



REPUBLIC OF SLOVENIA
MINISTRY OF JUSTICE

JUDICIAL TRAINING CENTRE



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ESTABLISHMENT AND LEGAL BASIS

The Judicial Training Centre (JTC) was established on 1 June 2006 in compliance with Article 74(a) of the Courts Act as an affiliated body of the Ministry of Justice. The head office of the JTC is at Župančičeva 3, Ljubljana, while training is provided at the Centre's premises at Glinška 12, Ljubljana.

RESPONSIBILITIES AND TASKS OF THE JUDICIAL TRAINING CENTRE

1. The tasks of the JTC are defined in the Courts Act and are as follows:
 - ~ to implement training of judicial trainees;
 - ~ to organise and provide for the implementation of bar exams;
 - ~ to organise and provide for the implementation of other exams required in the justice system;
 - ~ to organise and provide for the implementation of various forms of continuing education of judges, technical assistants and court staff;
 - ~ to implement the obligatory professional training of court presidents and directors;
 - ~ to issue professional publications.
2. As a body within the Ministry of Justice tasked with the training of all judicial personnel, the JTC also carries out professional training courses for state prosecutors and state attorneys.
3. It implements training for technical assistants, judicial assistants and other court staff, state prosecutors, and state attorneys. All staff employed with judicial bodies, with the exception of those who have passed the national bar exam, must take an examination with the JTC demonstrating their knowledge of the functioning of the judicial institution where they are employed within a year of becoming employed, else they lose their job.
4. The training is carried out in the form of seminars, lectures, workshops, schools for judges, state prosecutors and state attorneys, round tables and panels, initial training courses, consultations and simulations of main hearings, e-learning, testing of knowledge, and other appropriate forms of training.

5. The JTC also carries out initial training for judicial and state prosecutor trainees and other candidates for the national bar exam and, of course, oversees the exam itself. This is one of its most important tasks, since passing the national bar exam is one of the conditions for exercising judicial office and holding the offices of state prosecutor and state attorney, and also for practising the professions of attorney or notary.



6. The JTC is also the body responsible for carrying out international exchanges of judicial officials by organising the participation of Slovenian judicial officials in international training courses and by co-ordinating the participation of foreign judicial officials in the national training courses on EU law. For many years, the JTC has been participating in the exchange programme for European judges and prosecutors as a partner of the European Judicial Training Network (EJTN).
7. The JTC also provides training courses and organises exams for persons who are not directly employed in the judiciary but whose activity is closely linked thereto, i.e.:
 - ~ enforcement officers;
 - ~ receivers in bankruptcy and compulsory winding-up proceedings (official receivers);
 - ~ court experts and court appraisers;
 - ~ court interpreters;
 - ~ mediators;
 - ~ refugee advisers.

8. The JTC also edits a publication entitled Judicial Bulletin (Pravosodni bilten). The Bulletin contains articles in the field of the judiciary, mostly lectures given during various forms of training. Three to four volumes are published annually.

BODIES OF THE JUDICIAL TRAINING CENTRE

The JTC is managed by a director who is a judge assigned to the JTC for a term of three years in accordance with Articles 71 and 71(c) of the Judicial Service Act. The decision on the assignation of a judge is made by the Judicial Council on the proposal of the Minister of Justice.

With a view to providing professional assistance to the JTC, the Minister of Justice sets up an expert council consisting of the following members:

- ~ two representatives of the ministry responsible for justice;
- ~ one representative of the Supreme Court of the Republic of Slovenia;
- ~ one representative of the Office of the State Prosecutor General of the Republic of Slovenia;
- ~ one representative of the State Attorney's Office of the Republic of Slovenia;
- ~ one representative of the Judicial Council of the Republic of Slovenia;
- ~ one representative of the Slovenian Judges' Association;
- ~ one representative of the State Prosecutors' Association of Slovenia;
- ~ one representative of each law faculty in the Republic of Slovenia.

Members of the expert council are appointed for a period of five years and their term of office is renewable. The tasks of the expert council are primarily assistance in drafting the long-term vision of the JTC, analysing the goals and forms of training for the current year, delivering opinions on the draft annual programme of training for the following year, discussing budget-related issues of the JTC and delivering opinions thereon, taking part in the process of analysing the results of training, and submitting proposals and opinions concerning the work of the JTC. The JTC Director is not a member of the expert council but attends its meetings and reports to the members.

