towards the dedicated website. As a result, some individual court staff from Poland and Spain contacted the project's team for more information.

In keeping with the diversity of organisations, the profile of the respondents to the questionnaires and participants in the project's meetings vary from representatives of Ministries of justice, Court services and training providers.

The questionnaires were addressing different issues:

- Questionnaire one collected data about the categories of court staff and the training providers dealing with those;
- Questionnaire two collected statistical information about training activities organised for court staff, during initial training and continuous training;
- Questionnaire three strived to open options for the future by asking questions regarding training needs on specific topics which have EU law aspects.

Questionnaire three about training gaps could be answered not only by the project's contact point, but also by professional organisation, courts or individual court staff. This was well understood in Lithuania from where 20 answers were received to Questionnaire three (9 individual, 1 professional organisation, 9 courts, including from the Supreme Court and the Court of Appeal).

2. A wide variety of court staff categories

Drafting the questionnaires was a balancing act between asking as many questions as possible to obtain, for the first time, a precise picture of the situation of each category of court staff and producing questionnaires manageable and acceptable by the potential respondents. Much more can be done to establish the sociology of court staff in each Member State, but this was not per se one objective of the study.

As expected the answers to questionnaire one on the description of categories of court staff show a wide variety in court staff organisation, tasks and roles.

National and regional factsheets are available in Annex B as separate documents and will be published on the European e-Justice Portal. There are many more factsheets than Member States, since the study covers different professions which have been more or less detailed by the respondents. Furthermore, the answers from the 3 jurisdictions from the UK (England & Wales, Northern Ireland and Scotland) show big differences in organisation and training of court staff. Additionally, it was decided to take into consideration the differences in the answers from the German Länder by proposing a few regional factsheets.

The factsheets on court staff categories include information about

- The texts organising a category/profession,
- The rules of access to the profession,
- The general responsibilities,
- The list of tasks and roles which are said to have a link to EU law,
- Information about the institution in charge of organising the category,
- Information about the relevant training provider(s).

According to the information received the number and detail of categories can vary from 1 (for example England & Wales answering for "all court and tribunal staff") to 21 (this extreme example is from Scotland).

In certain cases, the unique answer means that the described category is polyvalent and staff can take up a variety of roles in the court system (for instance the Romanian "Grefier" or the Irish "court officers").

In other cases, analysis of data indicates that information received covers only certain tasks and roles and that we have not received information about all the existing categories.

For instance, the Croatian Judicial Academy sent information only about judicial advisors which it has the responsibility of training and indicated that the other

categories of court staff are under the responsibility of the Ministry of Justice. No information was received from the Croatian Ministry of Justice (though it was represented at the project's European Conference) so there is an acknowledged gap of information for Croatia.

In other situations, only analysis of tasks and roles have shown the project team that there are certainly other categories of court staff active in court and/or prosecutors' offices for which we have received no information.

This analysis was done by mapping the roles and tasks of each of the categories against the list of roles and tasks provided in Question 9 of Questionnaire one⁵.

For example, Slovenia provided information about "Sodniški pomočnik" which shows that this category plays no role regarding management of courts, service of documents or enforcement of court decisions. As it is not possible that a court runs itself alone we have to understand that another profession is dealing with day-to-day management of courts. This lack of information about certain categories was foreseen early in the project and the regional meetings were an opportunity to explain to all participants why it was important to describe all categories, and not only those with legal background or assisting the judges. However, it was eventually the decision of the responding structure to provide information or not.

It is obvious that non legal categories are underrepresented in the data gathered⁶, under the generally established bias that where training is available to court staff, the limited resources available are only used on the "worthy" categories with legal background.

We are also missing data regarding court staff which is not statutorily linked to Ministries of justice, court services or judicial courts.

It was not possible to obtain data about court staff in administrative courts though contacts were taken in several Member States with administrative courts or their training services.

We also have no data on court staff where it is managed by other ministries (for example in Bavaria where a limited number of court staff working in specialised courts is managed by the ministry of finances or the ministry of agriculture; or in France where court staff for the specialised courts dealing with social security matters⁷ are civil servants managed by the prefectures even when the judges are part of the

⁵ See synthesis document 'mapping court staff tasks and roles' in Annex C.

⁶ For example see categories in Austria.

⁷ Tribunal des affaires de sécurité sociale (TASS), tribunal du contentieux de l'incapacité.

judiciary.) This is a point to keep in mind for future improvements in DG Justice's yearly survey of training of legal practitioners in EU law. It should be possible to obtain from the respondents to this study support to obtain the relevant contact details in other ministries or public services managing court staff.

On the other hand, we have received an answer to Questionnaire one from the French Association of Clerks of the Commercial Courts, who are the only example of court staff from the private sector.

Altogether an impressive number of answers were received:

- Questionnaire one on the 'description of categories of court staff' from 34 structures covering 27 Member States,
- Questionnaire two on the 'description of training systems' and on 'existing training activities including aspects of EU law' from 31 structures covering 25 Member States,
- Questionnaire three on 'assessment of needs' from 46 answers covering 25 Member States.

3. Statistical data: an impressionist view of training of court staff

Considering the variety of situations, it is unwise to try to establish averages and comparative statistics between Member States, so the objectives of the analysis is to understand which are the similarities and differences, how many court staff have been trained in 2012 and how EU law is integrated in the training programmes.

Who are the training providers?

The answering structures are mostly from the public sector:

- 11 are departments of ministries of justice (AT, CZ, Bavaria, Saxony (SX), EE, EL, FI, FR⁸, IT, MT, PT);
- 20 are public sector structures:
 - 2 structures training civil servants in general (Brandebourg (BDB), LT),
 - 9 structures training legal professions – mostly judges and/or prosecutors (BE, BG, NorthRhein Westphalen (NRW), ES, HR, NL, PL, SI, SK),
 - 3 structures training only court staff (IE, Northern Ireland (NI), RO),
 - 5 structures having training amongst their duties regarding organisation and management of court staff (Mecklenburg-Hither Pomerania (MHP), DK, England & Wales (EN & WL), Sweden, Scotland).

⁸ ENG is not an independent legal structure, but a department of the French Ministry of Justice.

In addition, 2 structures can be described as being not-for-profit structures training legal professions (LV) or a specific body of court staff (FR – Clerks of the commercial courts which did not answer questionnaire two).

There are no answers from private sector training providers which is not a surprise but a confirmation.

In most Member States, the responding structure has the monopoly of training the categories of court staff for which it is answering. There are however some exceptions:

- In Spain CEJ has information regarding both induction period and continuous training of the *secretaries judiciales*, but is not the training provider for the other categories during continuous training;
- In Northern Ireland, there is another public sector training provider for non legal skills, for which court staff are trained with other civil servants.

All respondents except EL are organising face-to-face training. EL organises only on-the-job training. 17 respondents in 14 Member States are also active in e-learning (AT, CZ, NRW, SX, DK, EN & WL, ES, HR, IE, NI, NL, PL, PT, RO, SCOT, SI). 16 respondents in 15 Member States organise blended learning (CZ, SX, DK, EE, EN & WL, ES, FI, HR, IE, NI, NL, PT, RO, SE, SCOT, SI).

It should be noted that that EE, FI, SE have the technical capacity to do simple e-learning but do not do so, preferring to develop blended learning⁹ which shows a reflexion on the importance of face-to-face contacts between colleagues in the learning process.

21 respondents organise more than 100 training activities each year, 4 between 51 and 100 and 4 between 20 and 50. 1 structure (MT) organises less than 10 activities each year, in keeping with the limited size of the target audience. This shows that all training providers should be able to find partners of a similar size in other Member States, if this criteria is important for building cross-border projects.

⁹ See glossary.

21 of the 31 responding structures organise training during the induction period (EL through on the job training), 29 organise continuous training.

	Induction period	Continuous training	Compulsory training for career progression
Total	22	29	12
AT	1	1	1
BG		1	1
BE	1	1	1
CZ	1	1	
BV	1	1	1
MHP	1	1	
NRW		1	1
SX	1	1	1
DK	1	1	1
EE		1	
EL	1		
ES	1	1	
FI		1	
FR	1	1	1
HR	1	1	1
IE	1	1	1
IT	1	1	
LT	1	1	
LU			
LV		1	
MT			
NL	1	1	
PL		1	
PT	1	1	

"STUDY ON THE STATE OF PLAY OF COURT STAFF TRAINING IN EU LAW AND PROMOTION OF COOPERATION BETWEEN COURT STAFF TRAINING PROVIDERS AT EU LEVEL"

RO	1	1	
SE	1	1	
SI	1	1	
SK		1	
EN & WL	1	1	
NI	1	1	
SCOT	1	1	1

PL indicates that there is no formal induction period. In Finland, recruitment and induction period are managed at local level. Due to the limited number of court staff recruited, CY, HR, LU and MT do not have a system in place for the induction period. In EL, training after recruitment takes the form of on-the-job training. On-the-job training is important for trainees and in most Member States is combined with formal training. However on-the-job training alone can be conducive to maintaining "local" habits and procedures. Training by older colleagues can lead to a structural resistance to change and restrain the implementation of newly adopted cross border procedures.

The questionnaire also looked at monitoring and assessment of quality of training in general terms. It is notable that very few court staff training providers have a robust strategy for assessing and monitoring the quality and effectiveness of the activities they organise, nor for assessing the needs for future training activities.

All 27 answers mentioned the use of questionnaires filled in by participants. This is a basic approach, allowing the training provider to have feedback on the feelings of participants about the training activity, but often not so much about concrete questions.

Out of 20 answers indicating the existence of an internal quality monitoring system, only 7 detail a process which allow for yearly changes in answer to evolution of needs.

Only three training providers seem to answer an external monitoring process concerning the quality and effectiveness of the training activities they organise.

Lack of such data can be seen as an obstacle to defending a stable or increased budget, as it is much more difficult to obtain money with no argumentation about the proven usefulness of the activities to be funded.

Training of court staff during the induction period

Contrary to other professions involved in the justice system, recruitment of court staff may not be happening each year as it is subject to authorisation by the executive power and budget availability. In principle this is the case also for judges and public prosecutors, but for these two professions there is only in recent year one case in Estonia where recruitment was stopped for a period of two to three years. For court staff, this happens more often, in more Member States and for longer periods.

This is why, out of the 21 jurisdictions with induction period training system, 4 indicated that there had been no induction training period in 2012 due to budgetary freezes or reductions which stopped any recruitment (EN & WL, IT, PT, SI). IT indicated moreover that this situation had been ongoing for over 15 years. As a consequence, there had been a drastic decrease of the number of court staff active in courts as pensioners are not been replaced.

Altogether, in 2012, **6826** persons undertook training during their induction period. It can be combined with on the job training, internship, mentoring or coaching but the survey considered only formal training activities¹⁰. According to the way court staff is organised in each jurisdiction, court staff is under a variety of status during the induction period: trainees, newly recruited staff, staff on probation, etc.

The vast majority of newly recruited court staff are women (between 27,28 % and 95,59% of newly recruited staff), with the notable exception of Malta where court staff are still a male dominion. This recruitment reflects the fact that most candidates for court staff positions are female.

The questions regarding number and length of training activities during the induction period were difficult to answer for the respondents who used different means of counting:

- One training activity per topic
- One training activity per training period.

Thus the answers regarding length could vary between 1 day and 293 days to mention just the extreme. The questionnaire did not ask about the overall length of the induction period, which is information which would also be useful for the factsheets and would be most relevant to analyse how training in EU law can be integrated in the induction period.

Out of the 6826 persons trained in 2014, 3046 followed some kind of training in EU law. This is quite positive inasmuch it represents 44,60 % of the total and discussions

¹⁰ Lectures, workshops, simulation, distance learning, etc.

with national contacts had given the impression that nearly none had any EU law training during induction period. So court staff in 7 Member States (CZ, DE, ES, HR, LT, RO and SE) is trained in EU law. The figures would be higher if all the German länder had sent answers to questionnaires two, at least for Rechpfleger and Gerichtsvollzieher, as discussions during the regional meeting in Dresden seemed to indicate that all lander include EU law in their induction period.

But the related training activities appear quite short and for some Member States, training in EU law could be just one day on one topic.

Additionally, the figures given do not concern all court staff categories in all Member States.

The obstacles indicated to doing more regarding EU law were that there was no need at the beginning of a career (6), a lack of demand (8) or no links with court staff tasks (3). In large numbers (17) the obstacles are based on the lack of need for such training, while answers to the third questionnaire show that no assessment of needs have been done on EU law aspects of court staff tasks.

Other reasons mentioned the need for access to material (3) or to expert trainers (4) as well as curriculum constraints (5).

Altogether, this shows that the first port of call to improve and develop training in EU law at the beginning of a career is to work with training organisers and trainers and demonstrate by concrete examples how in increased instances EU law hinges with national legislation and procedures and is an integral part of some court staff's tasks and duties.

The lack of demand is not a relevant obstacle regarding induction period training as newly recruited staff are not in a position to make any demands regarding the contents of their training and its relevance to their future tasks. The lack of demand comes more from trainers and training organisers, who were themselves recruited or trained at the time when the European Area of Justice was not so developed. No training organiser indicated having conducted a needs' assessment regarding the impact of EU legislation adopted in the last ten year on court staff duties.

As a result, it is not surprising to note that there were no cross-border exchanges or training organised for court staff during their induction period since 2009, with a single exception confirming the rule.

Indeed it came as a welcome surprise that CZ indicated court staff have benefited from cross border exchanges organised with HU, PL and SK through EU funding obtained via the EJTN for the Visegrad group Judicial Academies.

We can mention then that **200 court staff** (40 from CZ) have benefited from EU funds and participated in exchange activities between 2009 and 2012.

This is an exception and most responding structures appear to have difficulties even imagining that court staff from other MS could participate in the training activities they organise or that sending their court staff in another MS during their induction period could be of interest.

Asked whether this would be possible, only three answers are positive and only one (CZ) is linked to a real life case. BE and MHP mention that it is possible but do not mention any case.

Continuous training and EU law

In 2012, **101 268 court staff** followed a session of continuous training. It is quite possible that some of the court staff concerned participated in several training activity, but not all participants are accounted for in all countries. So this is quite an achievement in relation to the overall number of 344 000 court staff in activity, as counted through CEPEJ figures and numbers received from the national contacts.

However a global figure needs to be completed by the remarks that the situation varies greatly from one Member State to another and that several respondents indicated that due to budgetary constraints they could not put in place all the necessary training activities.

