



Judicial training structures in the EU

Bulgaria

Entity name: **National Institute of Justice (NIJ)**

September, 2012

Target group

The NIJ implements the following activities:

1. Initial training:

- Six-month compulsory initial training for those junior magistrates who have succeeded the competition, immediately upon their taking office at the bodies of the Judiciary;
- Compulsory initial qualification: courses meant to further the qualification of the judges, prosecutors and investigators who are first-time appointees at the bodies of the Judiciary.

2. Continuing Training:

- Training courses for all sitting magistrates on basic or priority topics, in line with any amendments to the legislation. The emphasis is on those amendments to the legal framework and changes in jurisprudence that relate to Bulgaria's accession to the European Union and in inter disciplinary courses.

3. Training of Court Clerks:

- Training courses for court clerks with diverse curricula.

4. Learning and Information Centre:

- Library and documentation services, access to case-law databases, including PC access to a computer room;
- Website with up-to-date information on NIJ trainings and publications of training or other information materials;
Extranet maintenance, which platform is used for legal information exchanges among magistrates;
Support for opening the NIJ research capacity through research and analysis section approval.

Initial /induction period training

- Existence of initial/induction training period - **Yes**
- Length of such period - **6 months**
- Existence of a curriculum - **Yes**

The initial training of magistrates at the National Institute of justice includes:

Compulsory initial training – sixth-month training under the art. 258, paragraph 1 and 2 of the Judicial system act (JSA) designed for the junior magistrates who have successfully passed the competition and conducted immediately after their appointment at the respective judicial system bodies.

Programme for mentor-magistrates – upon completion of the compulsory initial training course at the NIJ, junior judges and prosecutors continue their professional development with the assistance of mentor-judges and mentor-prosecutors as per article 242 JSA. The NIJ programme includes coordination of the activity of the mentor magistrates and provision of methodological assistance in the performance of their functions.

Compulsory Initial qualification – training course as per article 259 JSA, for improving the qualification of judges and prosecutors, who are directly and for the first time appointed to the judicial bodies at regional and district levels.

Compulsory continuing qualification for judges and prosecutors – compulsory qualification course designated for judges and prosecutors who have been promoted from regional to district level, introduced by the Supreme Judicial Court pursuant to article 261 JSA.

Training for Judicial and prosecutorial assistants – in compliance with article 249, paragraph 1, sec. 2 JSA the National Institute of Justice is responsible for maintaining and improving the qualification of judicial and prosecutorial assistants.

The Initial Training of court clerks curriculum includes general and specialized topics relevant to court administration organization and activities. Its purpose is to adapt clerks' knowledge and skills to the principles and practice of court's activities. The initial training duration is eight days, divided into two modules and is held twice a year.

- Language training – **No**
- Internship periods - **No**

Continuous training

- Compulsory - **No**
- Existence of a yearly programme – **Yes**

The main purpose of the NIJ in the area of the continuing training of magistrates is the development of sustainable training programs that shall be delivered annually in the form of qualification courses for judges, prosecutors and investigating magistrates. To fulfil this goal, the NIJ shall do the following:

- evaluate the organized trainings on an annual basis in order to update their content and enrich them with topics designated by training participants;

- organize work meetings with the temporary trainers to discuss annual evaluation of trainings and make recommendations aimed at the improvement of training content and venue organization;
- conduct Training of Trainers courses to increase the trainers qualification.

The development and maintenance of continuing qualification of magistrates is not obligatory. It is their right, as stipulated in the law. The JSA /art. 261/ allows the Supreme Judicial Council to designate specific courses as mandatory for the magistrates, namely, in the following cases:

1. Promotion
2. Appointment as administrative head
3. Specialization.

The Continuing Training of magistrates covers three areas:

- National Legislation Trainings
- EU Law Trainings
- Interdisciplinary Trainings

The continuing training of court clerks includes:

- Introduction to the Court and the Court Administration Activities
- Management of the Court Administration
- Handling Civil Files
- Handling Criminal Files
- Handling Administrative Files
- Summoning Process
- Work at Conviction Records Office
- Classified Information Protection
- Court Secretaries
- Team Work
- Time and Stress Management.

Trainings last two to three days and curricula organized them accordingly. Every course has completely developed training plans, equipment and detailed scenarios for the trainers. All this facilitates trainings of permanently high quality.

Besides the basic orientation of the curricula for enhancing the court clerks' professional instruction, it is paid special attention to learning and abiding by the ethical standards and regulations, anti-corruptible attitude included, collected in the court administration **Professional Ethics Rules**.

- Average number of persons trained each year **1000**

International partnerships/agreements

On November 10th, 2010 a Memorandum of Understanding has been signed up between the National Institute of Justice and the Secretariat for Regional Anti-Corruption Initiative for the joined organization of the Sixth Summer School for Junior Magistrates from South-Eastern Europe in June 2011, where two participants on behalf of Bulgaria will take part.