ANNUAL WORK PROGRAMME

The JTC's activities follow the annual work programme, which is based mainly on legislative developments and initiatives, proposals and wishes expressed by judicial personnel. The draft annual work programme takes into account, as far as is possible, all developments in the national and European legislations and case-law, and provides for the consideration of particular complex issues aimed at harmonising such case-

law. Moreover, great attention is paid to the training of the so-called soft skills required for the work performed in the courtroom and beyond. The draft annual work programme is then discussed by the expert council, which prepares an opinion. The final programme is adopted and signed by the minister competent for justice.

The annual work programme may be supplemented and modified during the year in response to new topical issues emerging in the legislative field or in response to the issues and difficulties encountered in the daily practice of the judicial authorities.

During the year, the JTC's annual work programme may also be adjusted to the budget funds assigned to its activities within the draft integrated national budget for the next fiscal year; it is adjusted as necessary to match the funds available.

PROVIDERS OF THE JTC'S ANNUAL WORK PROGRAMME

Employees

In 2014, there are fourteen public servants and a director who is an assigned judge employed with the Centre. Tasks among the employees are roughly divided into the implementation of training and carrying out of examinations. Owing to the wide range of different tasks within the JTC's sphere of responsibility, the employees are not trainers themselves but organisers of events and exams.



Lecturers

Within its training activities, the JTC engages exclusively external lecturers and examiners as the Centre's small size does not allow for the employment of its own experts. Experts/lecturers are found mainly among judges, state prosecutors and state attorneys with many years of successful practice in judicial bodies. The participation of professors from law faculties across Slovenia in training and examinations is very important as well. In this way, practical experience is enriched with theoretical knowledge and vice versa – theory is complemented with practice from courtrooms.

Lecturers for specialised courses organised by the JTC in other fields (e.g. psychology, communicology, medicine, economics, accounting, ethics, integrity, etc.) or in relation to activities carried out by other state authorities (e.g. money laundering, corruption, matters pertaining to inspection services, etc.) are recruited from those areas which are, in one way or another, essential for the effective, legal and correct functioning of judicial authorities.

Since Slovenia's accession to the EU, the cooperation and participation of lecturers from various EU institutions, from other EU Member States and from other international structures have been constantly increasing.

PARTICULAR TRAINING AREAS

The JTC's activities in terms of training are divided into the implementation of:

- ~ continuing further training of appointed judges, state prosecutors and state attorneys and other staff employed with judicial authorities;
- ~ initial training courses for judicial and state prosecutor trainees and other candidates for the national bar exam;
- ~ preparatory training courses for exams to be taken by enforcement officers, official receivers, court experts, court appraisers, court interpreters, mediators and refugee advisers, along with advanced training for such personnel.

1. Advanced training

The major part of advanced training is carried out according to legal fields. Major well-established events are organised in cooperation with the Supreme Court of the Republic of Slovenia, the Office of the State Prosecutor General of the Republic of Slovenia, the Office of the State Attorney General, the Administrative Court, the Judges' Association, the State Prosecutors' Association and the Judicial Council. The Centre is the main organiser and funding provider of these events and the institutions listed above assist in the substantive drafting of programmes.

Initial training courses or consultations for first-instance judges in the form of one-day workshops are provided for newly elected judges, i.e. for those judges whose length of service is shorter than three years or who, in the last three years, started working in a different field, and for technical assistants. The number of participants in a group is limited to 15–20, which increases effective training and encourages interactive participation. Initial training courses and consultations are carried out by higher-court judges. Consultations cover all legal fields. They are intended primarily for judges and state prosecutors starting out and for technical assistants in various areas of work. Workshops involving simulations of main hearings, examination of witnesses, the basics of accounting, and ethics and the integrity of the judge and the state prosecutor are carried out.