Detailed figures were given for training activities concerning only **80 044** persons. Out of this number, the vast majority participated in face-to-face training activities (81,49 %), a respectable number in e-learning (17,85 %) and a token number in blended learning (0,6%).

It should be noted that the figures for e-learning are boosted by the shift done in England & Wales from face-to-face training to e-learning. There 8260 persons took part in face-to-face training (41,9%) and 11456 in e-learning (59,1%). This is due to a policy decision taken at the highest level and which was explained to the project team during the Edinburgh regional meeting. This change in policy is mostly due to financial reasons, but has also the advantage to allow for precise evaluation of the effectiveness of the training modules through ex-ante and post-ante evaluation forms filled in by the participants. In Scotland as well a majority of court staff was trained through e-learning (54,85%), but the context seems to be different as most of the training modules were developed in answer to statutory training obligations regarding health & safety rules and other technical issues and is only slowly expanded to other topics. The trainers indicated that contacts between trainees during face-to-face

training allow for sharing of experience and discussions between trainees are part of the training activity and beneficial to all.

Blended learning has been implemented by only three jurisdictions (IE, Scot & SE). 16 answers received to the general question about types of training organised mentioned blended learning but further discussions by the respondents indicated that while blended learning is under consideration in the 13 others, it is currently under development or evaluation and not yet used.

While these points provide information about the general background to continuous training - what about training court staff regarding EU law aspects of their tasks and duties?

16 respondents did organise such training activities in 2012 – but 16 did not.

Altogether, only 48 training activities on EU law took place in 2012 – to be compared to the overall total of general training activities of 6341. This pitiful 0,75% reflects the still prevalent belief in the justice system that EU law has no relevance to court staff tasks and duties as well as the fact that it is often well hidden behind the very national procedures which court staff have to implement. The national aspects prevail, even if participants in Regional Meetings and the European Conference came to the conclusion that there were more to EU law than they had previously thought.

Unfortunately for this study, there is a gap in the way the questionnaire was drafted and we do not have the number of participants in those 48 activities.

Surprisingly in this context, there are 4 examples of training activities in legal terminology from other Member States, organised by CZ, FI, IT and SK specifically for court staff. 396 persons participated in these activities. IT was also the only jurisdiction which organised some training activities about the legal systems in the other Member States (3 activities).

Training in EU law appears also to be a bit of luxury in a time of budgetary constraints. More than the obstacles listed in the questionnaire, budgetary constraints or reductions are the main obstacles to further development of training in EU law for court staff.

Additionally, during Regional meetings and the European Conference, many participants indicated that training in EU law was not in demand amongst court staff and even that some activities had to be cancelled due to lack of registrations.

In general, everything needs to be done for development of training in EU law:

- Providing trainers with access to relevant materials
- Ensuring that training providers can contact expert trainers
- Convincing trainers of the relevance of EU topics for court staff
- Establishing cross border projects
- Building habits for common work between training providers.

This confirms initial discussions within the project team and explain why DG Justice has made "development of cooperation between national training providers" one of the objectives of the study. In this context, kick-starting cooperation between training providers needed direct contacts and discussions. This was the objective of the European Conference which took place in Dijon, France on 5-6 February 2014.

4. A European Conference to kick-start cooperation between national training providers

Regional meetings, which were held in autumn 2013 in the United Kingdom (Edinburgh, Scotland), Germany (Dresden) and Spain (Madrid), created a basis for a mutual understanding between national training providers and raised awareness about the existing training offers for court staff as well as about the importance of collecting their training needs regarding tasks with EU law aspects.

A European conference was organised by EIPA's European Centre for Judges and Lawyers and hosted by the ENG in Dijon on 5-6 February 2014.

It provided a great opportunity to discuss issues such as:

- (i) integrating EU law into training activities;
- (ii) developing interesting and efficient e-learning tools;
- (iii) developing and sharing common training contents on EU law;
- (iv) organising cross-border training activities and exchanges; and
- (v) developing recommendations for a strategy for support at national and/or EU levels.

The Conference allowed participants to hear each other's points of views, to participate in workshops regarding practical topics of common interests, to network and in fine to learn more about other judicial systems and other cultures in organisation of training activities.

The mood was upbeat and great expectations were created for the future. At this stage, contact points are still learning to know each other and are still coming to grip with the variety of judicial systems, training methodologies and cultures. This is why this European Conference cannot remain a one-off. At the moment, there is not yet a common understanding and common culture. In order to build on the achievements of the Conference, it is necessary to find ways and means to organise such an event for Court staff training providers at least once every two years.

It is true that a few participants had already participated in EU level meetings through participation of their structure in EJTN. This is the situation of the training providers which train not only court staff, but also judges and/or prosecutors: BG, CZ, EE, ES, HU, LV, LT, PL SI, SK.

In these cases, the challenge is to forget all the discussions regarding training of judges and prosecutors which are much more advanced since they have been taking place regularly for the past 15 years, put on another hat and concentrate on the specific problems and considerations for training of court staff. To be successful,

European judicial training of court staff cannot be considered as a smaller scale replica of training of judges and prosecutors.

It should be noted that DK, FI, NL and SE have declined participating in Regional meetings and European Conference due to a heavy workload. This also shows that the importance of face-to-face meetings when starting on new prospects for court staff is still underestimated. BE and EL could not be represented at the European Conference due to last minute personal or professional problems, but were represented at one Regional Meeting. To ensure that future developments are as useful as possible, the training providers from these Member States will need to be gently encouraged to attend any future event.

One topic of major interest was the use of e-learning tools. All training providers considered that e-learning is of great interest to compensate some of the weaknesses of the present systems which enable only a minority of court staff to follow training. E-learning also allows taking into consideration the workload of court staff who are under great pressure to tackle backlogs with limited human resources.

However, many training providers have not yet implemented e-learning due to lack of internal technical expertise. Exchanges between colleagues from different Member States indicated that that cross-border cooperation could also be about capacity building between training providers - cross-border cooperation can be an enabling element for increasing the use of new learning methods throughout the EU.

Other possible areas of cross-border cooperation were discussed in a dedicated workshop, where ideas, realistic or not, were shared in a creative manner, to try and overcome any self-censorship which is currently plaguing discussions. Discussions have to move beyond reflexions such as "it won't be feasible as there is no funding for this, there is a lack of human resources, there is no way to overcome the linguistic issue, etc." which usually block advances. Discussions on possibilities for economies of scales, reuse of existing material through local translations, use of online resources such as MOOC¹¹, or translating projects such as Coursera translator¹² did not go very far and will have to be addressed in the next stage of the process.

The needs analysis workshop was the opportunity to discover a very precise, detailed and structured French tool describing through factsheets the necessary skills and competences to fulfil each specific position in courts. The collection of factsheets constitutes an exhaustive reference document¹³ which can be used not only to manage staff working in courts but to establish which topics have to be covered by induction period training. Continuous training is also informed by that reference document: if new competences are necessary, continuous training has to be organised with a view

¹¹ massive open online course or CLOM in French for "cours en ligne ouvert et massif".

¹² Coursera translator – the global translator community - <https://www.coursera.org/about/translate>.

¹³ Référentiel métier

of filling the gap for court staff already working in courts and public prosecutors offices. The level of detail of that document may have put off representatives from other Member States who clearly understood the level of hard and precise work implied by the production of such a detailed document. However in a lighter form, having a document linking tasks and duties to training needs assessment can be considered as a step forwards if implemented throughout the EU (on the model of the Europass CV, maybe?).

The fourth workshop considered the linguistic issues to be solved for any EU level project, cross-border project or implementation of a EU procedure by court staff. Existing experience in the matter of languages were shared. Though not formalised as "good practices", these experience show that there is a wealth of knowledge and practice which can be shared between colleagues from different Member States. The online European e-Justice tools were mentioned time and time again. The Conference can be considered as a good promotion exercise for them as information about the European e-Justice Portal or the European Judicial Atlas has not penetrated in all Member States to the same level.

In order to maintain some kind of visibility after the end of the project and communicate around the results of the Conference, the plenaries and interviews were videotaped. They have been concentrated down and bottled up in three short videos, one showing the ambiance of the conference, two addressing the themes: "cross-border cooperation" and "importance of training in EU law for court staff".

The interviews were in English, French and Spanish. Extracts have been used to create three videos summarising the main aspects of the Conference.

5. Lessons learnt: from the project team's experience to establishing a European framework for cooperation

The project team is constituted of persons who not only are collecting information from the different Member States, but also are representing their own training provider in the meetings and conference. They will also have a role to play in implementing the results of the study in at least 5 Member States.

This is why they participated in all the regional meetings, allowing them to gain an unprecedented overview of 29 judicial systems, to discover the variety of organisational solutions for an efficient management of a judicial system, to share ideas and experience about training of court staff and to share with the other participants their deepening understanding of the role of court staff in the European Area of Justice.

Rafal Rozanski, from KSSIP, has convincingly described the added value of e-learning tools for court staff in Poland, a Member State where the bulk of funding is dedicated to training of judges and prosecutors and face-to-face training creates budgetary and time constraints for participants who are supposed to travel to the training centre in Lubin. The e-learning resources have started to show an impact from 2012 with 1000 court staff being trained online. Through such a project PL is trying to start fulfilling court staff training needs which have not been met through traditional means of training. This is also an opportunity to raise the skill level of court staff in Poland and to ensure that the ongoing reform and modernisation of the Polish judicial system make use of all available competences. This e-learning project has been co-funded by the European Social Fund. This also provided food for thoughts for the participants at the European Conference as a demonstration that EU funds were available for well-designed projects regarding training of court staff. M. Rozanski will have now to ensure that KSSIP takes up and implement some of the recommendations of the project. Will the Visegrad group training providers be an example of multilateral cross-border cooperation in training of court staff?

Antonio Zarate, director of the Spanish CEJ, has ensured the participation of representatives of secretarios judiciales at the Regional Meeting and European Conference. This illustrates the importance of allowing court staff themselves to have a say and an active role in the development of a European strategy for training of court staff in EU law as well as in the assessment of their training needs. This is an example that training providers from other Member States might be asked to consider as in some cases they were represented by judges who had difficulties presenting an overview of court staff in their country and constantly reverted to examples regarding roles and tasks of judges, tending to consider court staff as just satellites with no specific independent competences. CEJ has supported the creation of a network of secretarios judiciales specialised in the implementation of EU cross-border cooperation instruments. CEJ is also one of the training providers organising the highest number of training activities on EU law. CEJ has now entered into a partnership agreement with the French ENG. The project was an opportunity to imagine how to extend such

agreements to other Member States. CEJ has the responsibility of demonstrating to less forward-looking training providers how cross-border cooperation can work in practice.

Steve Bain representing the Scottish Court Service has managed throughout the project to present a complex national situation in a simple manner. He has used the opportunity presented by the project to establish a working group in Scotland with his peers, in order to assess the possibilities to make their training system more EU oriented, to integrate EU law in the upcoming e-learning modules and to be ready to implement the recommendations Scotland will have a great role to play in liaising with training providers from Common Law countries, in order to build common projects, but also in order to ensure that Common Law and Continental Law training providers manage to work together on the long term.

Angela Arnold and Michael Schrandt representing the Saxon Ministry of Justice have demonstrated the vaunted professionalism and independence of actions of the German Rechtspfleger. They have had the important tasks to bring on board the project representatives from all German länder and the federal ministry of justice. Some länder have shown more interest than others, but all were contacted and could give input in the project. One result of the project was that representatives of each land present in the Regional Meeting in Dresden found out that they had much to discuss and that limiting one's effort to one's land court staff was also limiting the possibilities for organising training activities. Will several länder find the practical means to work together and organise some common training activities on implementation of EU law? In view of the numerous cross-border cases some länder, including Saxony, will find also very useful to work with neighbouring Member States, as more and more cases, whether family law, cross-border financial cases, imply implementing EU procedures. The Saxony ministry of justice can be considered on the forefront for Germany, also thanks to its responsibilities regarding European affairs.

Stéphane Hardouin, outgoing director of the French ENG and Edith Thévenet, deputy director, have provided continuously support and input for the project. ENG is a forerunner regarding training methods and assessment of needs techniques. The French Ministry of justice has also provided interesting information during the European Conference regarding the importance of establishing a detailed description of each court staff category's tasks and duties in courts through factsheets (the whole being called "référentiel métier") and using this information to assess what topics need to be included in the induction period training and which new aspects of the job need to be addressed through continuous training. Presence of human resources heads of unit from the Ministry of Justice in the European Conference has enriched the debate and has led to the discovery that many such factsheets have to be adapted to include a "EU law" part indicating for instance which EU law instruments a Greffier from a civil chamber need to be able to use. Holding the European Conference in Dijon has put European Union matters in the minds of the trainers there and the ENG at the core of future cooperation efforts. The challenge will be to maintain the impetus through organisational and personal changes. Will training in EU law remain an important

concern for the ENG when there are several national procedural reforms about to take place?

Peter Goldschmidt, director of EIPA Luxembourg, has kept a keen interest in the delivery and quality of the project due to his permanent interest for EU law issues and the European Area of Justice. Training court staff is a challenge for European level training providers. It is not enough to be able to present in an interesting manner pieces of EU legislation. It is necessary to get to grips with their practical implementation in very different national procedural contexts and be able to determine how EU and national procedures hinge together to make a whole. For instance the court staff involved in requesting a cross-border delivery of a judicial document has to understand how two national systems and the EU legal instrument work together. Due to lack of funding and linguistic issues, training of court staff will remain mostly national, while European training providers can provide the expert trainers which participants in the project have requested time and time again. How many languages will those trainers need to master? Or will they be able to help to train national trainers?

These short illustrative examples give a view of the variety of issues to be covered, show that there is already a group of institutions which have an in depth understanding of what the project has been trying to achieve and which can play a practical role in implementing future actions discussed during the project.

There is a need for a general framework for future actions since time constraints, human resources limits and financial issues will allow only a certain number of actions to take place.

This is why drafting recommendations has been one of the main work of the project.

6. Recommendations for future development

The recommendations' target audience is varied and even in training in EU law much can be done at local, regional¹⁴ and national level to create a general culture and understanding of the relevance of EU law in court staff tasks and duties.

