

ANNUAL REPORT  
OF THE PRESIDENT  
OF THE NATIONAL OFFICE  
FOR THE JUDICIARY 2018

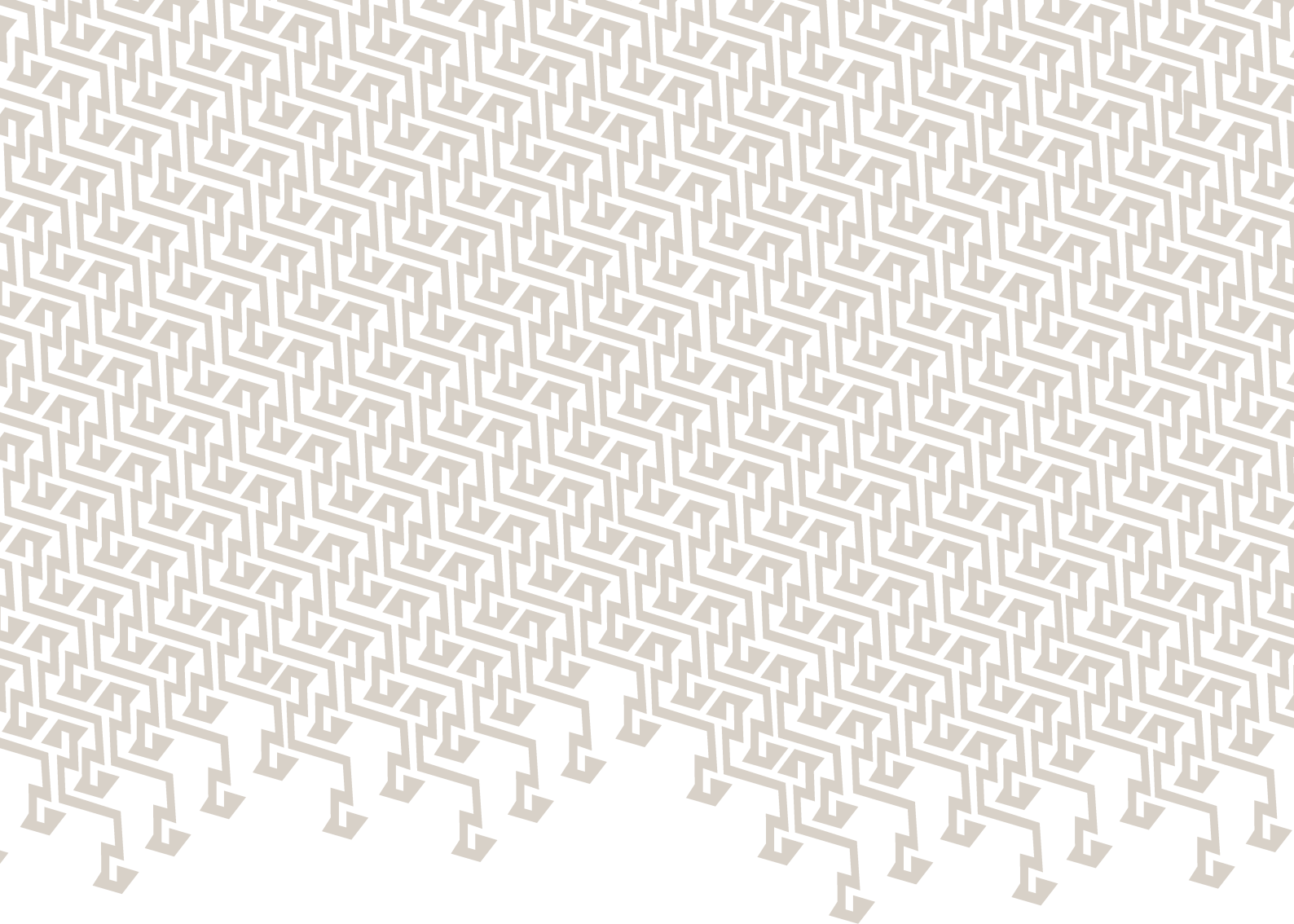




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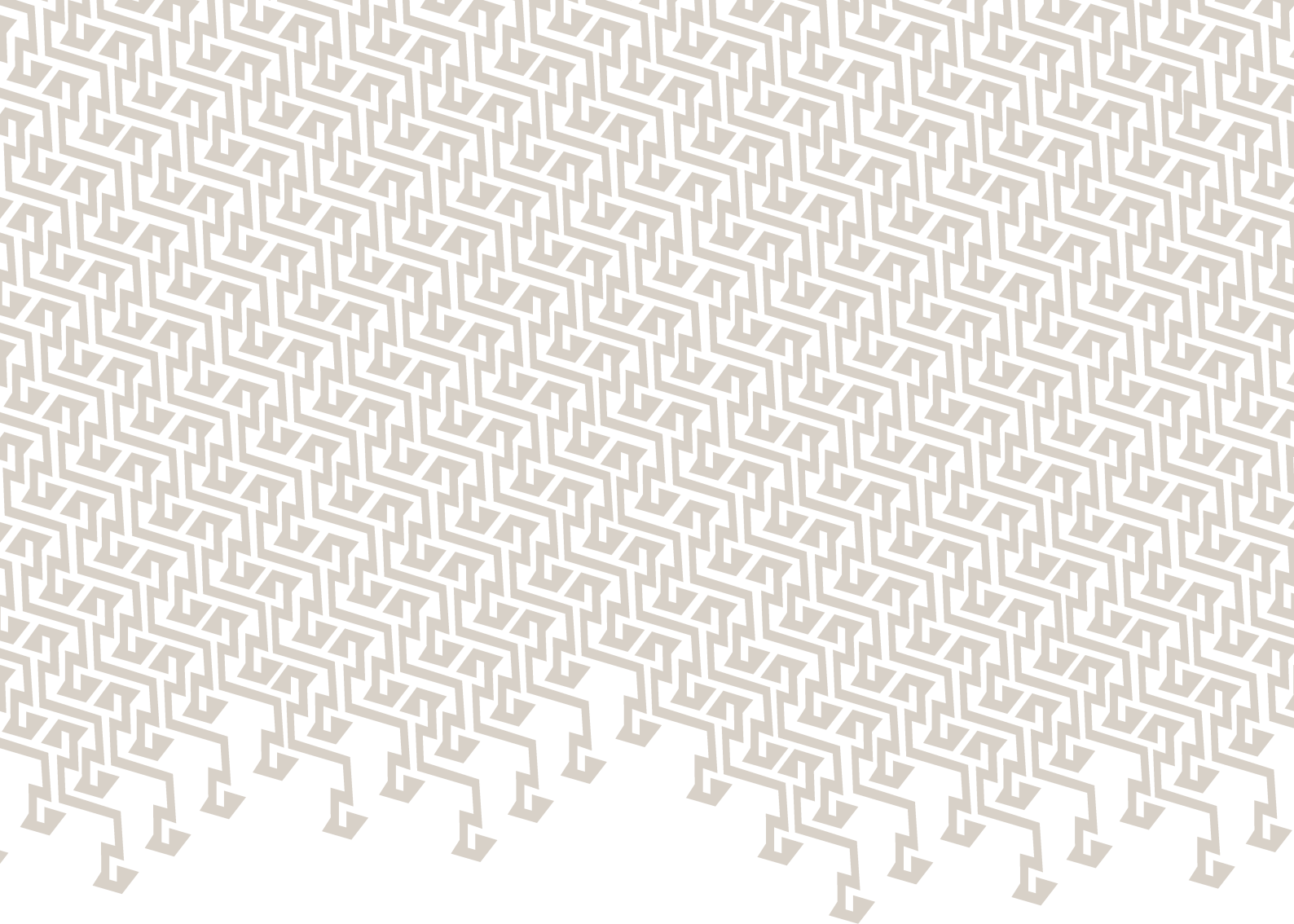


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*"We hold that the common goal of citizens and the State is to achieve the highest possible measure of well-being, safety, order, justice and liberty. We hold that democracy is only possible where the State serves its citizens and administers their affairs in an equitable manner, without prejudice or abuse."*

*Fundamental Law of Hungary*

## *Welcome*

The Hungarian judiciary works for its clients day by day. Its activities focus on the millions of citizens seeking justice that state their cases every year. The National Office for the Judiciary (NOJ) works to create the circumstances for high-standard, convenient, simple and fast administration for the satisfaction of court clients and to guarantee for 11,000 court employees the necessary working conditions for timely and sound judgements. To this end, we must respond to the challenges of this age relying on centuries of Hungarian justice. I firmly believe that we can only achieve development and progress by combining the preservation and creation of values. We must cherish our traditions and continuously add new values to them.