The JTC organises several training events in *the field of civil law*. The central event is a three-day civil law school where individual topical chapters of substantive law and procedural law are studied, with a focus on civil law court practice. This event provides an opportunity for all judges and technical assistants engaged in this area of law to meet and share their experience and examples of good and bad practice. Special training and e-learning in enforcement law and land registry law are also organised, this also involving court staff (e.g. judicial assistants and registrars) who are empowered to make independent decisions in part of the proceedings according to the law. One-day seminars and conferences in the field of family law, property law and other topical issues are also carried out.

In the field of *commercial law*, the JTC traditionally organises a three-day commercial law school for judges and other judicial staff. The programme comprises the study of particular legal subjects that are essential for the effective deliberation of judges, theoretical lectures in various legal fields and analysis of individual cases in the form of workshops, where the acquired theoretical knowledge is subjected to practical scrutiny. This event provides an opportunity for all judges and technical assistants engaged in this legal field to meet and share their experience and examples of good and bad practice. Besides the school for judges, the JTC organises other forms of training for judges adjudicating in commercial cases, of which the most popular and well attended are annual conferences of judges from courts of various instances. These are dedicated to discussions on current case-law and exchange of experience, along with analysis of errors made by first- or second-instance judges. Training and e-learning in the field of registry law and insolvency law are also carried out.

In the field of *labour and social law*, the JTC traditionally organises a three-day labour and social law school for judges and other judicial staff. The programme comprises the study of general legal subjects that are important for the deliberation

of judges and specialised labour and social law topics, theoretical lectures in various legal fields, followed by an analysis of individual cases in the form of workshops, where the acquired theoretical knowledge is subjected to practical scrutiny. Along with the training for judges, other forms of training are organised for target groups, such as judges adjudicating in labour and social matters. Also popular and well attended are annual conferences of judges from the courts of different instances, dedicated to discussions on current case-law and exchange of experience, along with analysis of errors made by first- or second-instance judges.

The JTC also organises several training events in the field of **criminal law**. The development of training in the field of criminal law is moving towards a joint training of criminal judges and state prosecutors. The major training event organised for judges is a **criminal law course** which comprises the study of topical subjects in the substantive and procedural criminal law that are essential for effective deliberation of judges, theoretical lectures in various legal fields, and analysis of particular cases in the form of workshops, where the acquired theoretical knowledge is subjected to practical scrutiny. This event provides an opportunity for all judges and technical assistants engaged in this legal field to meet and share their experience and examples of good and bad practice. In the field of criminal law, specialised one-day seminars focused on practical workshops and involving work on particular hypothetical cases are also carried out, in line with the topical issues of cases which are being considered by various prosecutors' offices and courts and with developments in the EU area.

Training of state prosecutors is mainly provided in the form of schools, seminars and workshops, organised by the JTC in partnership with the Office of the State Prosecutor General. A lot of one-day seminars and workshops are intended for both state prosecutors and judges engaged in the field of criminal law. In addition to well-established forms of training, such as the traditional State Prosecutors' Days and two annual events organised by the Slovenian State Prosecutors' Association, the JTC, in accordance with its annual programme, also organises training on topical issues concerning potential legislative amendments or other matters.



Training for *judges adjudicating in minor offence matters* is organised as a traditional school, accompanied by one-day seminars on topical issues.

Administrative law – bearing in mind the introduction of new legislation and topical issues from practice, educational programmes and programmes for other forms of training are prepared on the basis of findings on procedural practice and on the basis of initiatives and questions related to this field posed by judges.

Training of state attorneys is provided in the form of schools, seminars and workshops organised by the JTC in partnership with the Office of the State Attorney General. A large number of one-day seminars and workshops are intended for both state attorneys and judges engaged in the areas of civil law and commercial law. In addition to well-established forms of training, such as the traditional State Attorneys' Days and two annual training events, the JTC, in accordance with its annual programme, also organises training on topical issues concerning potential legislative amendments or other matters.

The Centre also conducts special *training sessions for managerial staff* in judicial authorities. All newly appointed presidents and directors of courts and heads and directors of state prosecutors' offices, in accordance with the provisions of the Courts Act and/or State Prosecutor Act, must carry out, within one year of their appointment, a five-day training course in the field of public management, else their managerial office is terminated. Regulations of which knowledge is essential for the management of courts and state prosecutors' offices and skills every good manager should master (human resources management, conflict management, public appearance, etiquette and protocol, etc.) are studied during these training sessions. One-day workshops on the use of new IT solutions designed to better manage the judicial authorities are carried out for managerial staff as well.