The objectives of these recommendations are the following:

- To increase awareness of the EU law aspects of court staff' duties and tasks amongst court staff themselves as well as their managing structures with a view to ensuring that EU law aspects of national court cases are recognised and addressed;
- To enhance court staff's competences and skills in the use of national rules and procedures flowing from transposed EU directives as well as from direct use of EU regulations, thus making them comfortable with applying EU law in order to ensure that cases are dealt adequately, speedily, transparently and cost efficiently;
- To strengthen court staff's competences in general in order to enhance cross-border cooperation to provide citizens and firms with quality service throughout the European area of justice in cross-border cases;
- To propose practical solutions to establish or improve cross-border cooperation between training providers dealing with court staff;
- To propose avenues of work for future developments in training of court staff in EU law at national or regional level;
- To increase understanding of the usefulness of enhancing court staff's capacity to apply EU rules and procedures as well as the visibility of both existing and future training offers for court staff.

1. Recommendations addressed to the structures at the national or regional level responsible for overall organisation and development of training of court staff¹⁵

1.1 It is recommended to put in place a multi-annual strategy to develop training of court staff, including on the EU law aspects of their tasks.

¹⁴ Within a region of a Member State, a district court or a court of appeal can also develop actions for a European judicial culture.

¹⁵ They may be ministries of justice, ministries of public administration, ministries of finances, court services.

1.2 The multiannual strategy should establish concrete targets and indicate how the strategy should be funded as well as the human resources and tools necessary for its implementation.

1.3 In order to facilitate the implementation of the training strategy, it is recommended:

- to develop descriptions of the various court staff's positions, of their responsibilities and tasks, including any specific tasks derived from EU law instruments and cross-border cooperation.
- to introduce an analysis of the training needs of court staff in both EU law instruments and cross border cooperation through:
 1. surveys done at regular intervals – these surveys could target not only court staff themselves but also other legal professions working with them, civil society organisations or even citizens - to help evaluating the existing gaps in the current training offer;
 2. online forms where court managers could indicate which topics need to be covered by the training offer in order for court staff to fulfil specific tasks or to meet specific needs of court staff;
 3. questions about training needs in the documents used during existing assessment processes of court staff.

1.4 It is recommended that **structures responsible for the overall organisation and training of court staff** support actively and concretely projects on cross-border cooperation between training providers by including these projects in their business strategy, budgets and reports.

1.5 It is recommended to enhance the necessary linguistic skills of court staff and trainers by:

- assessing the need for linguistic skills amongst court staff to ensure proper direct cross-border contacts and thus the smooth implementation of cross-border judicial cooperation;
- establishing targets on the basis of these assessments and including them in their overall strategy for cross-border cooperation;
- assessing the need for development of linguistic skills to ensure proper participation of their national training providers' staff in cross-border cooperation projects;
- providing financial support to training providers to ensure development of training in legal terminology in one or several EU languages.

2. Recommendations addressed to the training providers of court staff

2.1. It is recommended to organise training of trainers focused on the way EU law aspects can be integrated and made visible in existing and future training activities pertaining to the legal procedures in which court staff intervene.

2.2 It is recommended to communicate with heads of courts, directors of staff, and all persons managing court staff on a day-to-day basis

- to raise awareness about the necessary competences to ensure a quality level of service of justice by court staff;
- to raise awareness about the EU law aspects of certain court staff tasks and duties;
- to raise awareness about the usefulness and cost efficiency of training of court staff;
- to raise awareness about the existing European online resources which can support the work of court staff.¹⁶

2.3 It is recommended that each **training provider**:

- determines realistic objectives for development of court staff training in EU law and development of cooperation with training providers in other Member States and European level training providers;
- designates one member of their staff as responsible for overseeing the implementation of that strategy;
- communicates on a yearly basis with the European Commission on the activities developed to reach those objectives;
- includes information about these activities in its yearly report.

2.4 It is recommended that **groups of training providers** organise cross-border projects – according to their capacities, resources and objectives – either bilaterally or multilaterally.

Indeed it is recommended that **training providers** establish cross-border cooperation to

- develop common e-learning modules on the EU law aspects of certain court staff tasks and duties;
- organise common train the trainers activities;

¹⁶ Such as :

European e-Justice Portal <https://e-justice.europa.eu/home.do?action=home&plang=en>

European Judicial Atlas in civil matters

http://ec.europa.eu/justice_home/judicialatlascivil/html/index_en.htm

Solvit http://ec.europa.eu/solvit/index_en.htm

- develop in common training contents on EU law matters which could be used in face-to-face, distance or blended learning activities at national, regional or even local level;
- evaluate how to lower financial burdens by sharing IT resources or human resources;
- build the basis of an informal EU network of court staff training providers.

2.5 It is recommended that **training providers** work with existing European level networks relevant to specific tasks of court staff according to the way they are organised at national level¹⁷. These networks can be relevant for all Member States, but sometimes only for one or a few types of court staff.

3. Recommendation addressed to Ministries of Justice

It is recommended that **Ministries of justice** ensure that any project regarding reform of justice or strategies for improvement of service of justice involve representatives of court staff at all stages to ensure that the training activities necessary to the proper implementation of said reforms are determined and implemented in due time.

4. Recommendation addressed to the European Institutions

4.1 It is recommended that the **Member States** adopt in Council a resolution dedicated to training of court staff, underlining specifically its importance for a quality and cost efficient service of justice to citizens and firms undertaking a court case in another Member State than their Member State of origin.

¹⁷

For instance :

EULIS – European Land Information Service <http://eulis.org/>

EBR – European Business Register <http://www.ebr.org/>

EJN – European Judicial Network in civil and Commercial matters

http://ec.europa.eu/civiljustice/index_en.htm

EJN- European Judicial Network in criminal matters <http://www.ejn-crimjust.europa.eu/ejn/>

EUPAN – European Public Administration Network <http://www.eupan.eu/>

Europe Direct - http://europa.eu/europedirect/index_en.htm

Pan European Networks <http://www.paneuropeannetworks.com/>

European Network of ombudspersons for children <http://www.crin.org/en/enoc>

Network of Presidents of Supreme Courts <http://www.networkpresidents.eu/>

ACA Europe – Association of Councils of State <http://www.aca-europe.eu/index.php/en/>

ENCJ – European Network of Councils of the Judiciary <http://www.encj.eu/>

EUR – European Union of Rechtspfleger <http://www.rechtspfleger.org/>

CEHJ – European Chamber of Judicial Officers <http://www.cehj.eu/>

UIHJ – International Union of Judicial Officers <http://www.uhj.com/en/>

Indeed, the training of legal professionals, including court staff, should be settled as a priority of the program post-Stockholm 2015-2020.

4.2 It is recommended that the **European Commission** support the development of cross-border cooperation between court staff training providers by:

- providing them with a dedicated venue at least once every two years to meet, exchange experiences, discuss which legislative initiatives might trigger new developmental needs and/or new training methodologies and technologies;
- inviting a few of their representatives to events organised for instance in the context of the Forum of Justice or when a new relevant EU legislation is about to come in force;
- supporting quality cross-border projects by funding partially through financial programmes of DG Justice and other relevant DGs;
- supporting the translation of quality training contents to be put at the disposal of training providers through the European e-Justice Portal;
- including information about European level, national and regional court staff training providers on the European e-Justice Portal to ensure that contacts can be easily taken.

4.3 It is recommended that the **European Parliament** continue to support the development of training of court staff in EU law by:

- mentioning the topic in their resolutions relative to the European Area of Justice
- insisting that it is included in discussions with other EU institutions
- having MEP visit the national and European level training providers of court staff to give those institutions more visibility and status and to bring Europe closer to court staff

5. Recommendations addressed to individual court staff

5.1 It is recommended that individual court staff strive to participate regularly in training activities, in order to enhance their competences and to keep up-to-date with legal and organisational evolutions.

5.2 It is recommended that individual court staff inform themselves on the EU law aspects of their tasks and duties, with a view of implementing in their tasks and duties the EU fundamental rights.

5.3 It is recommended that court staff inform themselves on the way judicial systems are organised in other EU Member States.

7. Conclusions

Results have already been gathered during the time of the project:

- increased awareness of the importance of court staff amongst decision makers,
- increased common understanding amongst national training providers,
- establishment of a set of documents which can be disseminated and used for future actions,
- creation of a group of fully engaged training providers.

For all that, much remains to be done regarding training of court staff in EU law as it is still very much an uncharted landscape.

The yearly statistical survey put in place by the European Commission since 2011 will be able to list the categories of court staff for which data is requested and will be sent directly to the relevant training providers. This will mean higher quality data and more visibility at EU Level.

However, a plan of action by the European Commission might be helpful to maintain the high level of interest, to ensure that training providers explore further the possibilities for cross-border cooperation, to help make the issue a EU level priority in the Council and European Parliament.

A small fire has been kindled but additional efforts, support and funding are necessary to transform it into a cheerful blaze.

Exchanges of experience through direct contact between training providers are necessary in addition to all exchanges possible at distance, to ensure that the project help not only to improve day to day practice of one or another EU instrument, but also ensure that all court staff participate in the development of a common judicial culture in the European Union.

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Annex A – Study's Questionnaires

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Questionnaire one – PART A

Description of categories of court staff

(1 questionnaire per category)

Country:

Name of answering structure: (training organiser or training provider)

Name of person responsible for the answers: (optional)

Email:

Date:

Nota bene: Please fill in one questionnaire per category/profession of court staff

*Nota bene 2: See glossary for words followed by an **

A. Describing the profession or category

1. Name used in the national judicial system for this specific category or profession:

.....

What would be the most precise translation in English (if applicable)

.....

2. What is the legal basis establishing/regulating this profession/category

.....

(if possible include the URL to the legal basis if published online – you can also send it in attachment)

B. Access to the profession or category of court staff

3. What are the prerequisites to access the profession/category (tick all applicable options)

- ☐ None
- ☐ Secondary-school/high school diploma
- ☐ Higher education degree
- ☐ Higher education master
- ☐ Higher education degree in law
- ☐ Higher education master in law
- ☐ Higher education state diploma in law
- ☐ Professional experience – please indicate which.....
- ☐ Others - please indicate which.....

4. When the prerequisites include a degree or diploma in law, do these include aspects of EU Law?

- ☐ Aspects of EU law are compulsory
- ☐ Aspects of EU law are optional
- ☐ Not known

5. At what level are the recruitment decisions taken?

- ☐ National
- ☐ Regional
- ☐ Court level
- ☐ Other – please explain.....

6. What is the principal recruitment process?

- ☐ State/public exam
- ☐ Interview by recruitment jury
- ☐ Interview by head of court
- ☐ Selection through written application
- ☐ Practical tests (testing practical skills)
- ☐ Private candidature to a public office
- ☐ Private candidature to a public office including payment of dues

7. Are there alternative routes to access the profession? (tick all applicable options)
- ☐ Apprenticeship in lieu of a degree
 - ☐ Transfer routes from other professions (e.g. from academia, law enforcement, public administrations etc.)
 - ☐ Internal exams for civil servants
 - ☐ Internal interview for civil servants
 - ☐ Others (for instance- holding a paralegal position for a certain number of years) – please explain which

You can describe your national system here if you wish to detail the various alternative routes available in your jurisdiction.

.....

C. Duties of the profession/ category

8. What are the main duties or responsibilities of the profession/category? (tick all applicable options)

- ☐ Specific competences regarding judicial decisions
- ☐ Procedures
- ☐ Management
- ☐ Administrative tasks
- ☐ Service (guarding, cleaning, etc.)
- ☐ Assistance to the judiciary in drafting decisions
- ☐ Others:

Please describe them in a succinct manner

.....

9. The profession/category of court staff described in this answer plays a role in: (tick all applicable options)

- ☐ Civil law and procedures
 - o Cross-border civil procedures
- ☐ Commercial law and procedures
 - o Cross-border commercial procedures
- ☐ Criminal law and procedures
 - o Cross-border criminal procedures
- ☐ Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- ☐ *Service of judicial and extra-judicial documents**
- ☐ Enforcement of court decisions

- ☐ Human rights
- ☐ Access to justice
- ☐ Rights of the victim
- ☐ Rights of the child
- ☐ Administrative law and procedures
- ☐ Competition law and procedures
- ☐ Environmental law and procedures
- ☐ Assistance to judges and/or public prosecutors

- ☐ Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Authentication of judicial and extra-judicial documents
 - o Court programming/management of court agendas
 - o Human Resources/personel issues
 - o Budget
 - o Health & safety, building administration

o Others – please explain.....

10. Are aspects of EU Law relevant for the profession/category

- ☐ Important
- ☐ Exist but constitute only a small aspect of the overall duties
- ☐ Are becoming more important as more EU legislative instruments are being adopted
- ☐ Not relevant
- ☐ Other:.....

D. Organisation of the profession/category

11. Please indicate the contact details of the structure/institution in charge of the overall organisation of the profession

.....

Website:

12. Training of the profession/category is provided by which types of training providers

Please tick all applicable options with regard to numbers and types of training providers

Type of structures	Private Sector Structure		Public sector structure		Professional organisation*		European training provider	Other
Number Of structures	National level	Regional level						Please explain !
1								
2-5								
6-10								
10-20								

Do not hesitate to explain the situation in more details:

.....
.....

13. Please indicate the contact details of the structure(s)/institution(s) in charge of organising training activities for the profession/category

.....

Website(s):

14. Please indicate the contact details of *professional organisations** relevant for this profession/category of court staff

.....

Please indicate Website if applicable:

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Questionnaire one – PART B

Description of training system

Country:

Name of answering structure: (*training organiser** or *training provider**)

Name of person responsible for the answers: (optional)

Email:

Date:

Nota bene: If needed, please fill in more than one questionnaire

1. Please indicate the norms/ the rules/legal basis regulating the framework and the organization of the training system

.....

(if possible include the URL to the legal basis if published online – you can also send it in attachment)

2. Please indicate which profession or category of court staff is concerned by this training system

A. Training during the induction period

3. Is there an *induction period**?

☐ Yes

☐ No

☐ Yes, for the following entry routes into the profession.....;

If no, please go to question 12

4. Is this *induction period** compulsory?
- ☐ Yes
 - ☐ No
5. Does it have a set length?
- ☐ Yes
 - ☐ No
- If yes please indicate the required number of years, weeks, days or hours
(indicate unit relevant to your national system)
6. If it exists, which types of structures are responsible for setting the rules for training during the *induction period**? (tick all applicable options)
- ☐ National Ministry of justice
 - ☐ Regional Ministry of justice
 - ☐ Supreme Court
 - ☐ National Court Service
 - ☐ Regional Court Service
 - ☐ Prosecution Service
 - ☐ Local court
 - ☐ National Training Provider
 - ☐ Regional Training Provider
 - ☐ Other – please explain.
7. Please indicate what form the *induction period** takes: (tick all applicable options)
- ☐ Training Courses on legal professional skills (procedures, drafting, etc.)
 - ☐ Training Courses on non legal professional skills (management, budget, communication, etc.)
 - ☐ Training on EU law
 - ☐ Apprenticeship in courts
 - ☐ Apprenticeship in a variety of structures (administrations, law offices, law enforcement services, etc.)
 - ☐ *Coaching**- please explain
 - ☐ On-the-job training – please explain
 - ☐ Other – please explain
8. Is there a set curriculum during the *induction period**?
- ☐ Yes
 - ☐ No

If yes, please list the main topics covered during the induction period (for instance which aspects of substantive law, procedural law, legal and non legal professional skills)

.....