I am especially proud of the Eger Courthouse rebuilt in 2018 by preserving the values of the time when it was built and meeting the requirements of 21<sup>st</sup> century court operation. This is where we created the first client service of a uniform design. The client centre as the face of open and service providing courts presents a new culture of administration as clients are received by well-prepared staff in an environment appropriate for the weight of their matters. In the same year, we created another client centre in Szigetszentmiklós and others are yet to come across Hungary.

An increasing number of courtrooms are equipped with remote hearing equipment in the entire country. Using the option of remote hearings to their full potential is particularly important as it helps clients to greatly reduce their court time and costs. At the same time, remote hearing is only one of the high number of IT developments that the NOJ launched to digitise courts. At this point, clients can use several convenient services such as requesting text or email notification of every important measure in their matters. We are working to make courts available from any point and at any time for both judges and clients. This will be achieved by the introduction of electronic files.

In 2018 the laws on court procedures were completely amended with the entry into force of the new Civil, Administrative and Criminal Procedure Codes. This prompted us to treat client information as a priority so that anyone going to court should be familiar with key changes. We disclosed a number of news and interviews, and prepared information guides and videos. By the second half of the year, we had completely upgraded the central website of courts to offer visitors a plain and user-friendly design, a clear topic-based structure, up-to-date information and a number of new contents. The new website and our continuously updated social media sites offer clients all essential information about courts and court procedures.



Our 21<sup>st</sup> century courts no longer hold “complaints days” but provide “client assistance”. This is a change of attitude, rather than just a replacement of names, brought about by the new Civil Procedure Code. Our personnel registers the oral requests of clients seeking assistance from client assistants, helps them fill in forms and gives them any support they need in matters of court procedure.

This attitude of help and support, the use of a common language, and mutual respect and trust should be a starting point for preserving our sustainable values and continuously building while focusing on things that really matter. It is in this spirit that the judiciary can fulfil its constitutional function serving security, order, justice and freedom in their entirety.

Judicial independence is the cornerstone of the rule of law enshrined in the Fundamental Law. Preserving it is a task and responsibility we share, as expressed by the late Andor Juhász: *“We are independent judges and it is our job to observe our own operations and their effects. Not even the most genuine appreciation should stop us in our upward journey of incessant and strict self-criticism as this is our only chance to achieve something bigger, better and more perfect.”*



dr. Tünde Handó  
President of the NOJ



# I.

## THE EFFICIENCY OF JUSTICE

In line with the objective of the NOJ's President that courts should perform their constitutional obligation with independent judges delivering judgements in a timely and highly professional manner, the NOJ achieved the following key results in 2018:

- As in 2017, the vast majority (86%) of cases were completed within one year from filing with the given instance.
- By the end of 2018, the number of litigious cases pending for over two years had dropped by 40% as opposed to the year of the NOJ's establishment.
- The NOJ launched its new IT application to support the work of court presidents (Leaders' Information System).
- The application of the new court procedure laws (Civil, Administrative and Criminal Procedure Codes) started efficiently and successfully.
- Disclosed by the European Commission, efficiency indicators in the EU Justice Scoreboard show that Hungary is still in the upper third of Member States.
- As the Special Tax Act was amended upon the proposal of the NOJ's President, by virtue of Section 87(1) of the Act on the legal status and remuneration of judges, judges relieved from duty for reasons of health or due to any significant health damage shall be exempt from the special tax regulated by the Special Tax Act on their severance pay.



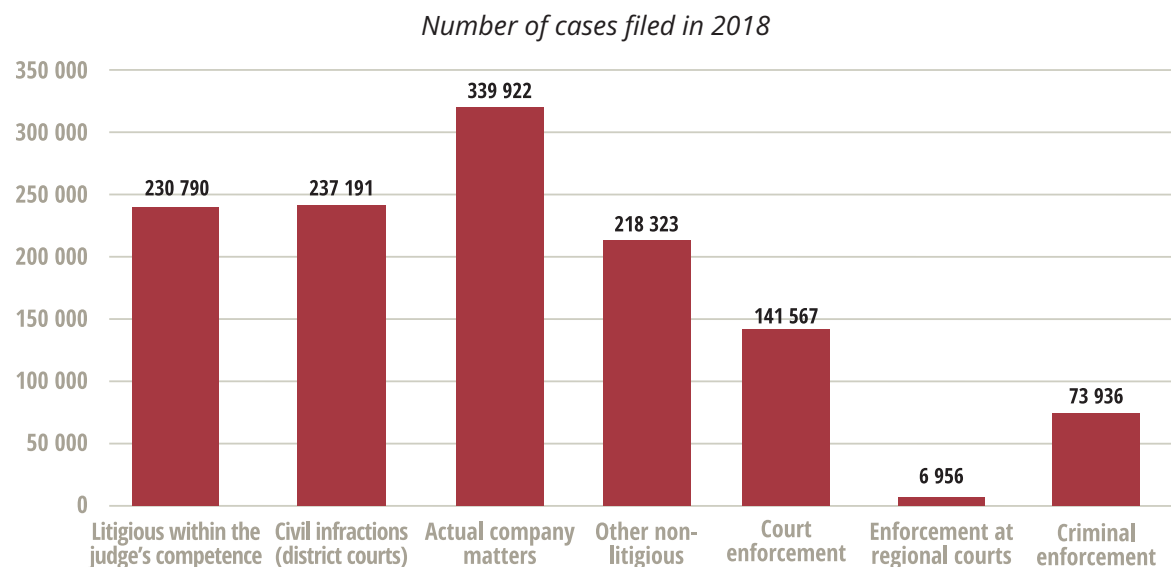
## 1. CASELOAD

For the overall presentation of court caseload, the NOJ reviewed several data gathering methods in 2017. As a result, it improved the sample of correctional cases and changed its methodology to include them in 2018. This added to the caseload just like the emergence of indemnity cases in 2017.

Together with IT improvements, the NOJ continued to improve the accuracy of data supply regarding enforcement cases at regional courts.

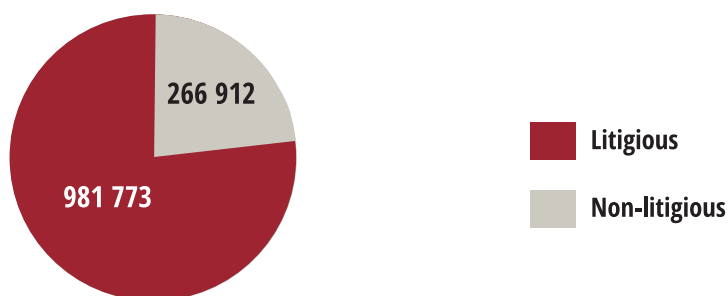
### 1.1. Case filings

In 2018 courts received a total of 1,248,685 cases.

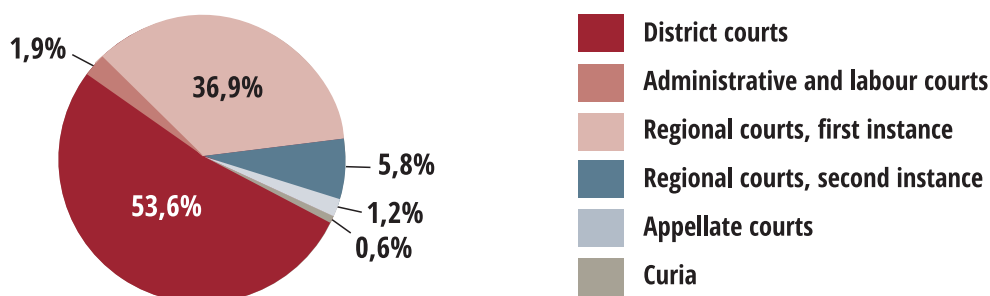


Of all cases received by courts, the rate of work-intensive litigious cases dropped from 23.9% to 21.4% primarily as a result of the legal amendments.