Training for judicial staff – seminars and workshops for employees (registrars and others) dealing with clients – are organised as the scope and requirement level of their tasks increase and their relationships become more complex. Training programmes also cover knowledge required by personnel department staff, financial staff and directors of courts to carry out their tasks. The Centre has recently organised a large number of workshops focused on the introduction of IT solutions in legal proceedings, co-financed by the European Union and in cooperation with the Supreme Court. The Court Rules, the State Prosecutors' Rules and the State Attorneys' Rules stipulate that all judicial staff and all public servants employed with the State Prosecutors' Office and State Attorneys' Office must take an examination in mastering the provisions of the Court Rules, the State Prosecutors' Rules and the

State Attorneys' Rules, carried out at the JTC, within one year of the conclusion of their employment relationship.

English language workshops, with a focus on legal terminology, using the European criminal law and civil law instruments, provide knowledge of the relevant vocabulary and terminology in the field of international and European affairs. Their purpose is to improve the abilities to understand expert texts and to communicate effectively in the field of constitutional, civil, criminal, administrative, commercial, labour and social law, with the emphasis on EU legislation, EU institutions, EU operation, terminology and eurospeak.



International cooperation – The JTC, as a judicial training institution, has been Slovenia's representative in the European Judicial Training Network (*EJTN*) since 2008 and has cooperated as a partner in its international training programmes and through membership of the following groups: the working group of *EJTN* programmes, the administrative subgroup, and the subgroup for the exchange of judges, prosecutors and trainers.

In the framework of its membership of the *EJTN*, the JTC has organised, within the **Exchange** and **Aiakos programme**, two-week and week-long study visits of foreign judicial officials and has coordinated short-term and long-term international exchanges of Slovenian judicial officials, organised the participation of Slovenian judicial officials in international training (*EJTN* seminars, seminars within several Linguistic and Criminal law projects, and »train-the-trainers« seminars) and study visits (to the European Court of Justice, the European Court of Human Rights and Eurojust), provided for the participation of foreign judicial officials in national

training courses on European law in the context of the Upgraded Catalogue Activities of the EJTN, and worked with the EJTN within the context of expert cooperation in international expert meetings.

The JTC is committed to cooperation with foreign judicial training institutions on the basis of the several partnership declarations that are concluded annually and in the form of posting Slovenian judicial officials abroad and organising seminars in Slovenia (with the Academy of European Law and the Council of Europe within HELP Programme training).

2. Initial training courses

Passing a national bar exam is one of the conditions for exercising judicial office, holding the offices of state prosecutor, attorney or notary, and for performing other tasks requiring the national bar exam under the law. Pursuant to the National Bar Exam Act (*Uradni list RS* [Official Gazette of the Republic of Slovenia], nos. 83/03 –official consolidated text and 111/07), the JTC is responsible for organising and carrying out national bar exams and for the related obligatory training.

Within the framework of *the initial training of judicial and state prosecutor trainees* and other candidates for the national bar exam, the Centre carries out one-day seminars in various legal fields (15 different fields), including European law, and workshops on writing civil and criminal judgments passed by the court of first instance. During the training, all candidates must attend a certain number of main hearings, write a certain number of judgments from various legal fields, successfully pass an exam on writing criminal and civil first-instance judgments, and complete at least two years of training at courts or in state prosecutor's offices, or two to four years of legal work in other institutions determined by the law, in law offices, notarial offices or legal persons. Only when all these conditions are met does the JTC allow the candidate to take the national bar exam, which can be taken only three times. After the third unsuccessful attempt, the candidate is not allowed to retake the bar exam.