9. Does it include specific sessions or work on the implementation of EU law, or other EU Member State legal systems?
- ☐ Yes
 - ☐ No
- If yes, please list the EU law aspects covered

.....

10. Does it include specific activities regarding linguistic training in relation to duties to be carried out

- ☐ Yes, please explain
- ☐ No

11. What is the procedure for a court staff to spend time in a court of another Member State during the *induction period**?

.....

- ☐ this is not possible in our training system – please explain why.....

B. Continuous Training

12. Is *continuous training** compulsory?

- ☐ Yes
- ☐ No

13. Are there specific obligations to fulfil? (tick all applicable options)

- ☐ Number of hours of training per year
- ☐ Specific curriculum for accessing certain positions – please explain
- ☐ Courses related to the position held
- ☐ Other – please explain:

14. Who is paying for court staff continuous training (tick all applicable options)

- ☐ Ministry of justice
- ☐ Supreme court
- ☐ National training provider
- ☐ Regional training provider
- ☐ Court services
- ☐ Local Court
- ☐ Prosecution services
- ☐ University
- ☐ *Professional organisation**
- ☐ The participant

15. What are the methods used for continuous training (tick all applicable options)

- ☐ Attending face to face training sessions
- ☐ Completing distance training sessions
- ☐ Completing e-learning modules developed by training providers established in another Member State
- ☐ Watching webinars
- ☐ Completing *blended-learning** activities
- ☐ Training period in other courts
- ☐ Other – please explain:

16. Is there a continuous training programme?

- ☐ Yes
- ☐ No

If no go to question 17

If yes, is it disseminated to court staff (tick all applicable options)

- ☐ At national level
- ☐ At regional level
- ☐ Court level
- ☐ Online

If it is accessible on internet, please indicate the URL

If yes, does it usually include training activities regarding (tick all applicable options)

- ☐ EU legislation
- ☐ EU jurisprudence/case-law
- ☐ EU cross-border judicial procedures
- ☐ Legal systems of other Member States
- ☐ Legal terminology and language of other Member States – please indicate which:
- ☐ Other issues of interest at EU level – please explain:

17. Is it possible for court staff to participate in training activities taking place in another Member State? (one answer only)

- ☐ Yes, it is a regular part of the training
- ☐ Yes, it is an exceptional part of the training
- ☐ No

If no, please indicate why and indicate if you think that, according to you, there could be any added value of enabling court staff to participate in training activities in another Member State:

If no, please go to question 18

18. Are there specific conditions to fulfil?

- ☐ It depends on the activity being co-organised by training providers of the two concerned Member States (MS of origin and MS where the training takes place)
- ☐ It depends on the participation to the activity being accepted beforehand by the structure in charge of organising *continuous training* at national level
- ☐ It depends on the participation to the activity being accepted beforehand by the structure in charge of organising *continuous training* at regional level
- ☐ It depends of the level of costs involved – please explain:
- ☐ Others – please explain:

19. Is it possible to spend some time in a court of another Member State as a training activity for *continuous training*?

- ☐ Yes
- ☐ No

If yes, please indicate how it is organised:

.....

20. If no, please indicate the reasons

- ☐ No direct contacts exist with courts in other Member States
- ☐ It is too costly
- ☐ It is not relevant for the discharging of court staff duties
- ☐ Other:

C. Evaluation of training activities

21. Is there a scheme in place to evaluate the existing *induction period** training activities (quality, topics, objectives, etc.)?

- ☐ Yes
- ☐ No

If yes, please explain how it works and which structure is responsible for it:

.....

22. Is there a scheme in place to evaluate the existing continuous training activities (quality, topics, objectives, etc.)?

- ☐ Yes
- ☐ No

If yes, please explain how it works and which structure is responsible for it:

.....

23. Is there a scheme in place to identify training needs and adapt continuous training programmes?

- ☐ Yes
- ☐ No

If yes, please explain how it works and which structure is responsible for it:

.....

24. Is participation in continuous training taken into consideration for the professional evaluation of a person?

- ☐ Yes
- ☐ No

If yes, please explain how it works:

.....

Looking to the future

25. If plans are afoot to reform the national training system, please indicate

- When the reform is supposed to take place?
- What changes are foreseen?
- Will the reform reinforce the EU law aspects of training (both for induction period and continuous training)?
- and - if yes - how?

.....

Additional request for information

If you are able to do so, please send a list with contact details – in particular websites URL and email addresses – of any national, regional and local training providers you are aware of.

Nota bene: this information will not be published and only used by the project team to contact as many training providers as possible. It will be complemented by publication of questionnaires 2 and 3 online.

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Questionnaire Two -

existing training activities including aspects of EU law

Please note that the current survey does NOT address any academic training (legal or general) which might be necessary to become a court staff (in answer to diploma requirements). The current survey SPECIFICALLY looks at the activities relative to professional training which are specific to or involve court staff, whether they are just about to begin, at the beginning or during their career.

Country:

Name of answering structure:

Name of person responsible for the answers:

Email:

Date:

Section 1 – Your organisation as a provider of training for court staff

1. Is your organisation European Union wide (i.e. do you provide training for participants from all Member States including Croatia)
☐ Yes
☐ No

If yes, please go to question 3

2. In which Member State/Region do you provide training?
If you provide training in more than one Member State, please list them all.

.....
.....

3. How would you describe your organisation as a training provider?
Please indicate which of the following applies (only one choice):
- ☐ A national/regional ministry of justice department responsible for training of court staff and directly organising training activities
 - A national/regional public sector structure
 - ☐ dedicated to training civil servants
 - ☐ dedicated to training legal professions
 - ☐ specialising in training court staff
 - ☐ involved in management of courts and having training of court staff in its duties
 - A not-for-profit structure
 - ☐ providing general professional training
 - ☐ dedicated to training of legal professions
 - ☐ specialising in training of court staff
 - A private sector training provider
 - ☐ providing some training activities to court staff, but non specialised
 - ☐ with various legal professions as clients, including court staff
 - ☐ specialised in training of court staff
 - ☐ A higher educational institution
 - ☐ A professional membership organisation for court staff (trade-union, association, etc.) or a subsidiary
 - ☐ Other – please specify
4. Please indicate the date of creation of your organisation:
5. Does your organisation provide: (Please tick all that apply)
- ☐ Face to face training*
 - ☐ E-learning*
 - ☐ Blended training*
6. Please indicate the period of a court staff' career for which you provide training - (Please tick all that apply)
- ☐ Induction period* training (i.e. just before or after recruitment as a court staff)
 - ☐ General continuous training*
 - ☐ Specific continuous training activities compulsory for career progression or promotion
 - ☐ Other – please specify what it is and explain why it does not fit into one of the above categories.....

7. How many training activities did you organise in 2012 altogether? (one choice only)
- ☐ 1-10
 - ☐ 10-20
 - ☐ 20-50
 - ☐ 50-100
 - ☐ More than 100
8. How many training activities did you organise in 2012 which had court staff as a target audience, either specifically or amongst other legal professions
- Legal training:
 - Management:
 - Professional skills (use of IT tools, communication, etc.):
 - Other – please indicate which.
9. Over 2012 what is the background of the trainers/experts who delivered the training activities you provide to court staff? (Please tick all that apply)
- ☐ Permanent staff/employees of your organisation
 - ☐ Court staff
 - ☐ External academics
 - ☐ Judges, prosecutors and other legal practitioners
 - ☐ External consultants specialised in legal matters
 - ☐ External consultants specialised in non legal matters (for instance soft skills, management, etc.)
 - ☐ Others (please specify)

If you do NOT provide induction period* training, please go to question 23

If you DO NOT provide continuous training*, you will be able to skip section 3 of the questionnaire

If you provide both stages of training, please complete as much of this questionnaire as you can.

Section 2 – Induction Period* Training

10. Over 2012, how many trainee or just recruited court staff participated in your training activities organised specifically to answer the national/regional requirements regarding the induction period?
- Men
- Women
11. Over 2012 how many training activities relative to the induction period of court staff did you organise? Please indicate exact number
12. What was the length of most of the training activities relative to the induction period of court staff¹⁸?
13. What was the length of the shortest one?
14. What was the length of the longest one?
15. Do you organise induction period* training activities on aspects of EU Law and practice¹⁹ and/or other EU national legal systems for trainee court staff (in their induction period)
- ☐ Yes
- ☐ No

If yes, what are the duties of the court staff participating in those activities?

- ☐ Specific competences regarding judicial decisions
- ☐ Procedures
- ☐ Management
- ☐ Administrative tasks
- ☐ Service (guarding, cleaning, etc.)
- ☐ Assistance to the judiciary in drafting decisions
- ☐ Others:

If no, please go to question 18

¹⁸ Training day : at least six hours of training (a training activity with less than 6 hours of training or only measured in hours should be considered as one day for each six hours)

¹⁹ A training activity is related to EU law, if an EU law topic either :

- is the theme of the training activity as a whole (e.g. "The EU rules on international private law") or
- is included in a national law training session in the sense that only a part of the training session deals with the EU implications of a seminar topic (e.g. "national consumer sales law", IF during the training activity attention is paid to the necessity to interpret the national law along the EU directive on consumer sales law)

*"STUDY ON THE STATE OF PLAY OF COURT STAFF TRAINING IN EU LAW AND PROMOTION
OF COOPERATION BETWEEN COURT STAFF TRAINING PROVIDERS AT EU LEVEL"*

16. If yes, which of the following aspects of EU law and practice have you addressed during training activities over 2012 relative to the induction period? (please tick all relevant boxes)

Content (for each training activity – the MAIN content counts)		
	compulsory	optional
Substantive civil law (incl. international private law aspects)		
Commercial, company and competition law (incl. international private law aspects)		
Substantive criminal law		
Other substantive law (labour, environment, etc.) Please indicate which:		
Understanding and use of jurisprudence from the EU Court of Justice, procedures in front of the CJEU		
Practical legal tools and applications in crossborder cooperation in civil and commercial matters (e.g. European Payment Order, Small Claims Procedure, etc.)		
Practical legal tools and applications in criminal matters (e.g. European Arrest Warrant, European Freezing Order, etc.)		
Legal system, legislation and/or jurisprudence of other EU Member States		
EU Fundamental rights (victim rights, rights of the child, etc.)		
EU institutional law (e.g. principles, treaties, institutions)		

17. Please give a breakdown of numbers of court staff in their induction period* by number of training days²⁰ only on EU law /law of another Member State/foreign law attended.

Total number of court staff in induction period in 2012	Number of participants (court staff) in training on EU / other MS law lasting				
	1 day	2-3 days	4-5 days	6-10 days	More than 10 days

²⁰ Training day : at least six hours of training (a training activity with less than 6 hours of training or only measured in hours should be considered as one day for each six hours)

--	--	--	--	--	--

18. What are the obstacles to you offering more **or any** induction period* training in EU law and practice? (Please tick all that apply)
- ☐ Constrained by the existing compulsory curriculum (rules established by legislation or ministry of justice, etc.)
 - ☐ No need at the beginning of a career
 - ☐ Lack of demand
 - ☐ Difficulty to establish links between EU Law and court staff tasks
 - ☐ Lack of access to materials and/or contacts for course design
 - ☐ Lack of access to expert trainers
 - ☐ Other: (please explain)

European-level cooperation during the induction period

19. Can court staff from other Member States participate in your induction period training activities?
- ☐ Yes
 - ☐ No

20. Can court staff in your country participate in an established crossborder exchange programme during their induction period?
- ☐ Yes
 - ☐ No

If yes please explain

21. Over 2012, have you worked with training providers from other Member States in order to provide induction period training activities?
- ☐ Yes
 - ☐ No

If yes, indicate, for each cooperation project, which training providers were involved and from which Member States

.....

.....

If yes, please explain the added-value of such projects for your organisation

.....

How many court staff were participants in such projects?

- From your own Member State?
- From other Member States?

22. Do you have any other comments about the role or relevance of EU law in induction period training?

.....

Section 3 - *Continuous Training** activities

23. Over 2012, how many court staff participated in your training activities in the context of their continuous training (whether to fulfil statutory obligations or not)?
- Men
- Women

Organisation of continuous training

24. Type of continuous training activities
Number of court staff attending *face to face training** activities
Number of court staff completing *e-learning** modules
Number of court staff attending *blended learning** activities
25. Over 2012 how many continuous training activities did you organise in which court staff participated? Please indicate exact number
26. How many of these activities were organised exclusively for court staff? Please indicate exact number
27. What was the length of most of these training activities? (please also indicate whether hours/days, weeks)
28. What was the length of the shortest one?
29. What was the length of the longest one?
30. How often do you repeat instances of a continuous training activity? -Please tick one of the options below:
This concerns only face-to-face and blended learning activities
- ☐ Each training activity is designed as a one-off
 - ☐ Most training activities are repeated on a predictable cycle
 - ☐ Training activities are repeated according to demand (based on registration of participants)
 - ☐ Others – please explain -

Continuous training and career advancement

31. Are some of the training activities you organise compulsory for court staff at certain stages of their career – for instance before moving to specific positions or before a promotion?
- ☐ Yes
☐ No

If yes, please indicate in which cases:

.....
...
.....
...

If no, please go to question 35

32. if yes, how many such training activities did you organise in 2012
33. Please indicate their topics:
34. Do they include aspects of EU Law/law of other member states?
- ☐ Yes
☐ No

Continuous training and EU law

35. Do you organise continuous training* activities on aspects of EU Law and practice²¹ and/or other EU national legal systems for court staff (as part of continuous training in general)?
- ☐ Yes
☐ No

If yes, what are the duties of the court staff participating in those activities?