*Litigious and non-litigious case across Hungary in 2018*



*Breakdown of case filings to court levels in 2018*





## 1.2. Case completions

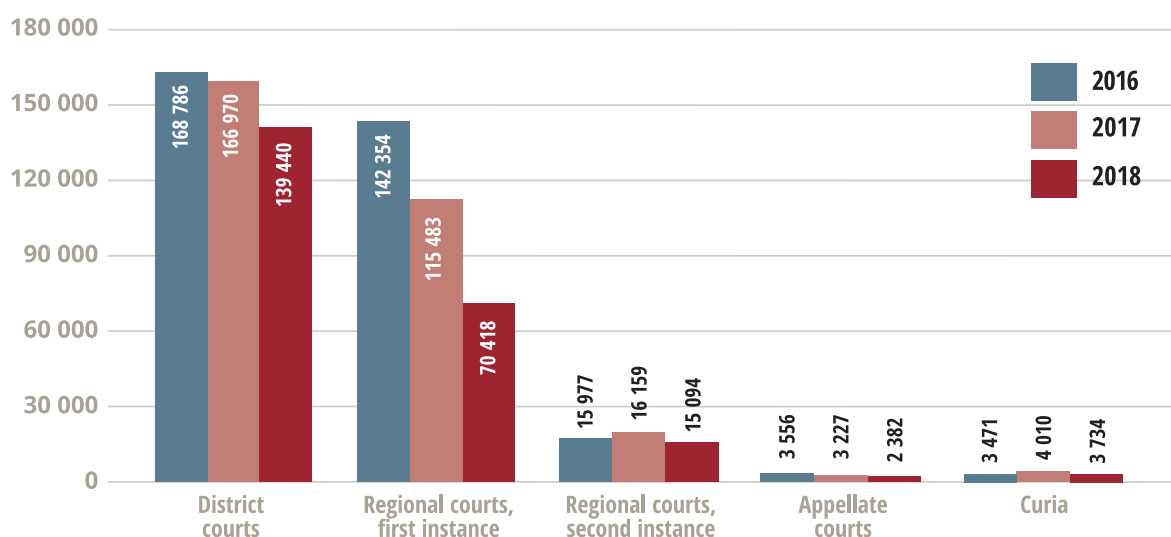
In 2018 courts completed a total of 1,294,081 cases. The number of completions exceeded the number of filings at every level regarding all—including litigious—cases.

The rate of cases within the overall number of completions across Hungary was 23.4%. In other words, one in four completed cases was litigious.

## 1.3. Pending cases

In December 2018, the number of cases pending in the whole of Hungary was 231,068. With approximately 75,000 cases, this represents a considerable 24.5% decrease compared to 305,849 cases in 2017. In addition to data cleansing for enforcement cases at regional courts, this was possible primarily due to district courts (24,000 cases less) and administrative and labour courts (3,500 cases less) but the number of pending cases was lower at all court levels than in 2017.

*Changes in pendings cases by court level 2016–2018*



## 1.4. The Central Region

The Central Region consists of the Budapest Metropolitan Appellate Court, the Budapest Metropolitan Regional Court, and the Budapest Environs Regional Court together with other courts in their respective jurisdictions. These courts receive over 40% of the cases. Hungary's social and economic geography is such that this area concentrates the authorities of central public administration and control including the seat of the stock exchange, most banks, insurance agencies and large national companies. The central location of trade and public administration involves a high number of case filings. The above circumstances also account for a high criminal exposure and the number and nature of criminal cases. In addition, some cases are exclusively reserved for these courts. Since the Administrative Procedure Code took effect in 2018, the Budapest Metropolitan Regional Court has national jurisdiction in a number of administrative cases.

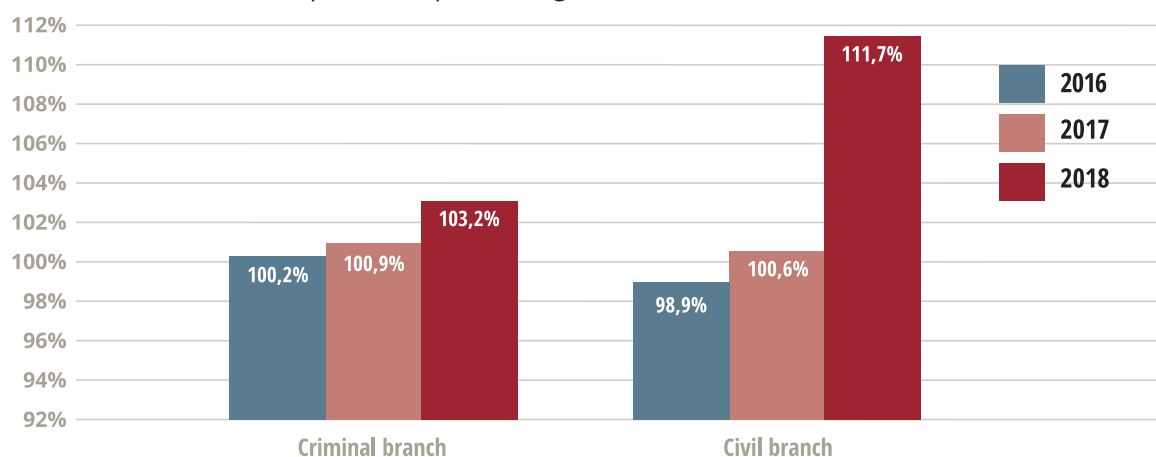
### 1.4.1. Budapest Metropolitan Regional Court

In 2018 the Budapest Metropolitan Regional Court and its courts received 336,449 cases, completed 354,633 and left 62,988 pending. The Budapest Metropolitan Regional Court's share of national filings was 27.42%, 0.84% less than in 2017.

In 2018, as shown in the following diagram, the number of completions exceeded filings in both the criminal and the civil branches.

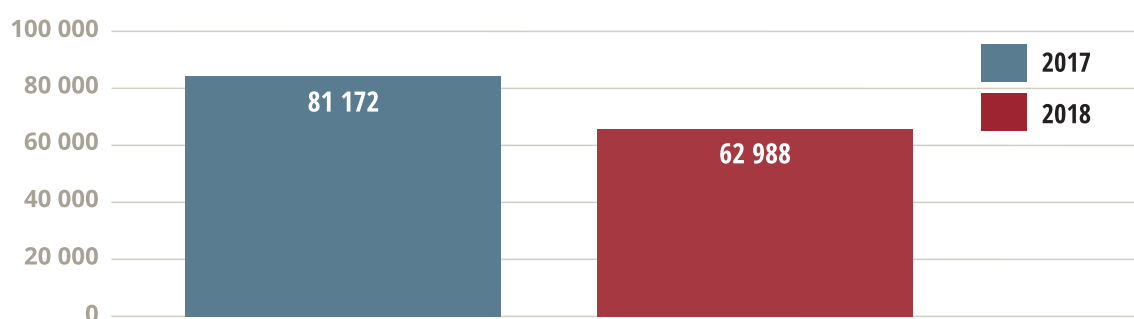


*Share of completed cases compared to cases received  
at the Budapest Metropolitan Regional Court between 2016 and 2018*