At the end of 2007 the Bulgarian-American collaboration in the area of judicial training has been carried on through signing up of a Memorandum of Understanding between the National Institute of Justice, the U.S. Department of Justice and the Prosecution Office of Republic of Bulgaria. The effect of the

Memorandum is being extended annually by signing of Annexes between the contracting parties.

The specified tri-lateral contract aims at developing and implementing of sustainable training programmes for prosecutors with the support of distinguished Bulgarian and American experts. These programmes are carried out according to the training needs of the Bulgarian Prosecution Office and the National Institute of Justice and after their pilot implementation phase they have the potential to become a part of the NIJ core curriculum.

The curricula focus on the following topics of priority: organized crime, corruption, money-laundering, trafficking in human beings, drug trafficking and other contraband activities, financial and cybercrimes, environmental crimes, crimes affecting health services etc.

The selection of trainers is a joint commitment of the partners according to the Memorandum. Future trainers are being trained in line with the "Training for Trainers" system. During their training the participants prepare training materials and carry out mock presentations and at the end of it they present a pilot course on the topic, they have worked upon.

It is foreseen, that in 2010 the joint initiatives with the U.S. Department of Justice shall cover also the organization of regional trainings on the topic "Leadership and Management in the System of Prosecution".

The new training programmes developed under the specified Memorandum within the last two years have already been incorporated into the NIJ sustained training curriculum. In 2008 and 2009 more than 300 prosecutors have taken part in these programmes, while the number of newly-trained trainers among prosecutors exceeds 50.

- Participation of foreign professionals in some training sessions possible - **Yes**

History and good practices

- Date of creation of judicial training entity **January 1, 2004**
- Past and current milestones

Basic documents:

1. Judiciary System Act
2. Regulation for the Activity and the Organization of the National Institute of Justice
3. Strategy for continuation of the reform of the judicial system in Bulgaria under the country's full membership to the European Union within the period 2011-2012 (developed by the Ministry of Justice and adopted through a Decision №441 of the Council of Ministers of Republic of Bulgaria of June 28th 2010)
4. NIJ Program for implementation of the Strategy for continuation of the reform of the judicial system in Bulgaria under the country's full membership to the European Union within the period 2011-2012 (developed by the Ministry of Justice and adopted through a Decision №441 of the Council of Ministers of Republic of Bulgaria of June 28th 2010) (adopted by the Managing council, Protocol; № 41/ 18.10.2010 г.)

NIJ main priorities are:

- ✓ Introducing an alteration in the model of conducting the compulsory Initial Training of magistrates;
 - ✓ Including compulsory trainings for mentor-magistrates in its training curriculum;
 - ✓ Development and strengthening of an Interdisciplinary Trainings direction within NIJ;
 - ✓ Introducing a compulsory training on the Code in Judicial Ethics for magistrates;
 - ✓ Examining the necessity for introducing a compulsory Continuing Training;
 - ✓ Strengthening and recognition of the established National Network of Judges - Coordinators in EU Law;
 - ✓ Extension of the range of the regional trainings' programme that envisages trainings to be held at courts and prosecution offices;
 - ✓ Establishment of a National Trainers' Network for Court Administration;
 - ✓ Broadening the scope of NIJ international activity through participation of Bulgarian magistrates in the EJTN's Exchange Programme as well as by providing suitable conditions for the reception of EU magistrates who have made the choice to carry their practice within the Programme in Bulgaria;
 - ✓ Strengthening and further development of Distance Training for magistrates and court clerks;
 - ✓ Establishment of a Trainers' Community of experts who actively participate in process of implementation of distance learning courses at NIJ;
 - ✓ Foundation of an Empirical Legal Research Center within NIJ;
 - ✓ Further development and recognition of NIJ Extranet system.
- Innovative projects that may be of interest
 - « Establishment of Network of EU-law Judges-coordinators», funded under Operational Programme Administrative Capacity (OPAK) by the European Fund for Regional Development and the European Social Fund
 - The project BG/2007/IB/JH/08 « A Further Step towards a Higher Quality of Training for the Bulgarian Judiciary »

Contact details

- Address: Sofia, 14 Ekzarh Yosif str.
- E-mail: nij@nij.bg
- Website: www.nij.bg
- Number of staff: 60
- Ministerial department/independent structure

The National Institute of Justice is an independent legal entity. There is also a functional relationship between the Institute and the Supreme Judicial Council and the Ministry of Justice. Both institutions are represented within NIJ Managing Board.

The statutory function of the Supreme Judicial Council “to organize the continuing education of judges, prosecutors and investigating magistrates”, provided in Article 130, para 6, sec. 3 of the Constitution of the Republic of Bulgaria, has been carried out through the National Institute of Justice.

The main goal of the National Institute of Justice is to improve the efficiency of jurisdiction through quality professional training and enhancement of qualification of the officers, specified by the law.

Source: National Institute of Justice (NIJ)