- ☐ Specific competences regarding judicial decisions
☐ Procedures
☐ Management
☐ Administrative tasks

²¹ A training activity is related to EU law, if an EU law topic either :

- is the theme of the training activity as a whole (e.g. "The EU rules on international private law") or
- is included in a national law training session in the sense that only a part of the training session deals with the EU implications of a seminar topic (e.g. "national consumer sales law", IF during the training activity attention is paid to the necessity to interpret the national law along the EU directive on consumer sales law)

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- ☐ Service (guarding, cleaning, etc.)
- ☐ Assistance to the judiciary in drafting decisions
- ☐ Others:

36. Please give a breakdown of numbers of continuous training activities* for court staff by number of training days²² **only on EU law /law of another EU Member State** (please indicate length of the whole activity)

Number of training activities pertaining to EU / other MS law lasting	Total	Less than 6 hours	1 day	2 days	3 days	4-5 days	More than 5 days

37. EU law contents of continuous training activities

Content (for each training activity – the MAIN content counts)	Number of training activities
Substantive civil law (incl. international private law aspects)	
Commercial, company and competition law (incl. international private law aspects)	
Substantive criminal law	
Other substantive law (labour, environment, etc.) Please indicate which....	
Understanding and use of jurisprudence from the EU Court of Justice	
Practical legal tools and applications in crossborder cooperation in civil and commercial matters (e.g. European Payment Order, Small Claims Procedure, etc.)	
Practical legal tools and applications in criminal matters (eg European Arrest Warrant, European Freezing Order, etc.)	
Legal system, legislation and/or jurisprudence of other EU Member States	
EU Fundamental rights	
EU institutional law (e.g. principles, treaties, institutions)	

²² Training day : at least six hours of training (a training activity with less than 6 hours of training or only measured in hours should be considered as one day for each six hours)

38. Continuous training on legal terminology

Over 2012, did you organise training activities pertaining to European legal terminology and/or legal terminology in other European official languages

- ☐ Yes
- ☐ No

If yes please indicate how many court staff participated in such training activities:

39. What are the obstacles to you offering more continuous training in EU law and practice? (Please tick all that apply)
- ☐ Constrained by the existing compulsory curriculum/ programme – please explain
 - ☐ Lack of demand/registration of participants
 - ☐ Difficulty to establish links between EU Law and court staff tasks
 - ☐ There is no need
 - ☐ Lack of access to materials and/or contacts for course design
 - ☐ Lack of access to expert trainers
 - ☐ Other: (please explain)

European-level cooperation for continuous training

40. Can court staff from other Member States participate in the continuous training activities you organise?
- ☐ yes
 - ☐ no

if no, please explain what are the obstacles to you doing so?

- ☐ No interest/not relevant
- ☐ Language barriers
- ☐ Cost issues
- ☐ No cooperation in place with training structures in other Member States

If yes, please indicate how many court staff from other Member States have participated in your training activities since 2009:

41. Over 2012, have you worked with other training providers in other Member States in order to develop continuous training activities?
- ☐ Yes
 - ☐ No

If yes, indicate, for each cooperation project, which training providers were involved and from which Member States

.....

.....

If yes, please explain the added-value of such projects for your organisation

.....

How many court staff were participants in such projects?

- From your own Member State?
- From other Member States?

42. Do you have suggestions on how EU training for court staff can be improved?
.....

Section 4 - Supervision and evaluation of training activities

43. Please indicate whether you obtain feedback from the participants after the training activities and how:
44. Do you participate in an **external supervision or monitoring system** (for instance established by the ministry of justice, the Supreme Court, common national scheme for all civil services departments, etc.)
- ☐ Yes
 - ☐ No

If no please go to question 48

45. If yes, please indicate whether it concerns (one choice only)
- ☐ Induction period training
 - ☐ Continuous training activities
 - ☐ Both
46. If yes, does the supervision process concerns:
- ☐ Quality of activities
 - ☐ Content of activities
 - ☐ Financial results
 - ☐ Others (please indicate).....
47. Does the supervision process include questions regarding EU law contents?
- ☐ Yes
 - ☐ No

If yes, please explain:

.....

48. Do you organise an **internal quality monitoring system** to evaluate your training activities?

☐ Yes

☐ No

49. If yes, please describe the steps of your internal process

.....

50. Any other remarks on training of court staff?

.....

**STUDY ON THE STATE OF PLAY OF COURT STAFF TRAINING IN EU LAW AND
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COURT STAFF TRAINING PROVIDERS AT EU LEVEL**

QUESTIONNAIRE 3 – Assessment of needs

Section 1: Background information

Country:

1. Are you:

- ☐ Representing a structure in charge of the overall organisation of court staff and their tasks? if yes, please indicate

Name of responding structure:

Name of person responsible for the answers:

Position:

Email:

- ☐ Representing a training provider? If yes, please indicate

Name of responding structure:

Name of person responsible for the answers:

Position:

Email:

- ☐ A representative of a professional organisation (trade-union, professional association) which does NOT organise or offer training activities

Name of responding structure:

Name of person responsible for the answers:

Position:

Email:

Implementation of the Pilot Project – European Judicial Training - Lot 3

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☐ An individual court staff

Email: (Optional – indicate if you wish to receive news from the project)

☐ Other, please specify

Section 2 – general questions on training needs

2. According to you, does the current training offer in your country fulfil the needs regarding

Up to	0%	20%	40%	60%	80%	100%	N/A
Responsibilities for certain judicial decisions							
Judicial procedures in civil and commercial matters							
Judicial procedures in criminal matters							
Judicial administrative procedures							
Substantive law							
Enforcement of court decisions							
Management tasks (Human resources, court management, management of health & safety or data protection issues, etc.)							
Administrative tasks							
Drafting skills							
Interpersonal skills (communication, team work, etc.)							
IT skills							
Others – please indicate which							

3. Please indicate specific areas or topics in which more training activities should be offered to court staff and why

.....

4. How could the general organisation of training in your country be improved?

Access to information about training activities

- ☐ Develop tool to access information online
- ☐ Regular electronic updates on training activities
- ☐ Advance notice of training activities – please indicate how much notice would be necessary
- ☐ Access to yearly training programme

Adaptation of training activities to court staff tasks

- ☐ Development of training activities to allow for internal promotion
- ☐ Adaptation of topics to changes in legislation, procedures
- ☐ Adaptation of the topics in answer to specific staff requests
- ☐ Adaptation of training methods – please explain.....
- ☐ Other – please explain...

Adaptation of overall context of training

- ☐ Organisation of training activities in more localities
- ☐ Increase in the number of training activities or places available
- ☐ Adaptation of length of training activities – please explain...
- ☐ Increase in approval of training demands by the hierarchy
- ☐ Reimbursement of travel costs
- ☐ Other – please explain....

5. What are your recommendations for improvement of the general training system in your country?

Section 3 – training needs on EU law/law of other EU Member States

6. According to you, are the training needs regarding the following topics properly addressed?

	0%	20%	40%	60%	80%	100%	N/A
Cross-border civil procedures							
Cross-border commercial procedures							
Cross-border criminal procedures							
Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)							
Service of judicial and extra-judicial documents							
EU law aspects of enforcement of court decisions							
EU Human rights (access to justice, rights of the child, rights of the victim, etc.)							
Cross-border e-justice (videoconferencing, online procedures, etc.)							
Linguistic skills							
Others – please indicate which							

7. Please indicate specific areas or topics of EU law in which more training activities should be offered to court staff and why

.....

8. What actions should be taken to develop further training activities with aspects of EU law/law of other EU Member States

Information about cross border aspects of a training activity

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- ☐ Providing information about EU law contents of a training activity
- ☐ Providing information about possibilities of interpretation
- ☐ Providing information cross-border to all activities open for participants from other Member States
- ☐ Describing relevance of EU law aspects to court staff's tasks
- ☐ Other – please explain

Availability of training activities with EU law aspects

- ☐ Inclusion of EU law aspects in training activities for induction period
- ☐ Development of access to such training activities to all court staff with a role in procedures with cross border aspects
- ☐ Possibility of access to such training activities to all court staff with interest in such topics whatever their current tasks
- ☐ Other – please explain

Crossborder context of training activities and exchanges

- ☐ Development of common training content on EU law by training providers from different Member States
- ☐ Development of possibilities of taking part in training activities in other Member States
- ☐ Development of possibilities of *cross-border exchanges**
- ☐ Development of specific linguistic training
- ☐ Development of e-learning modules on EU law

9. What are your recommendations for improvement in your country of the training of court staff on EU law / law of other EU Member States?

.....
.....
.....

ANNEXES B to E

They are included in the study as separate files.

Annex B – Court Staff factsheets

The factsheets are to be published on the European e-Justice Portal.

Annex C – Mapping court staff tasks and roles – EU law aspects

The factsheets are to be published on the European e-Justice Portal.

Annex D – Statistical data on training of court staff

The raw collected data is not published.

Annex E – List of participants in the project

The list of participants is not published for data protection reasons.

Annex F – Next steps on the path to cross-border cooperation

This document was included in the European Conference's documents so that participants can bring back to their colleagues some of the topics discussed and start a home grown discussion.

Next steps on the path to cross-border cooperation

One of the main objectives of the ongoing study on training of court staff in EU law is the development of cross-border cooperation between training providers regarding training activities for court staff.

The current Conference is the first event organised at European level where representatives of training providers from all Member States have been invited and we should be building on this milestone. It is important that this event is not a one-off, with no practical follow-up steps.

Due to the diversity of categories of court staff and to the various national training systems revealed by the answers to the study's questionnaires, cross-border cooperation can develop only if there is a focused effort by training providers to look beyond differences and concentrate on topics and activities of interest in several Member States.

At this early stage of contacts between training providers it appears more efficient to support different bilateral or multilateral cooperation efforts rather than try and propose a EU action plan applicable to all regardless.

The next steps in the development of cross-border cooperation will be taken only if individuals involved in training or organising training of court staff take ownership of the issue and look beyond national habits. The field is yours!

- Which aspects of your training activities could be of interest to some court staff from other Member States? Face-to-face courses? E-learning modules? Cross-border linguistic development?
- What topics for which categories of court staff should you focus upon? Administration of justice? Deontology, implementation of EU legislation in national cases? Cross-border cooperation procedures?
- Is it possible to develop cross-border cooperation for training on professional behaviours towards legal practitioners and citizens?
- How to ensure common standards in court cases regarding respect of EU fundamental rights, from protection of personal data to respect of rights of defence?

- Are there specific needs for linguistic training in your country or in some parts of your countries which could be answered better through cross-border cooperation? In a time of increased mobility of EU citizens, how to ensure that court staff have the right linguistic skills to properly welcome foreigners involved in a national court case outside of their country of origin?
- Which national procedures might benefit from staff in your country having a general understanding of the relevant/comparable procedures on the other side of the border?
- Would you care to share skills for designing practice-oriented training activities with trainers from other training institutes for court staff?
- And what about pooling resources and developing in common an e-learning platform?

Some of the above listed ideas can seem fanciful at this point in time, but let's not censor ourselves regarding potential possibilities for cooperation.

Putting your ideas and dreams into practice might take years but there is nothing to stop you to take the first step on the road towards cross-border cooperation.

During the Conference please discuss these questions, and more, with other participants - over coffee, during breaks, time and time again

Be bold and imaginative

Be provocative, you will get reactions

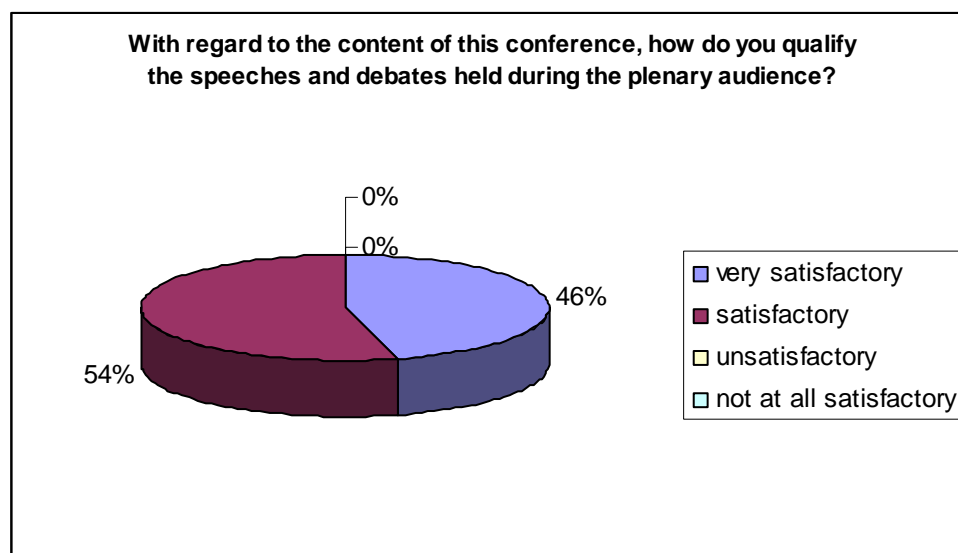
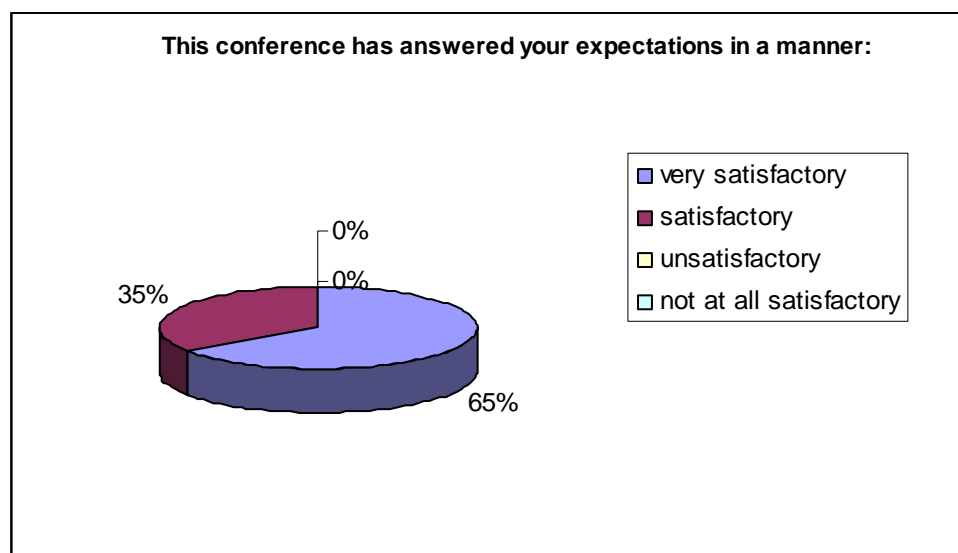
Get down to details - you will discover common values and objectives