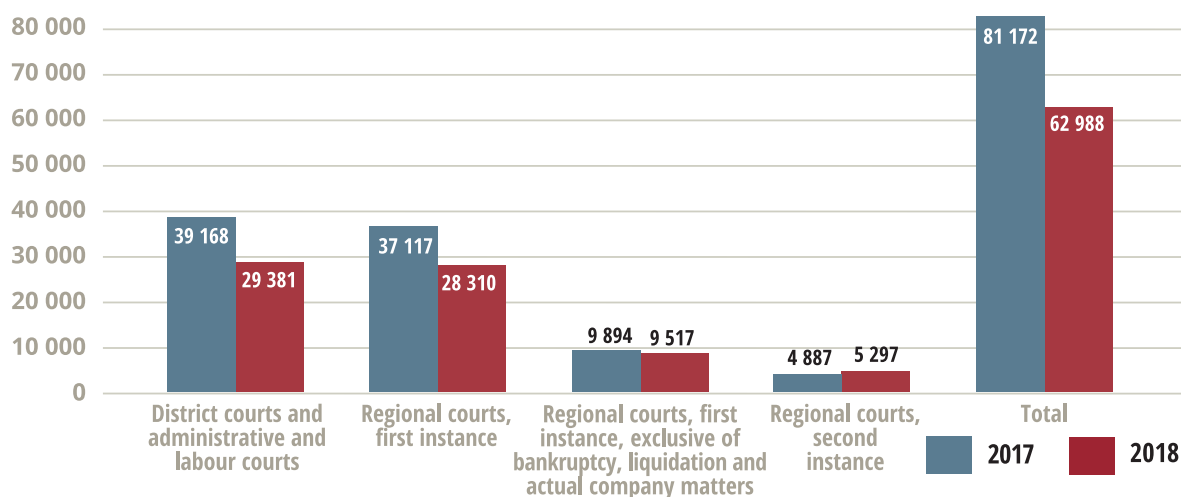
The Budapest Metropolitan Regional Court reduced the number of pending cases by more than 18,000, i.e. a total of 22.4%.

*Number of pending cases at the Budapest Metropolitan Regional Court  
in 2017 and 2018*



Regarding changes in case backlog, the number of pending cases dropped by 25% at district courts and administrative and labour courts, and by 23.7% at the first instance of regional courts compared to 2017. By contrast, the second instance of regional courts registered an 8.4% increase.

*Number of cases pending at the Budapest Metropolitan Regional Court in 2017 and 2018*



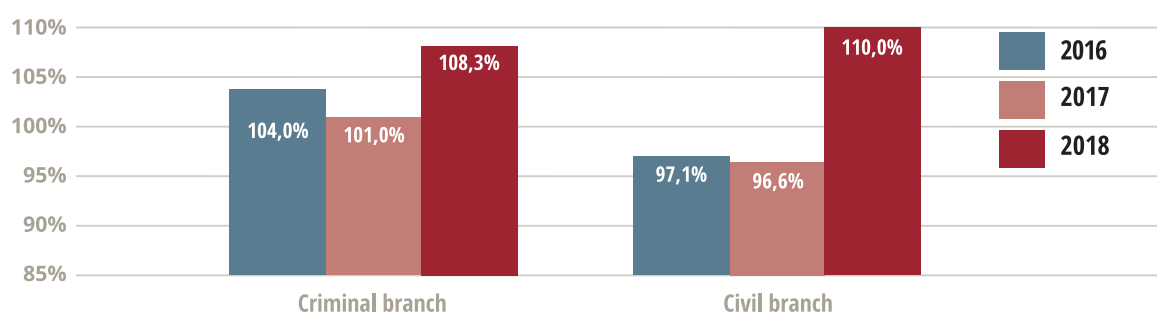


### 1.4.2. Budapest Environs Regional Court

In 2018 the Budapest Environs Regional Court and its courts received a total of 155,315 cases, 10% less than in 2017. The sharpest decrease (18%) was achieved in first instance cases at regional courts. At the same time, the Budapest Environs Regional Court still has the second largest caseload accounting for approximately 12.7% of the national statistics.

The number of completed first instance cases at regional courts dropped dramatically, primarily because of a decline in the number of completed company cases. This resulted in a 7.8% decrease in the number of completions.

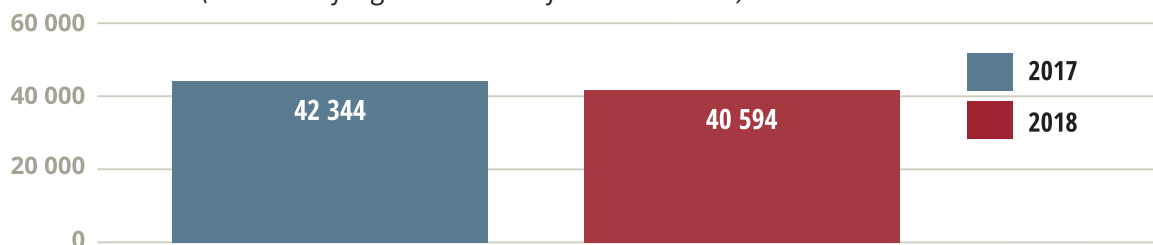
*Completed cases as a percentage of cases received at the Budapest Environs Regional Court between 2016 and 2018*



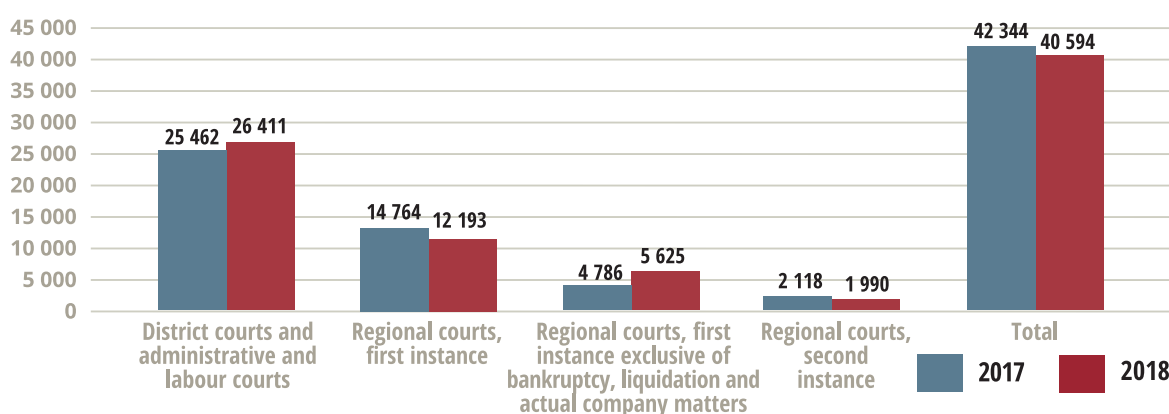
After the number of filings dropped more than the number of completions, the overall number of completions exceeded filings by 1.1%.

Case backlog dropped by 4.1% in total compared to 2017, by 17.4% at the first instance in regional courts, by 6% at the second instance in regional courts but it rose by 3.7% at district courts. At the end of 2017, 42,344 cases were pending. By 31 December 2018, this number had dropped to 40,594.

*Number of cases pending at the Budapest Environs Regional Court (exclusive of regional court enforcement cases) in 2017 and 2018*



*Number of cases pending at the Budapest Environs Regional Court in 2017 and 2018*

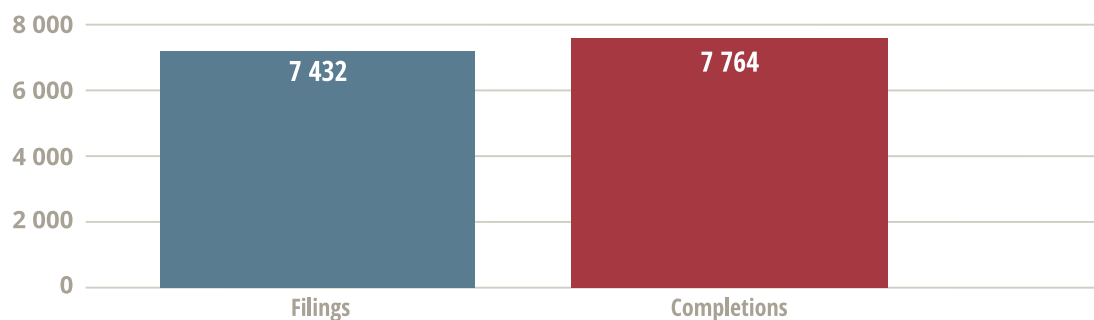




### 1.4.3. Budapest Metropolitan Appellate Court

In 2018 the Budapest Metropolitan Appellate Court received 7,432 cases, 9.8% less than in 2017. This sharp decline mostly affected non-litigious cases with a total share of 11.9%.