The national bar exam is composed of a written part, which takes two sessions lasting eight hours, and an oral part, which takes up to three hours. On the first day of the written part, the candidate receives his code number and the assignment from the field of civil law (an anonymised case file); he is then given eight hours, using the relevant literature, to study the case file and write the judgment of a first-instance court. On the second day of the written part, he faces a similar assignment from

the field of criminal law. The assignment taken in each legal field is then evaluated by two assessors. If the candidate successfully passes the written part of the exam, he proceeds to take the oral part of the exam after approximately 30 days, which he takes before a six-member committee comprising judges of the Supreme Court and higher courts, supreme and higher state prosecutors, state attorneys, lawyers, notaries, law professors and other eminent legal experts. Each member of the committee questions the candidate in his own field of expertise as determined by the JTC through the use of a computer application, allowing random selection from the database of the members of the national bar exam committee. The evaluation of any particular field on which the candidate is questioned, however, is given jointly by all members of the six-member committee appointed for this particular candidate. The candidate is deemed to have successfully passed the national bar exam if he is given a positive evaluation in all fields he has taken, or if he has failed in just one field but has achieved higher than grade 6 in the remaining fields.

3. Training and implementation of exams of other stakeholders participating in judicial proceedings

3.1 Mediators

At the end of 2009, the Alternative Legal Dispute Resolution Act was adopted. The act imposes an obligation on the courts to provide for alternative dispute-settlement procedures by adopting and implementing the alternative dispute-settlement programme. It is applied to disputes arising from commercial, labour, family and other civil relationships. Court-associated mediation to be introduced by the courts is the most widespread form of alternative dispute-settlement. In this respect, various training courses, such as training for new mediators including the examination which is the condition for the performance of mediation, and advanced training for mediators are carried out at the Centre.

3.2 Court experts and court appraisers

The JTC may organise general or special preparatory seminars to prepare court expert and court appraiser candidates for the taking of special-knowledge tests and advanced training for already appointed court experts and court appraisers. The JTC is solely responsible for the organisation of obligatory examinations to be taken by candidate court experts and court appraisers.

3.3 Court interpreters

The JTC organises general and special preparatory seminars to prepare court interpreter candidates for the taking of special-knowledge tests. General preparatory

seminars are the same for all court interpreter candidates regardless of the language, while special seminars cover particular expert knowledge in individual languages. The JTC is solely responsible for the organisation of obligatory examinations to be taken by candidate court interpreters.

3.4 Examination to perform the function of receivers in bankruptcy and compulsory winding-up proceedings (official receivers)

Pursuant to the Rules on the programme and method of passing expert examinations to perform the function of receivers in bankruptcy and compulsory liquidation proceedings, the JTC is responsible for organising and carrying out examinations to perform the function of receivers in bankruptcy and compulsory liquidation proceedings. The JTC may also organise preparatory seminars for candidates and advanced training for official receivers.

3.5 Exams for enforcement officers and examinations in professional competence for enforcement officers

A successfully passed exam for enforcement officers is one of the conditions for the appointment of such officers. The exam is regulated in detail by the Rules on the programme and method of taking the exam for enforcement officers. Following his appointment, an enforcement officer must take an examination in professional competence every four years; the conditions and the method of taking this examination are laid down in the Rules on professional education and on the programme, conditions and method of taking an examination in professional competence for enforcement officers. The implementation of both exam types falls within the sole responsibility of the JTC.

3.6 Refugee advisers

In accordance with the International Protection Act, a successfully passed exam and training for refugee advisers is one of the conditions for representation in asylum cases before the Administrative Court. The JTC is responsible for the implementation of both the exam and training.

PROFESSIONAL PUBLICATIONS

The JTC edits a publication entitled *Judicial Bulletin (Pravosodni bilten)*. The *Bulletin* contains articles in the field of the judiciary, mostly lectures given during various forms of training, but in the form prescribed for professional articles.

The *Bulletin* is a professional handbook for judges, state prosecutors, state attorneys, other officials and employees in the judicial authorities, and lawyers and notaries. It has been published by the Ministry of Justice for several decades. The scope and content of *Judicial Bulletin* is determined by the editorial board, consisting of representatives of the JTC, judicial authorities, the Bar Association and the Chamber of Notaries. Published are contributions by legal experts, who first submit them to the editorial board for approval. The number of volumes published annually (either three or four) depends on the number and size of contributions.





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Ministry of Justice
Judicial Training Centre
Župančičeva 3, Ljubljana
Slovenia

Tel.: +386 1 369 57 70

Fax: +386 1 369 57 65

E-mail: cip.mp@gov.si

Website:

http://www.mp.gov.si/en/judicial_training_centre/