Be ready to follow up on first contacts

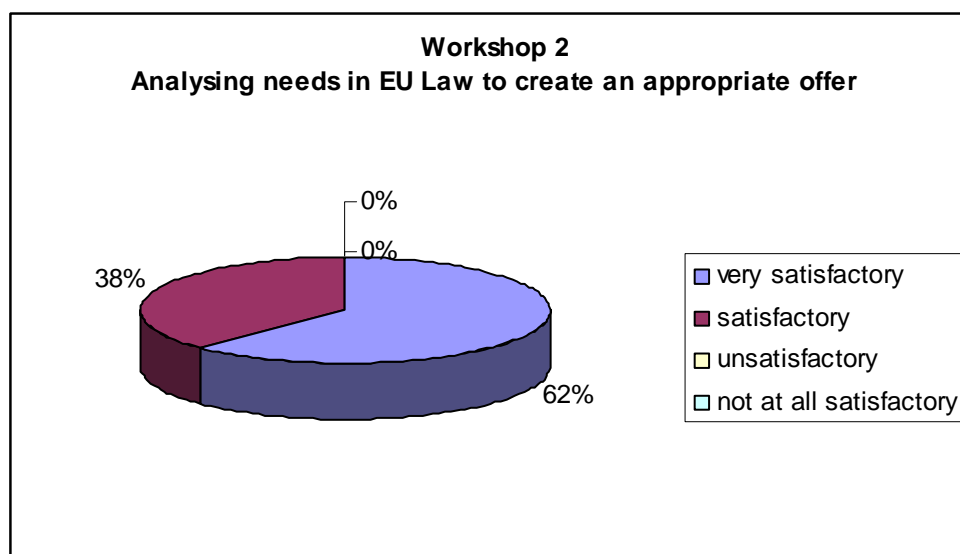
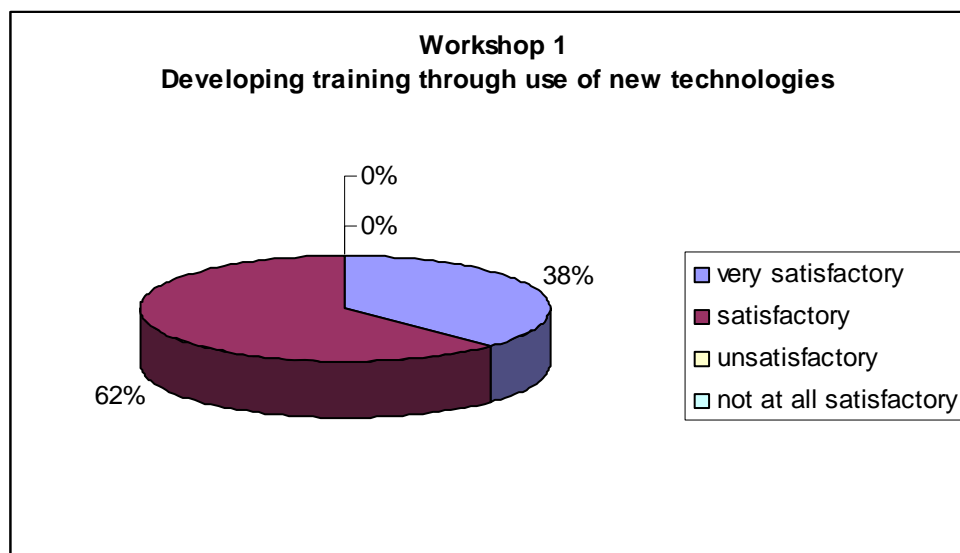
Annex G – Evaluation of the European Conference

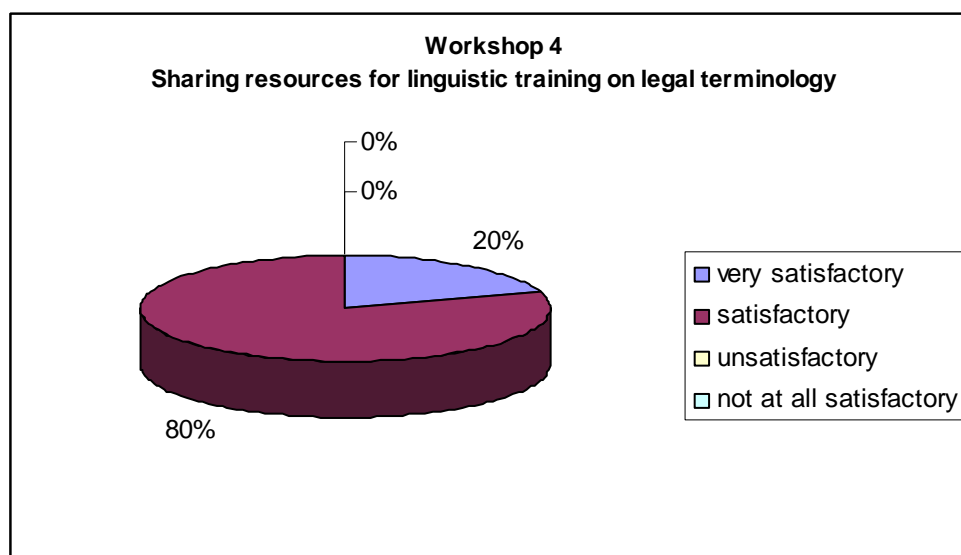
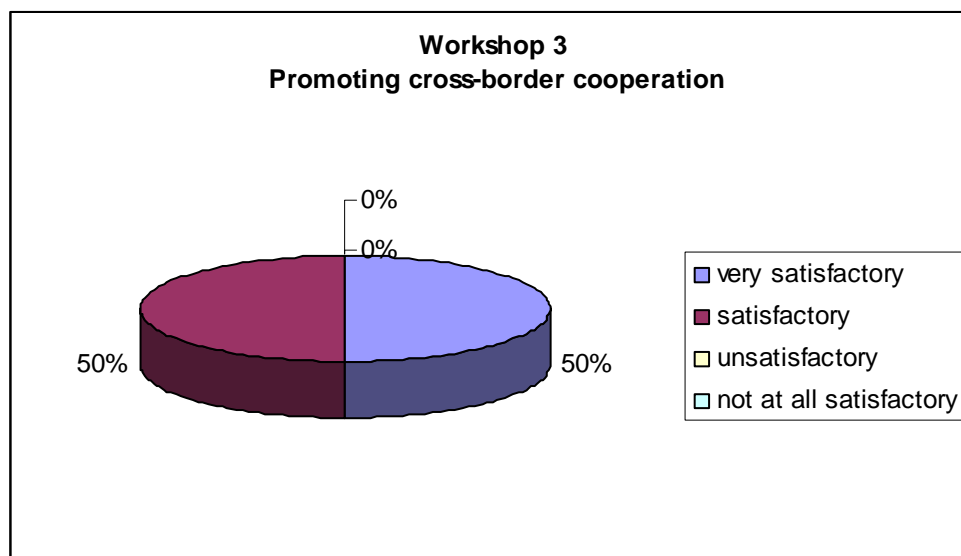
European conference in Dijon, 5-6 February 2014

Summary of evaluation forms

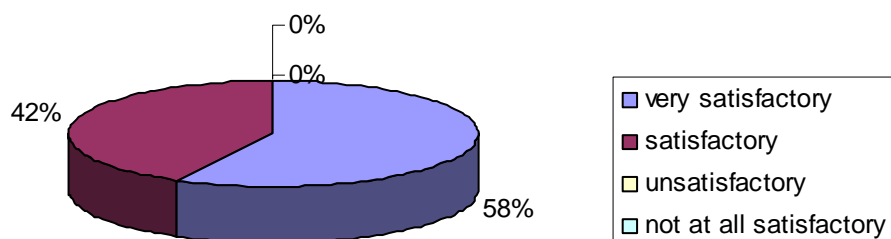


With regard to the content of this conference, how do you qualify the exchanges organised in the workshops in which you have participated?

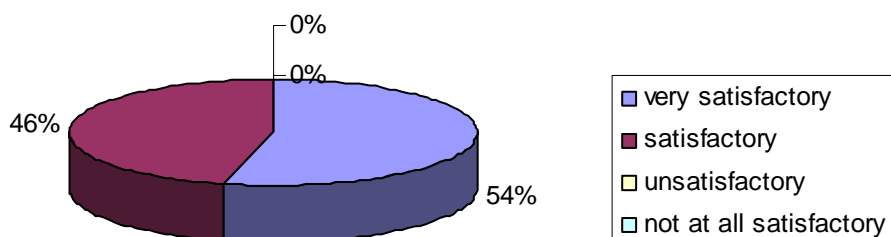




How do you evaluate the general conditions of reception and organisation?



At the end of the conference are you globally?



Annex H – Lessons learnt - ENG

Lessons learned during European conference by the French National School for Clerks

Since the beginning of this study (April, 2013) on the state of play of court staff training in UE law and European cooperation for court staff , the National school for clerks, member of the consortium, has worked to improve the French national training for court staff in EU law.

Three main actions have been committed since October 2013 and should be the first steps to develop more easily cross-border cooperation with other EU Member States:

1. Creation of a common course of training by the Centro de Estudios jurídicos de Madrid and the National school for clerks

An agreement between these two training providers was signed in October 2013.

A Spanish-French training course will be organised this year during two weeks in Dijon (May) and in Madrid (September) for six secretarios judiciales and six chief clerks. The draft program has for objectives:

- facilitate the sharing of a European common judicial culture,
- discover the institutional environment of secretarios judiciales and chief clerks,
- know the cross border civil and penal procedures,
- think and exchange between practitioners.

This first experimentation could be developed with other Member States in other forms as the organization of training courses of professional applications could be usefully reproduced in different Member States.

2. Introduction of the EU law teaching during the induction period

Trainees must get early a European judicial culture and practice of cross border procedures. From September 2014, EU law will be included in all induction period programs organised at the ENG for clerks and chief clerks.

Also continuous training must be developed in order to train court staff in EU law: cross border civil and criminal procedures, human rights, management of courts...

3. Creation at the ENG of a European expert teaching position

This teacher will be able to train French court staff during induction period and continuous training in all aspects of EU law. He could also participate in exchanges and training activities organized with other member states. It's a real opportunity for the National School for Clerks to develop training in EU law for court staff and training cross border cooperation.

Annex I – Recommendations translated into French

Le public recherché par ces recommandations est divers et même en matière de formation en droit de l'UE beaucoup peut être réalisé au niveau local, régional ou national pour créer une culture et compréhension globale de la pertinence du droit de l'UE pour les tâches et obligations des personnels des tribunaux.

Les objectifs de ces recommandations sont les suivantes :

- Mieux faire connaître les aspects de droit des tâches et obligations des personnels des tribunaux parmi ces professionnels eux même ainsi que dans les structures les gérant afin que les aspects de droit de l'UE des procédures nationales soient reconnus et pris en compte
- Renforcer les compétences et savoirs faire des personnels des tribunaux dans l'utilisation des procédures nationales et procédures découlant des directives UE transposées aussi bien que dans la mise en œuvre directe des règlements UE, leur permettant d'utiliser le droit de l'UE de façon plus aisée, assurant ainsi que les affaires soient traitées de façon adéquate, rapidement, de manière transparente et dans un souci de réduction des coûts ;
- Renforcer les compétences générales des personnels des tribunaux afin de développer la coopération transfrontalière et fournir de ce fait un service de qualité aux citoyens et entreprises dans l'ensemble de l'espace européen de justice dans les procédures transfrontalières ;
- Proposer des solutions concrètes pour établir ou améliorer la coopération transfrontalière entre prestataires de formation s'occupant de personnels des tribunaux ;
- Proposer des pistes de travail pour des développements à venir dans la formation des personnels des tribunaux en droit de l'UE au niveau national ou régional
- Mieux faire comprendre l'utilité de développer la capacité à appliquer les règles et procédures de l'UE parmi les personnels des tribunaux tout en augmentant la visibilité des offres de formation existantes et à venir pour les personnels des tribunaux.

1. Recommandations adressées aux structures responsables, au niveau national ou régional, de l'organisation général des personnels des tribunaux et du développement de leur formation²³

- 1.4 Il est recommandé de mettre en place une stratégie pluriannuelle de développement de la formation des personnels des tribunaux, y compris sur les aspects de droit de l'UE de leurs tâches.

²³ Ces structures peuvent être des ministères de la justice, de la fonction publique, des finances ou encore des services judiciaires.

1.5 Cette stratégie pluriannuelle doit établir des objectifs concrets et indiquer comment son financement peut être assuré, ainsi que les ressources humaines et les outils nécessaires à sa mise en œuvre.

1.6 Afin d'aider à la mise en œuvre de la stratégie nationale de formation, il est recommandé de :

- Élaborer des descriptions des divers postes des personnels des tribunaux, de leurs responsabilités et tâches, y compris toutes les tâches qui dérivent spécifiquement des outils législatifs UE et de la coopération transfrontalière.
- D'effectuer une analyse des besoins de formation des personnels des tribunaux en matière d'outils législatifs UE et de coopération transfrontalière par l'utilisation de:
 4. Enquêtes effectuées à intervalles réguliers – ces enquêtes pouvant concerner non seulement les personnels des tribunaux mais aussi les autres professions de justice travaillant avec eux, les organisations de la société civile ou même les citoyens – pouvant aider à évaluer les lacunes existant dans l'offre de formation;
 5. Formulaire en ligne par le biais desquels l'encadrement pourrait indiquer quels sujets devraient être couverts par l'offre de formation afin de permettre au personnel des tribunaux de remplir des tâches précises ou de répondre à des besoins spécifiques ;
 6. Questions sur les besoins de formation dans les documents utilisés dans les processus d'évaluation des personnels des tribunaux.

1.4 Il est recommandé que les structures responsables de l'organisation générale et de la formation des personnels des tribunaux soutiennent activement et concrètement des projets de coopération transfrontalière entre prestataires de formation y compris par l'inclusion de tels projets dans leurs stratégie générale, budgets et rapports.