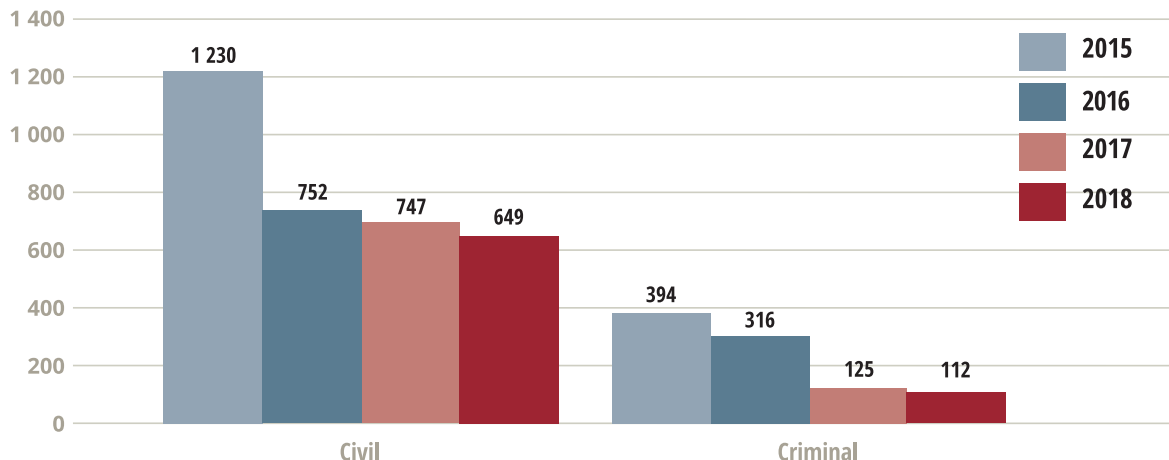
*Number of cases received and completed by the Budapest Metropolitan Appellate Court in 2018*



In 2018 the number of pending cases was 1,362, a 19.6% improvement compared to 2017. In 2018 the sharp decline in non-litigious cases filed also affected non-litigious backlogs. The rate of pending non-litigious cases was 26.9% lower at the end of 2018 than in 2017.

The number of pending litigious cases had nearly halved (46.8%) during the three year period between 2015 and 2018. This decrease was achieved by both the civil (including financial) and the criminal branches by doing strenuous efforts, taking administrative steps and receiving help from other appellate courts.

*Pending litigious cases of the Budapest Metropolitan Appellate Court broken down to branches*



## 2. TIMELINESS

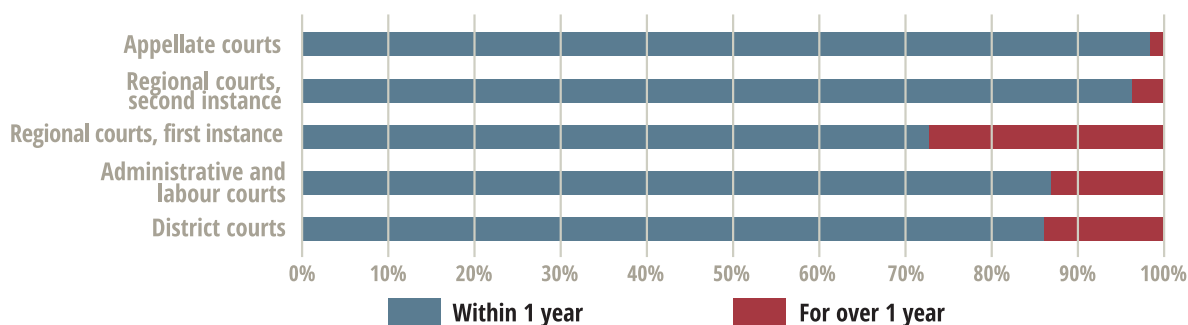
High-quality and timely justice is a key priority for courts so the most important goals in 2018 included, in addition to preserving the achievements of the previous years, the improvement of timeliness and the reduction of the number of protracted cases. To this end, the National Office for the Judiciary announced the Sustainable Development Program (SDP) back in April 2016 and SDP 2 as a follow-up in June 2017, which finished on 31 October 2018. SDP 2 further improved timeliness indicators for both litigious and non-litigious cases, and reduced the number of protracted cases.



## 2.1. Completed litigious cases

The vast majority (86.4%) of cases were completed within one year from filing with the given court level. Specifically, more than 255,000 of the approximately 300,000 cases all told were brought to an end within one year (or within six months at appellate courts).

*Period of completion of litigious cases (exclusive of the Curia)  
in 2018*



At the level of district courts, the overall national statistics show that the rate of civil cases completed within one year from filing as opposed to all completions was 86.2%, which is an excellent result.

**Rate of civil litigious cases completed within one year  
as opposed to all completions at district courts (2018)**

Rank	Regional courts	Rate
1.	Gyula Regional Court	95,6%
2.	Kaposvár Regional Court	92,1%
3.	Debrecen Regional Court	91,6%
3.	Miskolc Regional Court	91,6%
4.	Balassagyarmat Regional Court	90,9%
5.	Szeged Regional Court	90,4%
6.	Veszprém Regional Court	89,7%
7.	Pécs Regional Court	88,5%
8.	Szolnok Regional Court	88,2%
9.	Szombathely Regional Court	87,9%
10.	Szekszárd Regional Court	87,8%
11.	Zalaegerszeg Regional Court	87,3%
12.	Eger Regional Court	86,5%
13.	Nyíregyháza Regional Court	86,4%
14.	Kecskemét Regional Court	86,3%
15.	Székesfehérvár Regional Court	85,5%
16.	Győr Regional Court	84,7%
17.	Budapest Metropolitan Regional Court	83,5%
18.	Tatabánya Regional Court	82,1%
19.	Budapest Environs Regional Court	80,6%
<b>National average</b>		<b>86,2%</b>



The same indicator, the rate of cases completed within one year as opposed to all completions, was the highest (97.5%) also in the civil branch at the second instance of regional courts.

This indicator is especially noteworthy at appellate courts, which considerably improved the rate of cases completed within six months starting from 2016. In 2018 appellate courts completed as much as 81.7% of their litigious cases within six months.

## 2.2. Pending cases

The rate of cases pending at regional courts (including district courts, and administrative and labour courts) dropped by 24.6% compared to 2017, from 298,612 to 224,952 cases, with litigious cases accounting for 46.4%. Appellate courts also reported an improvement, with a decline in pending cases by 26.2% compared to 2017, from 3,227 to 2,382 cases.

The rate of protracted pending cases, i.e. those in progress for more than two years at district courts and the first instance of regional courts, for over one year at the second instance of regional courts, and for over six months at appellate courts, accounted for 7.6% of all backlogs. This rate was lower in the civil branch as cases pending for more than two years at the district court level accounted for 6.2% (i.e. nearly 4,000 of 65,000 cases) while cases pending for over one year at the second instance of regional courts accounted for 2.4% of the overall backlog.

## 3. SOUNDNESS OF JUDGEMENTS

### 3.1. Soundness of judgements at individual courts

An indicator of society's satisfaction with the administration of justice is the lowest possible number of appeals against first instance judgements, i.e. the highest possible number becoming final at this level. The vast majority of judgements are delivered in the civil branch of district courts. In 2018 this accounted for nearly 53.5% of litigious completions. In this branch, an average of nine out of ten judgements became final, a rate in excess of 91%. This indicator also improved in the criminal branch as 2018 witnessed 0.4% more litigious cases that became final at the level of district courts than the year 2017. Regarding second instance actions at regional courts, nearly 99% became final in the reporting period, just like in 2017.