1.5 Il est recommandé d'améliorer les compétences linguistiques des personnels des tribunaux et de leurs formateurs en :

- évaluant les besoins de compétences linguistiques parmi les personnels des tribunaux pour assurer des contacts transfrontaliers directs et ainsi la bonne mise en œuvre de la coopération judiciaire transfrontalière;
- établissant des objectifs sur la base de cette évaluation et les incluant dans la stratégie générale de coopération transfrontalière ;
- évaluant les besoins de compétences linguistiques afin d'assurer une bonne participation des personnels des prestataires de formation dans des projets de coopération transfrontalière ;
- fournissant un soutien financier aux prestataires de formation pour permettre le développement de la formation en terminologie juridique dans un ou plusieurs langues de l'UE.

2. Recommandations adressées aux prestataires de formation des personnels des tribunaux

2.1. Il est recommandé d'organiser des formations de formateurs concernant la manière dont des aspects du droit de l'UE peuvent être intégrés et rendus visibles dans les activités de formation existantes ou à venir concernant les procédures judiciaires dans lesquelles les personnels des tribunaux ont un rôle à jouer.

2.2 Il est recommandé de communiquer avec les responsables des tribunaux, les directeurs du personnel, et toutes les personnes encadrant les personnels des tribunaux au quotidien afin de :

- mettre en lumière les compétences nécessaires à la production d'un service de la justice de qualité par les personnels des tribunaux;
- mettre en lumière les aspects de droit de l'UE existant dans certaines des tâches et obligations des personnels des tribunaux ;
- mettre en lumière l'utilité et le retour sur investissement de la formation les personnels des tribunaux
- faire connaître les ressources en ligne européennes existantes qui peuvent aider les personnels des tribunaux dans leur travail.²⁴

2.3 Il est recommandé que chaque prestataire de formation :

- fixe des objectifs réalistes pour le développement de la formation des personnels des tribunaux en droit de l'UE et le développement de la coopération avec des prestataires de formation dans d'autres États Membres et les prestataires de formation européens ;
- désigne une personne comme responsable de la mise en œuvre de cette stratégie ;
- communique annuellement à la Commission européenne les activités mises en œuvre pour atteindre ces objectifs ;
- inclue des informations sur ces activités dans son rapport annuel.

2.4 Il est recommandé que des groupes de prestataires de formation organisent des projets transfrontaliers – en tenant compte de leurs capacités, ressources et objectifs – aussi bien bilatéralement que multilatéralement.

Ainsi il est recommandé que les prestataires de formation mettent en place des coopérations transfrontalières pour :

- développer en commun des modules e-learning sur les aspects de droit de l'UE de certaines tâches et obligations des personnels des tribunaux;

²⁴ Telles que :

Portail e-justice européen <https://e-justice.europa.eu/home.do?plang=fr&action=home>

Atlas européen en matière civile http://ec.europa.eu/justice_home/judicialatlascivil/html/index_fr.htm

Solvit http://ec.europa.eu/solvit/index_fr.htm

- organiser en commun des activités de formation des formateurs ;
- développer en commun du contenu de formation sur le droit de l'UE qui puisse être utilisé dans les formations présentielle comme dans les activités de formation à distance ou mixte au niveau national, régional ou même local ;
- évaluer comment diminuer les charges financières en partageant les ressources informatiques ou les ressources humaines ;
- créer la base d'un réseau européen informel des prestataires de formation s'occupant des personnels des tribunaux.

2.5 Il est recommandé que les prestataires de formation travaillent avec les réseaux européens existants et pertinents au regard des tâches spécifiques des personnels des tribunaux selon leur organisation au niveau national²⁵. Ces réseaux peuvent être pertinents pour l'ensemble des Etats membres mais parfois pour seulement quelques catégories de personnels des tribunaux.

3. Recommandation adressées aux ministères de la justice

Il est recommandé que les ministères de la justice s'assurent que tous les projets de réforme de la justice ou les stratégies d'amélioration du service de la justice impliquent des représentants des personnels des tribunaux à toutes les étapes afin que les activités de formation nécessaires à leur bonne mise en œuvre soient décidées et réalisées en temps voulu.

4. Recommandations adressées aux institutions européennes

4.1 Il est recommandé que les Etats Membres adoptent en Conseil une résolution concernant la formation des personnels des tribunaux, soulignant spécifiquement

²⁵ Par exemple :

EULIS – European Land Information Service <http://eulis.org/>

EBR – European Business Register <http://www.ebr.org/>

EJN – Réseau judiciaire européen en matière civile et commerciale

http://ec.europa.eu/civiljustice/index_en.htm

EJN- Réseau judiciaire européen en matière pénale <http://www.ejn-crimjust.europa.eu/ejn/>

EUPAN – European Public Administration Network <http://www.eupan.eu/>

Europe Direct - http://europa.eu/europedirect/index_en.htm

Pan European Networks <http://www.paneuropeannetworks.com/>

Réseau européen des médiateurs pour enfants

<https://www.crin.org/fr/accueil/notre-action/travailler-en-partenariat/nos-collaborations/reseau-europeen-des-mediateurs>

Réseau des presidents de Cours suprêmes <http://www.networkpresidents.eu/>

ACA Europe – Association des Conseils d'Etat <http://www.aca-europe.eu/index.php/en/>

ENCJ – Réseau européen des Conseils de la Justice <http://www.encj.eu/>

EUR – Union européenne des Rechtspfleger http://www.rechtspfleger.org/index.php?mod_lang=fr

CEHJ – Chambre européenne des Huissiers de justice

UIH – Union internationale des Huissiers de justice <http://www.uhj.com/en/>

son importance pour un service de la justice de qualité et à moindre coût pour les citoyens et entreprises engageant une procédure judiciaire dans un autre Etat Membre que leur Etat Membre d'origine.

Effectivement, la formation des professionnels de justice, y compris des personnels des tribunaux, doit être considérée comme une priorité du programme 2015-2020 post-Stockholm.

4.2 Il est recommandé que la Commission européenne soutienne le développement de la coopération transfrontalière entre prestataires de formation des personnels des tribunaux en :

- leur fournissant un lieu de rencontre dédié au moins tous les deux ans pour pouvoir se rencontrer, présenter leurs expériences, envisager quelles initiatives législatives pourraient entraîner de nouveaux besoins de formation ou discuter des nouvelles technologies ou pratiques organisationnelles disponibles pour la formation ;
- invitant certains de leurs représentants aux événements organisés par exemple dans le cadre du Forum de la Justice ou lors qu'un nouveau outil législatif européen est sur le point d'entrer en vigueur;
- soutenant des projets transfrontaliers de qualité par un financement partiel par le biais des programmes financiers de la DG Justice ou d'autres DGs ;
- soutenant la traduction de contenus de formation de qualité pouvant être mis à la disposition des prestataires de formation sur le Portail européen e-Justice ;
- incluant des informations sur les prestataires de formation des personnels des tribunaux existant au niveau régional, national ou européen sur le Portail européen e-Justice afin que les contacts soient faciles à prendre.

4.3 Il est recommandé que le Parlement européen continue de soutenir le développement de la formation des personnels des tribunaux en droit de l'UE en :

- mentionnant le sujet dans leurs résolutions concernant l'Espace européen de justice,
- insistant pour qu'il soit inclu dans les discussions avec les autres institutions européennes,
- having MEP visit the national and European level training providers of court staff to give those institutions more visibility and status and to bring Europe closer to court staff

5. Recommandations adressées à chaque personnel des tribunaux

5.1 Il est recommandé que chaque membre des personnels des tribunaux participe régulièrement à des activités de formation, dans le but d'accroître leurs compétences et de se maintenir à jour des changements juridiques et organisationnels.

5.2 Il est recommandé que chaque membre des personnels des tribunaux se tiennent informés des aspects de droit de l'UE de leurs tâches et obligations, afin de pouvoir remplir leurs obligations et tâches dans le respect des droits fondamentaux de l'UE.

5.3 Il est recommandé que les membres des personnels des tribunaux se tiennent informés de la manière dont les systèmes judiciaires sont organisés dans les autres Etats membres de l'UE.

Annex J – Updated Bibliography

Updates concerns more specifically: EL, HR and FR

EUROPEAN COMMISSION

Communication "Building trust in EU wide justice: justice: a new dimension to European judicial training", COM(2011) 511.

COUNCIL OF EUROPE

CEPEJ – *Evaluation of European Judicial Systems* – 4th Edition (2012) – 2010 data

CEPEJ – *Evaluation of Nordic countries* – Conclusions of the peer evaluation group – Strasbourg – 2011

EUROPEAN PARLIAMENT

Directorate-General for Internal Policies – *Judicial Training in the European Union Member States* - 2011

ARTICLES AND PUBLICATION ON COURT STAFF IN EUROPE

European Union of Rechtspfleger – *Green paper for a European Rechtspfleger* – 2008 – 32 p.

Baetge, Anastasia: *Gemeinsam sind wir stark – Vom nationalen zum europäischen Recht*, in: RpflStud, 2008, S. 97-99.

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Kirberger, Petra: *Registar und Genossenschaftsregisterrichter: Rechtsstellung u. Aufgabenbereich nach engl., tansan. u. dt. Recht.* Marburger Schriften zum Genossenschaftswesen, Bd. 14. Zugl.: Marburg, Univ., Fachbereich Rechtswiss., Diss., 1976. Göttingen: Vandenhoeck und Ruprecht 1977.

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ADULT TRAINING IN EUROPE

European Commission - Directorate General for Research and Innovation – *Adult and continuing education in Europe : using public policy to secure a growth in skills* – 2013 – 104 p.

LEGAL BASES, ARTICLES AND PUBLICATIONS ON COURT STAFF IN THE 28 MEMBER STATES

BELGIUM

Court staff organisation

Articles 163 à 177 du Code judiciaire :

Training of Court staff

Arrêté royal du 18 mai 2009 fixant les droits et obligations en matière de formation judiciaire, ainsi que les modalités d'exécution des formations pour les personnes visées à l'article 2, 4° à 10°, de la loi du 31 janvier 2007 sur la formation judiciaire et portant création de l'Institut de formation judiciaire

CROATIA

Gómez Martinez Carlos – Judicial advisors in Croatia: legal framework – in Twinning IPA 2009 – HR 09 IB JH 02 "*Professional development of judicial advisors and future judges and state attorneys through establishment of self-sustainable training system* » www.pravosudna-twinning.eu

"

ESTONIA

Courts Act (in English)

FRANCE

Ministère de la Justice et des Libertés

- Arrêté du 17 avril 2012 fixant l'organisation et les missions de l'Ecole nationale des greffes
- Arrêté du 17 avril 2012 relatif à la formation initiale et statutaire des greffes des services judiciaires
- Arrêté du 5 Mars 2013 relatif à la formation statutaire des greffiers en chef des services judiciaires

Direction des Services Judiciaires (DSJ), *Référentiel des métiers et des compétences des greffes* –RMC Greffes, mise à jour 2013

Justice Mémo sur les métiers des greffes

Greffier en chef

Greffier

École nationale des greffes, *Synthèse du rapport d'étape relatif à la modernisation de l'ENG*, Lettre de mission de Mme la Directrice des services judiciaires du 2 janvier 2012

LUART, Roland du – *Rapport d'information sur la formation des magistrats et des greffiers en chef à la gestion* – Sénat, 2006. 70 p.

GERMANY

Profession: Gerichtsvollzieher

court-appointed enforcement officers / bailiffs / huissier (□ middle-level civil servants)

– **regulations on jurisdiction and competence of courts and court staff**
cf. document *Rechtspfleger*

statute on the service of *Gerichtsvollzieher*, effective from: 01.08.2012 (DE)

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– **general information / job description**

➤ **general information**

Federal Employment Agency: general information on the [profession of Gerichtsvollzieher](#):

➤ **books, articles, papers on the Gerichtsvollzieher profession:**

Wasserl, U., Hertel, H.: *Vorschriftensammlung für die Ausbildung und Praxis der Gerichtsvollzieher (VSGV)*. 9. Auflage. Pegnitz: Juristischer Verlag Pegnitz GmbH 2012.

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– **initial training: regulations, publications, institutions**

– **regulations in Saxony**

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Verordnung des Sächsischen Staatsministeriums der Justiz über die Ausbildung und Prüfung der Gerichtsvollzieher (APOGV), *SächsGVBl.*, Jg. 2004, Bl.-Nr. 13, S. 532, Fsn-Nr.: 305-4/2, Fassung gültig ab: 15.01.2004

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Seip, Theo: *Überlegungen zur kostenneutralen Verbesserung der Ausbildung und Besoldung der Gerichtsvollzieher unter Berücksichtigung der Übertragung der Forderungspfändung*, in: DGVZ, 2012, S. 6-8.

Fischer, Nikolaj: *Der Gerichtsvollzieher - zukunftsorientiert im Zentrum der Zwangsvollstreckung*, in: DGVZ, 2011, S. 158-166.

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Zedel, Andreas: *Zur Reform der Ausbildung des deutschen Gerichtsvollziehers*, in: DGVZ, 2007, S. 146-149.

– **curriculum for theoretical and practical initial training**

for Saxony (together with Bavaria, Saxony-Anhalt and Thuringia):

initial training curriculum:

concept of initial training:

Profession: *Justizsekretäre / Justizfachangestellte*

Secretaries (□ middle-level civil servants)

– general information / job description

.general information

Federal Employment Agency: general information on the [profession of Justizsekretär](#):

Federal Employment Agency: general information on the [profession of Justizfachangestellter](#):

.books, articles, papers on the profession of Justizsekretäre / Justizfachangestellte:

Renesse, Jan-Robert F. von [Hrsg.], Pannen, Ralf [Hrsg.]: *Handbuch für Justizfachangestellte: Ausbildungs- und Praxisgrundlage mit Erläuterungen, Fällen und Mustern*. 2. Auflage. Köln: Heymann 2013.

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– initial training: regulations, publications, institutions

– regulations in Saxony

Act on initial training and examination of *Justizsekretäre* (secretaries) by the Saxon State Ministry of Justice and for European Affairs, *Verordnung des Sächsischen Staatsministeriums der Justiz über die Ausbildung und Prüfung der Beamten des mittleren Justizdienstes* (APOMJD), *SächsGVBl.*, Jg. 2003, Bl.-Nr. 4, S. 80, Fsn-Nr.: 305-3/2, Fassung gültig ab: 01.11.2002

– books, articles, papers on initial training of Justizsekretäre / Justizfachangestellte (for Germany in general)

Fraikin, Frank / Klostermann, Ulrich / Lemke, Bernhard: *Die Ausbildung der Beamtinnen und Beamten*

des mittleren Justizvollzugsdienstes und des Werkdienstes in Nordrhein-Westfalen, in: ZfStrVo, 2006, S. 67-73.