The following diagram shows judgements that became final in 2018, broken down to the civil branch of district courts and to administrative and labour courts:

Rate of final judgements at the civil (including financial, administrative and labour) branch of regional courts in 2018		
Rank	Regional Court	Rate
1.	Debrecen Regional Court	93,7%
2.	Nyíregyháza Regional Court	93,2%
3.	Gyula Regional Court	93,1%
4.	Miskolc Regional Court	93,0%
5.	Eger Regional Court	92,5%
5.	Győr Regional Court	92,5%
5.	Szeged Regional Court	92,5%
5.	Budapest Environs Regional Court	92,5%
5.	Szolnok Regional Court	92,5%
6.	Kecskemét Regional Court	92,4%
7.	Balassagyarmat Regional Court	92,2%
8.	Szombathely Regional Court	92,0%



Rank	Regional Court	Rate
9.	Kaposvár Regional Court	91,9%
10.	Veszprém Regional Court	91,8%
11.	Tatabánya Regional Court	91,6%
12.	Pécs Regional Court	91,5%
13.	Székesfehérvár Regional Court	91,3%
14.	Zalaegerszeg Regional Court	91,1%
15.	Székszárd Regional Court	90,8%
16.	Budapest Metropolitan Regional Court	87,7%
National average		91,1%

As can be seen, these branches completed over 91% of cases with a final judgement at a national level in 2018, just like in 2017. The highest rates were achieved by the Debrecen Regional Court (93.7%) and the Nyíregyháza Regional Court (93.2%).

### 3.2. Decisions on consistent court practices and the quality of justice

#### 3.2.1. Monitoring of the Constitutional Court's decisions

The NOJ monitors the Constitutional Court's website to keep up-to-date with its work, learning firsthand about constitutional complaints affecting courts and about the Constitutional Court's decisions. Since 2017 the Constitutional Court has sent to the NOJ its weekly newsletter, which is also available on the central website of courts.

Between 1 January and 31 December 2018, judges submitted a total of 44 individual applications to the Constitutional Court for a prior review (Constitutional Court Act Section 25). As for constitutional complaints, the eligible applicants claimed that a law was applied in contravention of the Fundamental Law in 38 court cases (CCA Section 26(1)) and 288 judges' decisions were challenged on the grounds of contravention to the Fundamental Law (CCA Section 27). In 2018 a total of 16 court/administrative decisions were annulled.

#### 3.2.2. Court of Justice of the European Union (CJEU)

Article 267 of the Treaty on the Functioning of the European Union (TFEU) authorises national judges to apply for a preliminary ruling. They may do so whenever they are in doubt about the validity of EU law applicable in a case pending before them or about the interpretation of EU law, unless such law has previously been interpreted. The objective of the NOJ's President is that such preliminary rulings be requested at the highest professional level and in compliance with TFEU Article 267.

To this end, the NOJ's President runs the Network of European Union Legal Advisors, comprised of 56 judges and 24 assistant judges at the end of 2018.

To prevent repeated applications and to disseminate already interpreted legal matters, it is essential for the judiciary to find out about pending applications for preliminary rulings and CJEU decisions. Judges receive help with this from a searchable information database on court's intranet run by the NOJ's President, including both best practices and sample orders and forms.



The database contains the given court's decision to submit an application and the CJEU's response. The Network of European Union Legal Advisors created a platform within its own website to share the CJEU's decisions in Hungarian with a variety of search options.

At its courses, the NOJ continues to pay special attention to preliminary rulings as any of them may affect the entire judiciary rather than just a specific case.

The CJEU made two preliminary rulings upon a Hungarian court's application, in case No. C-483/16 (Sziber Case) on 31 May 2018 and in case No. C-51/17 on 20 September 2018, both concerned with legal interpretation in actions filed by foreign exchange borrowers. These CJEU rulings are expected to affect not only court practices but also caseload and work management.

### **3.2.3. European Court of Human Rights (ECHR)**

In 2018 the ECHR delivered 38 judgements affecting Hungary, including 35 against the country. This put Hungary fifth on a list of 47 states. Of the 35 judgements against Hungary, ten (28.5%) concerned the judiciary.

A total of ten judgements determined the violation of the requirement of "hearing within a reasonable time" laid down in Article 6.1 of the European Convention on Human Rights (ECHR), including six that also determined the violation of the right to an effective remedy laid down in ECHR Article 13. Previous central administrative measures to complete cases by meeting the requirement of "hearing within a reasonable time" continued, reducing the number of protracted cases. This is also apparent in cases pending at the ECHR as the Hungarian court cases affected by recent decisions had been launched well before 2012 and the number of such procedures has dropped dramatically.

The NOJ used its available administrative resources to facilitate the earliest possible completion of all cases, to provide courts with feedback on case law in ECHR rulings on court procedure, and to use the experiences. This is also supported by the search platform on the independent website of the Network of European Union Legal Advisors.

Another highlight is that the number of applications submitted to the ECHR dropped by more than 50% in 2018. This also demonstrates that Hungarian courts do their best to complete cases within a reasonable time and that their efforts have been successful.

The completion of cases within a reasonable time is supported by the new procedure codes as their uniform application has been monitored by the corresponding working groups. Also, in compliance with international obligations, the Ministry of Justice has started to develop a mechanism for efficient legal redress against protracted cases. In the first half of 2018, the NOJ supported this work with data supply for preliminary impact assessment and submitted comments and suggestions as an input to its proposal within the administrative consultation. The Bill was submitted to Parliament in the autumn of 2018 but its discussion has come to a standstill since then.



## 4. THE PERFORMANCE OF JUDGES

### 4.1. Measuring and analysing the administration of justice

In 2018 the National Office for the Judiciary laid great emphasis on monitoring and analysing the effects of the new procedure codes on the internal structure of judges' work and the changes in their workload. Such actions were an immediate follow-up on the measurement methods and improvements that had followed and supplemented each other in previous years.

The concept of workload has multiple meanings. In terms of strategic objectives, it means something that allows for planning, implementing and evaluating all measures aimed at achieving "good court" and reinforcing independent, timely and high-quality justice. To meet clients' expectation for efficient and timely justice, the workload must be balanced and proportionate. This can be achieved and sustained among and within court units by measuring and analysing performance.

For a judge who makes rulings, workload is an indicator that expresses the average number of cases per judge/court employee broken down to court levels and branches. There are multiple ways to measure workload depending on the goal and perspective of the analysis, with a difference between the types of headcount considered (approved headcount, actual headcount, number of hearing panels) and caseload indicators (cases received, completed and pending).

In the spirit of solidarity and cooperation, the President of the National Office for the Judiciary and court presidents have a shared liability for a proportionate workload. Therefore, the central management and court presidents are responsible for measuring judicial activities in different ways.

Court Presidents have a general obligation to make sure that their respective units administer justice in compliance with the laws and in an efficient and timely fashion. To this end, they manage a number of administrative resources to create and sustain a proportionate workload by determining the regime of case distribution, performing administrative inspections, monitoring the number and weight of cases received, distributing cases evenly, and managing headcount and secondments responsibly, as necessary, to make sure that the above requirement is met within and between their respective units.

The President of the National Office for the Judiciary helps court presidents with such responsibilities by determining approved headcounts, developing datasheets and methods for measuring workloads and activities (e.g. weighting factors, guides for reports), and supporting local best practices. Another form of assistance is that the National Office for the Judiciary introduced an IT application in 2018 to help the work of court presidents (Court Presidents' Information System) and is now working to improve it. Based on the central docket database, the first module supplies real-time, up-to-date aggregate caseload and timeliness data to support court presidents in preparing, implementing and checking decisions. This year's upgrade will offer lists of caseload data by individuals as opposed to approved headcounts.

If the given unit cannot achieve a proportionate workload after court presidents have used the available options, the National Office for the Judiciary takes a central measure by calling for job applications, rearranging positions or authorising secondments.