BIBB: *Erläuterungen zur Verordnung über die Berufsausbildung zum Justizfachangestellten, zur Justizfachangestellten vom 26. Januar 1998 und Handlungshilfen für die Ausbildungspraxis.*

Profession: Justizwachtmeister

patrol men / guards / bailiffs / constables (☐ lower-level civil servants)

– **regulations on jurisdiction and competence of courts and court staff**
cf. document *Rechtspfleger*

– **general information / job description**

7. general information

Federal Employment Agency: general information on the profession of *Justizwachtmeister*:

8. books, articles, papers on the profession of Justizwachtmeister:

Milger, Karin: *Sitzungsgewalt und Ordnungsmittel in der strafrechtlichen Hauptverhandlung*, in: NSTZ, 2006, S. 121-127.

Schmalisch, Roland: *An der Rechtspflege beteiligte Personen*, in: WzS, 2001, S. 274-287.

Koetz, Axel G. / Werner, Marcus / Hagener, Dirk / Löw, Hartmut: *Organisation der Kollegialgerichte und des Instanzenzuges der ordentlichen Gerichtsbarkeit*, BAnz Beilage, 1993, Nr 155a, S. 1-149.

– **initial training: regulations, publications, institutions**

– **regulations in Saxony**

Act on initial training of *Justizwachtmeister* by the Saxon State Ministry of Justice and for European Affairs, *Verordnung des Sächsischen Staatsministeriums der Justiz über die Ausbildung für die Laufbahn des Justizwachtmeisterdienstes* (AOJwD), SächsGVBl., Jg. 1995, Bl.-Nr. 31, S. 418, Fsn-Nr.: 305-x.1, Fassung gültig ab: 31.12.2004

– **curriculum for theoretical and practical initial training**

A detailed curriculum for Saxony is not available on the Internet, but can be provided as a PDF file if needed.

As an example, the training curriculum for Bavaria can be found under:
http://www.justiz.bayern.de/imperia/md/content/stmj_internet/gerichte/oberlandesgerichte/bamberg-justizschulepegnitz/justizwachmeister/rahmenstoffplan.pdf

Profession: Rechtspfleger

senior judicial officers / officials with certain judicial powers (□ upper-middle-level civil servants)

□ regulations on jurisdiction and competence of courts and court staff

Courts Constitution Act in the version published on 9 May 1975 (Federal Law Gazette [Bundesgesetzblatt] I p. 1077), last amended by Article 4 of the Act of 7 December 2011 (Federal Law Gazette I p. 2582)

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Act on the organisation of courts and public prosecution offices by the Saxon State Ministry of Justice and for European Affairs, *Verwaltungsvorschrift des Sächsischen Staatsministeriums der Justiz und für Europa zu übergreifenden Organisationsvorschriften für die Gerichte und Staatsanwaltschaften* (VwV Justizorganisation) - SächsJMBL, Jg. 2011, Bl.-Nr. 12, S. 123, Gkv-Nr.: 300-V11.2, Fassung gültig ab: 01.10.2012

Act on the organisation of judiciary by the Saxon State Ministry of Justice and for European Affairs - *Verordnung des Sächsischen Staatsministeriums der Justiz und für Europa über die Organisation der Justiz* (Sächsische Justizorganisationsverordnung – SächsJOrgVO), SächsGVBl., Jg. 2007, Bl.-Nr. 16, S. 600, Fsn-Nr.: 300-18, Fassung gültig vom: 01.03.2013 bis: 30.06.2013

□ general information / job description

– Federal acts, annotations, general information

Act on Senior Judicial Officers - in the version of the promulgation of 5 November 1969 (Bundesgesetzblatt (Federal Law Gazette) Part I, page 2065), as most recently amended by Art. 5 of the Act of 7 December 2011, Federal Law Gazette [BGBl.] Part I 2582

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*Rechtspflegergesetz (Act on Senior Judicial Officers, original German Version)
in der Fassung der Bekanntmachung vom 14. April 2013 (BGBl. I S. 778), das durch
Artikel 6 des Gesetzes vom 20. April 2013 (BGBl. I S. 831) geändert worden ist*
http://www.gesetze-im-internet.de/rpflg_1969/

Arnold, Egon, Meyer-Stolte, Klaus: *Rechtspflegergesetz: Kommentar*. 7. Neubearb. Auflage. Bielefeld: Giesecking 2009.

Bassenge, Peter: *Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit, Rechtspflegergesetz: Kommentar*. 12., völlig neu bearb. und erw. Auflage. Heidelberg: Müller 2009.

Federal Employment Agency: general information on the profession of *Rechtspfleger*:
<http://berufenet.arbeitsagentur.de/berufe/start?dest=profession&prof-id=8235>

European e-Justice Portal: overview of the legal professions in Germany

https://e-justice.europa.eu/content_legal_professions-29-de-en.do?member=1

– **books, articles, papers on the Rechtspfleger profession:**

Peykan, Fariba: *Die grundbuchrechtliche Prüfungskompetenz des Rechtspflegers bei notariell beurkundeten Rechtsgeschäften*. Schriftenreihe des Instituts für Anwalts- und Notarrecht der Universität Bielefeld, Bd. 16. Zugl.: Bielefeld, Univ., Diss., 2004. Hamburg: Kovač 2005.

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Klaus Hermann: *Der Rechtspfleger in der Arbeitsgerichtsbarkeit*, in: Die Arbeitsgerichtsbarkeit, 1994, S. 265-284.

Habscheid, Walther: *Verfahren vor dem Rechtspfleger - Rechtliches Gehör und faires Verfahren*, in: Rpfleger, 2001, S. 209-215.

Dieckmann, Jochen: *Neue Steuerungsmodelle in der Justizverwaltung*, in: Rpfleger, 1999, S. 379-381.

Müller-Engelmann, Peter: *Die Aufnahme von Erklärungen durch den Rechtspfleger*, in: Rpfleger, 1987, S. 493-493.

➤ **International subjects in German references (books, articles, papers)**

Eickmann, Dieter: *Europäisches Immobiliarsachenrecht? Immobiliarsachenrecht in Europa*, in: RpfStud, 2001, S. 129-132.

Jugel, Hans-Peter / Keßler, Birgit: *Beurkundung und Beglaubigung im Konsulat*, in: RpfStud, 2001, S. 132-138.

❑ **initial training: regulations, publications, institutions**

❑ **regulations in Saxony**

Act on initial training and examination of *Rechtspfleger* by the Saxon State Ministry of Justice and for European Affairs, *Verordnung des Sächsischen Staatsministeriums der Justiz über die Ausbildung und Prüfung der Rechtspfleger (APORPfl)*, SächsGVBl., Jg. 2005, Bl.-Nr. 7, S. 246, Fassung gültig ab 01.09.2005

❑ **books, articles, papers on initial training of Rechtspfleger (for Germany in general)**

Blätter zur Berufskunde. Bd. 2., Berufe mit geregelten Ausbildungsgängen an Berufsfachschulen, Fachschulen, in Betrieben und Verwaltungen sowie Berufe nach einem Studium an Fachhochschulen, 7, C, 30. *Rechtspfleger, Rechtspflegerin*. 12. Auflage. Bielefeld: Bertelsmann 1998.

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❑ initial training curriculum for theoretical studies

curriculum for Saxony at the FHSV Meißen:

<https://www.fhsv.sachsen.de/studium/rechtspflege/curriculum/>

English study brochure for Rechtspflege studies in North Rhine-Westphalia

http://www.fhr.nrw.de/fachbereiche/rechtspflege/Studienbroschuere_engl.pdf

French study brochure for Rechtspflege studies in North Rhine-Westphalia

http://www.fhr.nrw.de/fachbereiche/rechtspflege/Studienbroschuere_franz.pdf

GREECE

Article 92 of the Greek Constitution regarding the status of court staff

Presidential Decree of 7/01/2008 on the National Centre of Public Administration and Local Government National Center for Public Administration (EKDDA)

Code of Court Clerks (in Greek : Κώδικας Δικαστικών Υπαλλήλων)

Decision number 3221/1996 of 7/03/1996 of the Greek Council of State

Decision number 1540/2013 of 22/04/2013 of the Greek Council of State

ITALY

Servizio studi del Senato - *Dati statistici relativi all'amministrazione della giustizia in Italia* – Maggio 2013 specifically chapter 2.3 Personale del Ministero della giustizia: personale amministrativo

LUXEMBOURG

AGFAJ (association des greffiers et fonctionnaires de justice de l'administration judiciaire du Grand-Duché du Luxembourg) – *La fonction de greffier et de fonctionnaire de justice aujourd'hui et demain*. 2000 – 5 p.

MALTA

Registrar of the Courts

Chapter 12 of the Laws of Malta – Code of Organisation and Civil Procedures:
<http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8577&l=1>

Other court officials

Subsidiary Legislation 12.21:
<http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9037&l=1>

POLAND

Rozporządzenie Ministra Sprawiedliwości z dnia 10 grudnia 2007 r., w sprawie szczegółowych zasad i trybu postępowania przy dokonywaniu ocen kwalifikacyjnych urzędników i innych pracowników sądów i prokuratury (Dz. U. z dnia 29 grudnia 2007 r.)

Rozporządzenie Ministra Sprawiedliwości z dnia 30 marca 2010 r., w sprawie stanowisk i szczegółowych zasad wynagradzania urzędników i innych pracowników sądów i prokuratury oraz odbywania stażu urzędniczego (Dz. U. z dnia 30 marca 2010 r.)

Rozporządzenie Ministra Sprawiedliwości z dnia 17 stycznia 2008 r., w sprawie szczegółowego trybu i sposobu przeprowadzania konkursów na staż urzędniczy w sądzie i prokuraturze (Dz. U. z dnia 8 lutego 2008 r.)

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Codul deontologic al personalului auxiliar de specialitate al instanțelor judecătorești și al parchetelor de pe lângă acestea – code of ethics of the supporting specialised staff of the courts and public prosecution offices

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Annex K – Glossary

Academic training: Completion of higher education studies before undertaking any further form of training in order to become a professional court staff. For some categories of court staff, academic training is not a prerequisite for entry into the profession.

Access to information: Directive 2012/13/EU on the right of information in criminal proceedings was adopted on 22 May 2012. It established a common basis for a "letter of rights". It can also be referred to as "information on defendants' rights".

Apprenticeship: training period or part of a training period during which a trainee is embedded in one or several workplaces. Apprenticeship for a court staff can take place in a variety of workplaces and is not limited to courts. Its precise organisation is determined by national rules or on an ad'hoc basis. Apprenticeship can be combined or not with formal courses.

Blended learning: training activities which include both *e-learning* and *face to face training* activities. To be considered as *bona fide* training, the overall activity has to be organised according to a set programme and include explicit training objectives.

Coaching: individual professional support for personal professional development. This personal support is done in a structured manner with measurable objectives and is sometimes considered as part of the training activities.

Continuous training: any professional training taking place during the course of a career, whatever the topic. It may also be referred to as career development, continuing training.

Court staff: professionals/staff working in judicial and administrative courts as well as public prosecutors' offices (only in the countries where public prosecutors are members of the judiciary).

For the purpose of this study, this term does not cover judges and prosecutors themselves, nor trainee judges and trainee prosecutors. The study does not include professionals working in probation offices and jails, nor forensic doctors.

According to the way the national judicial system is organised, the role of these professionals varies from purely administrative tasks, to support to the judiciary and even, in some cases, to some specific judicial tasks.

Cross-border exchanges: in the context of this study, a difference is made between training activities* (see definition) and cross-border exchanges. Cross-border exchanges consist of allowing a person (in this case a court staff) to spend some time (for a minimum of one day) in a court in another Member State and to attend and observe the activities of that court.

E-learning: an online training activity, which takes place in a structured manner, and includes a training programme fulfilling specific training objectives. The term covers

online activities such as accessing online information, answering questionnaires, watching podcasts, participating in online discussions, participating in webstreaming sessions, etc. It can be combined with face to face *training*. The combination of the two methods is called *blended learning** (see definition).

European Judicial Training : In the Communication [COM\(2011\)511](#) "Building trust in EU-wide justice : a new dimension to European judicial training", European judicial training is described as covering training of judges, prosecutors, but also lawyers, notaries, bailiffs and court staff on EU law or the law of other member states.

Face to face training - Any *training activity** which requires the simultaneous presence in the training premises of trainers and learners.

Induction period: Taking into consideration the variety of national judicial systems, the induction period may or may not exist. If it exists, it concerns a period during which an individual undertakes specific professional training either through an *apprenticeship*, courses or a combination of both. It can take place before or after the person becomes a full-fledged court staff but is always linked to the beginning of a career in a specific court staff category or profession. Probation periods during which newly recruited court staff have training obligations can be considered as induction periods.

Initial training: see induction period.

Service of judicial and extra-judicial documents: this term can apply to the transmission of documents between parties in civil and commercial proceedings. The [Hague convention](#) of 1965 and the EU [Regulation 1393/2007](#) use this terminology.

Training: For the purpose of this study, the term training will be used to cover acquisition of knowledge as well as acquisition of know-how, in particular in relation to legislation of other EU Member States, EU law, linguistic skills and organisation of judicial and legal systems in the EU, but also management and administration of courts.

Training activity: any structured activity organised for the purpose of training an individual or a group of persons, with a training programme set up to fulfil well-defined training objectives. It can take place through face to face *training* (workshops, seminars, conferences, etc.) or online tools (*e-learning**) or a combination of both (*blended learning**).

Training organiser: any organisation or structure, which is responsible for setting up the general *training system** for court staff, for instance determining regulations and norms, whether at national or regional level. Some training organisers are also training providers.

Training provider: any structure, profit or non-profit which regularly organises *training activities** relevant to the professional development of one or several categories of court staff. This study considers the training providers offering training activities related to:

- the law, especially European Union law,
- legal and judicial organisation of other member states,
- training activities related to the acquisition of competences in legal terminology of other European languages,
- management and administration of court.

Training system: Training systems set up the rules and general framework for the organisation of training of court staff. They can be established at national level but also regional level. A training system indicates for instance the rules for induction and continuous training for all or certain categories of court staff.

Organisation of *training activities** for a specific individual is either done in the context of a training system where similar rules are applied to all court staff, or in an ad hoc manner if such a framework does not exist.

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