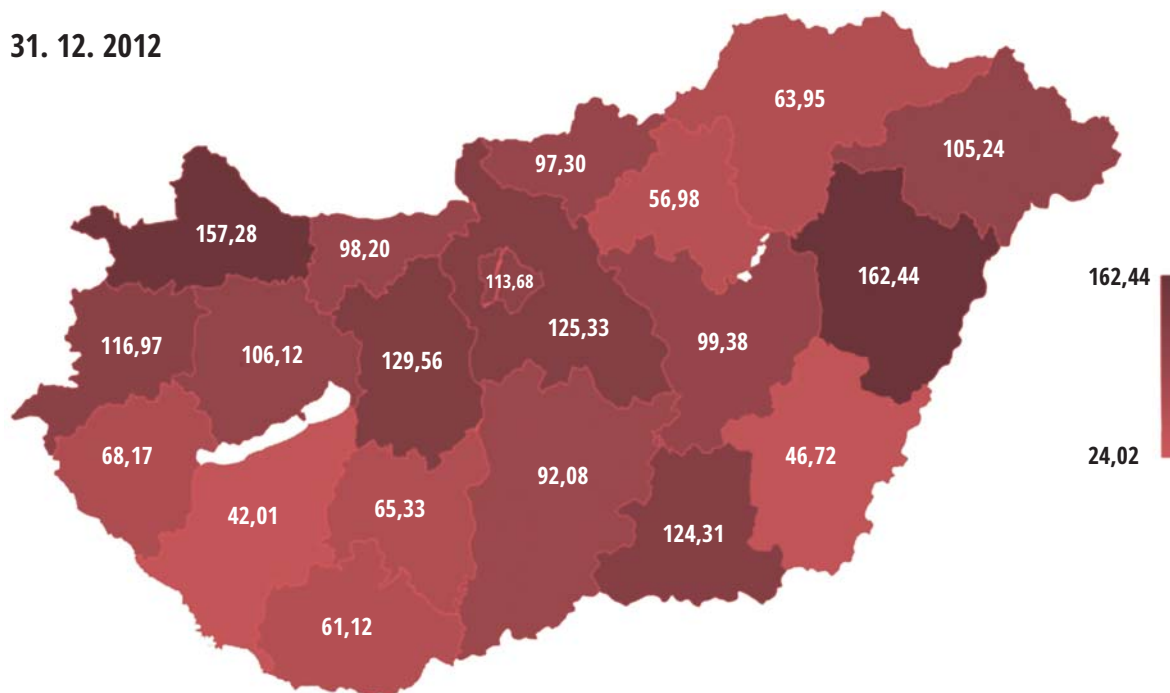
The diagram in Annex I.1 shows how judges at individual regional courts came to have a balanced average workload across Hungary between 2010 and 2018.



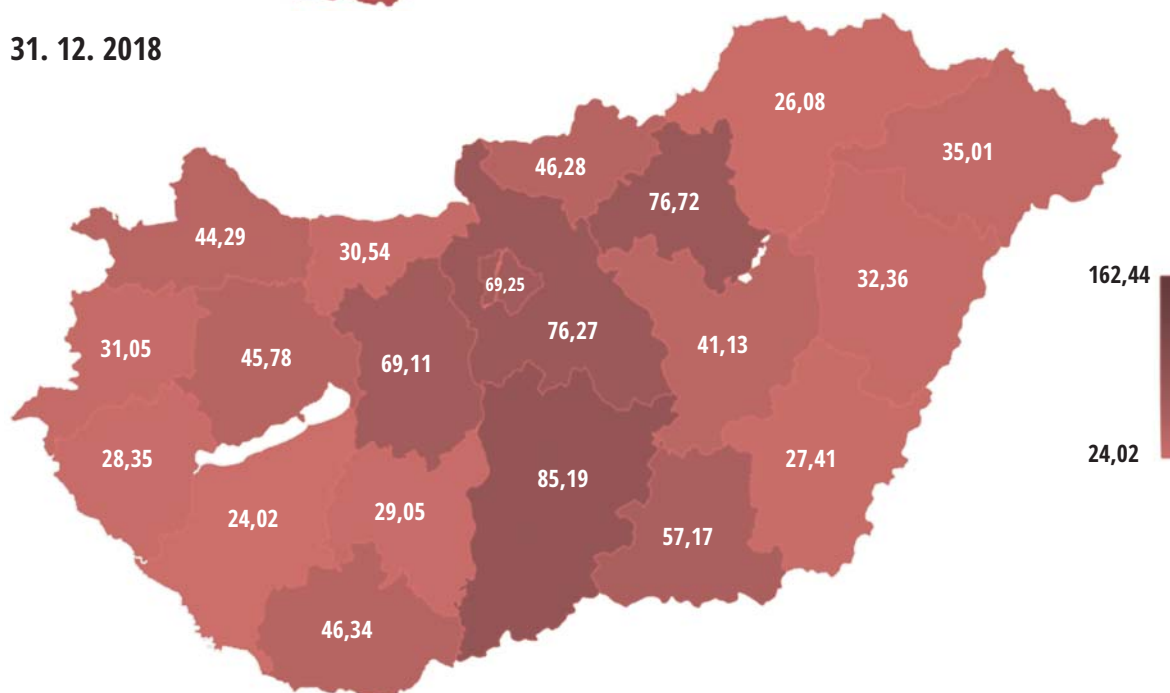
The next two maps also clearly reflect the decrease in workload.

*Backlog per hearing judge at the criminal branch of district courts*

**31. 12. 2012**



**31. 12. 2018**



	31. 12. 2012	31. 12. 2018	Rate of improvement
National average*	101 cases	51 cases	- 49,5%
Budapest Metropolitan Regional Court	113 cases	69 cases	- 38,9%
Budapest Environs Regional Court	125 cases	76 cases	- 39,2 %

\* Including data from all regional courts



## 4.2. Secondment

Secondment means a judge's obligation to administer justice (also) in a place of service other than that required by his position. A judge may be seconded to achieve a balanced inter-court caseload or to promote his professional development. Secondment is regulated by Sections 31–33 of the Act on the legal status and remuneration of judges (LSRJA).

Before seconded, a judge's reasonable interests must be taken into account. A judge may only be seconded with his consent, provided that he keeps his judicial activities according to his position and that his secondment to a place of service in a locality other than his residence or temporary address and place of service is motivated by any of the statutory family and personal circumstances.

In order to create a balanced inter-court caseload, judges may be seconded for a maximum term of one year, every three years without their consent. "Mobile judges" that have won an announced position under LSRJA Section 33(1) may be seconded to the courts designated in the call for job applications within the maximum term of three years and they give consent to the secondment by submitting their applications.

In order to promote their professional development, judges may be seconded to regional courts, appellate courts and the Curia upon the initiative of the President of the given regional court, appellate court and the Curia.

In 2018 the presidents of regional courts decided to second 682 judges. The right of secondment was primarily exercised by the presidents of regional courts with a major workload in an attempt to set the balance.

In 2018 the NOJ's President seconded 132 judges upon the initiative of court presidents and with the consent of the judges, including

- 38 judges to the Curia from various courts,
- 1 judge from the Curia to an appellate court,
- 1 judge from the Curia to a regional court,
- 20 judges from an appellate court to another appellate court,
- 28 judges from a regional court to an appellate court,
- 5 judges from an appellate court to a regional court,
- 39 judges from a regional court to another regional court.

## 4.3. The evaluation of judges

The independence of courts is a key pillar for the rule of law enshrined in the Fundamental Law. Independence means that judges are only subject to the laws and may not be instructed during their work. This involves a high level of professional liability as judges must perform autonomous work. Consequently, there is a need for a mechanism to check judges' work and to achieve the professional standard expected by citizens. This goal is served by the regular evaluation of judges.

The evaluation of judges is designed to

- allow for checking professional work and identifying professionally unfit judges;
- give judges feedback on their strengths and skills that need to be developed;
- be regular and predictable but may also be ordered as a matter of urgency as necessary;
- be objective and hence provide a realistic and comparable picture of the work of a judge in any point of Hungary;
- reveal any systematic error, allowing for and encouraging further development;
- protect client interests, promoting efficient case management within a reasonable time.



The NOJ's President declared as her first strategic objective that courts should perform their constitutional obligation with independent judges administering justice at a high level and in a timely fashion. In this spirit, she issued NOJ Instruction 8/2015 (12 December) on the Regulation of the Standard Evaluation of Judges' Activities and Detailed Evaluation Criteria. The Instruction includes a methodology to make evaluation reports uniform in terms of content and structure. Now used as a standard practice, Instruction 8/2015 (12 December):

- regulates a more complex evaluation in line with the complexity of judicial activities with a focus on the judge's work, specifying and clarifying the rules of the underlying examinations;
- makes the appointment of examiners subject to a set of qualifications (central training for examiners and an entry in the Examiners Register). The regulation includes a methodological guide that offers practical assistance in conducting the examination and preparing the evaluation report by fine-tuning and explaining a number of terms.

In 2018 a total of 304 judges were evaluated at the Curia and at appellate, regional, district, and administrative and labour courts. Of these judges 258 were appointed for an indefinite term while 46 served for a fixed term.

Of the 258 judges appointed for an indefinite term,

- 116 were found qualified for a higher position with distinction,
- 86 were found qualified with distinction,
- 54 were found qualified,
- 2 were found unqualified.

In 2018 five affected judges applied to the Service Court over the evaluation of their work. Of these cases three have been completed, including one where the first instance service court has changed the judge's evaluation from "qualified" to "qualified with distinction". The decision became final at the first instance. In two cases, the first instance service court terminated the procedure and ordered a new evaluation of the judge's work.

## 5. NEW CHALLENGES

### 5.1. Responsibilities related to the entry into force of the new Codes

#### 5.1.1. Working Group Supporting the Enforcement of the New Civil Procedure Code

Act CXXX of 2016 on civil procedure (CPC) entered into force on 1 January 2018. After the E-Code CPC Project ended on 31 January 2018, the Working Group Supporting the Enforcement of the New CPC (hereinafter: Working Group) was established to monitor the changeover to the new civil procedure and to examine the enforcement of the CPC. In parallel, regional courts created local working groups and professional workshops.

In the first half of 2018, the Working Group:

- provided professional support for the appropriate use of the Integrated Court Information Technology System (BIIR) in compliance with the provisions of the CPC;
- developed a proposal for a legal amendment using court comments to simplify the form used by parties without a legal representative;
- started to develop the sample decisions and Bench Book to promote the practical application of the CPC and prepared the enforcement of the course material disseminated on the CooSpace platform;
- prepared the National Conference of Heads of Civil Divisions (NCHCD) developing professional materials and summarising the questions submitted by courts' working groups and professional workshops.



In the second half of 2018, the Working Group:

- created a plan for the improvement of the BIIR program in compliance with the CPC,
- contributed to the enforcement of the course material disseminated on the CooSpace platform,
- coordinated the tasks of writing and revising the Bench Book guide and preparing disclosure,
- prepared the autumn edition of the National Conference of Heads of Civil Divisions (NCHCD) and helped to publish and structure the adopted positions,
- decided to conduct a pilot study to monitor the enforcement of the new CPC and started implementation with assistance from the Statistical Analysis Unit,
- helped to organise central and local courses on the application of the CPC,
- decided to develop a proposal for a legal amendment on actions affecting civil status under the CPC,
- received monthly input from local working groups to gather and synthesise proposals for legal interpretation and legal amendment, and forwarded them to the Curia and lawmakers.

### **5.1.2. Working Group Supporting the Enforcement of the Administrative Procedure Code**

Act I of 2017 on administrative procedure (APC) entered into force on 1 January 2018. After the E-Code APC Project ended on 31 January 2018, the Working Group Supporting the Enforcement of the Administrative Procedure Code (hereinafter: Working Group), established to supervise the uniform management and coordination of professional and administrative responsibilities, held its inaugural session on 16 February 2018 and three meetings in April, May and October.

The Working Group was primarily responsible for examining case filings, gathering and summarising questions of legal interpretation, and monitoring new court practices derived from the most important new legal institutions to forward all questions and comments to the professional bodies and the Curia, and to support the NOJ and courts in central administration matters by submitting analyses, opinions, and proposals.

On the one hand, the Working Group relied on reports from the working groups of regional courts organised or supported by local and regional administrative and labour chambers. Also, it evaluated input and suggestions by regional chambers as professional forums.

In addition to its professional tasks, the Working Group looked at matters of administrative justice in terms of administration, organisation and human resources management, repeatedly analysing the related issues of case filings and headcount increase.

In the first half of 2018, the Working Group:

- provided professional support to the appropriate use of the BIIR in compliance with the provisions of the APC,
- made a proposal for the improved compliance of the BIIR with the provisions of the APC,
- made a proposal for the registration of criteria that are eligible for registration in the docket and for any subsequent search and that are relevant for impact assessment,
- designed a complex methodology of human resources management for the examination of the related matters of case filing, caseload and headcount increase, using this methodology to perform analyses and make proposals for headcount increase,
- made a proposal for a legal amendment using courts' comments to simplify the labour and administrative forms used by parties without a legal representative,
- coordinated the first use of the course material disseminated on the CooSpace platform, and
- produced professional materials and performed a preliminary examination of questions by court working groups and professional workshops to support the professional meeting of the court presidents of regional administrative and labour chambers.



In the second half of 2018, the Working Group:

- contributed to the use of the course material disseminated on the CooSpace platform, and incorporated in the course material all positions adopted by the professional meetings of the heads of regional administrative and labour chambers,
- developed a set of professional requirements for the repository of sample decisions and manual (Bench Book) for the practical application of the APC,
- performed a preliminary examination of questions submitted to support the professional meeting of the heads of regional administrative and labour chambers,
- repeatedly analysed case filings and workloads, making a proposal for a headcount increase,
- designed topics for the one-week course of junior administrative judges and contributed to its implementation,
- made comments on the draft Administrative Courts Act and the Acts on its entry into force and certain temporary rules,
- received monthly input from local working groups to gather and synthesise proposals for a legal amendment, submitted by the NOJ's President to the Ministry of Justice in 2019.

### **5.1.3. Working Group Supporting the Enforcement of the Criminal Procedure Code**

The new Criminal Procedure Code entered into force on 1 July 2018, six months later than the Civil and Administrative Procedure Codes. This meant that a number of goals in the criminal branch's project were only achieved in the first half of 2019 as opposed to the civil branch's projects.

Launched in 2017 and finished on 30 June 2018, the E-Code CrPC Project was similar to the other two projects in that it established three working groups.

The Working Group for Training was responsible for designing a course material to prepare judges and court employees to apply the new Code, identifying topics for classroom training, selecting trainers for the central course and for managing all courses.

The electronic course material of nearly 1,500 pages had been completed as a joint effort of 31 judges from various levels of the judiciary by late 2017. Professional revision, performed by eight judges of the Curia, finished in January 2018. The course material became available in the CooSpace system for judges and court employees from 1 March 2018.

The course material was designed in parallel with the preparations for the training. The trainers' course was held between 22 and 26 January 2018 for approximately 130 judges from the whole of Hungary and all levels of the judiciary, selected as instructors for the local courses scheduled for February. The participants listened to 27 presentations from judges engaged in both the codification process and the writing of the manual.

An audiovisual recording of the trainers' course was uploaded to the HAJ's CooSpace so the videos are available together with all ppt presentations. The audio recording was also turned into a podcast which facilitated access for all judges who have a smart device.

Regional courses started in February and finished in late May 2018. With two editions of three days each, they offered a presentation of the new CrPC by judges who had completed the trainers' course.

The check questions in the course material were fed into the mock examination in spring then their scope was narrowed to those used in the actual test. The training officers placed 1,595 people in different exam groups until 30 June 2018.



The Working Group for Administration upgraded the IT applications (e.g. counsel designation software, central media storage space) necessary for the operation of the new institutions and for BIR-O (type "O" Court Judgement System), developed docket management guidelines, and proposed solutions for the new challenges of work management, administration and court presidency.

In the first half of 2018, notification forms used in daily work were revised. Two regional courts helped to design the forms of summons and notification in compliance with the new CrPC.

The Working Group laid great emphasis on client information. Its members prepared a short and plain guide in five topics, disclosing them with the name "Special Courthouse Seminar". In addition, a set of illustrative fliers (information guides) were prepared in nine topics, available in client centres and criminal registries. The members of the working groups and the speakers of the trainers' course gave several interviews about the key institutions of the new CrPC, still available on the court's website.

After the E-Code CrPC Project was closed, the President of the National Office for the Judiciary established the Working Group Supporting the Enforcement of the Criminal Procedure Code (hereinafter: Working Group) as of 1 July 2018. The Working Group is responsible for monitoring court practices evolving as a result of the new Code and for gathering and forwarding all questions of legal interpretation to the Curia and professional bodies. In this context, the Working Group synthesises all proposals for a legal amendment related to the CrPC and the Criminal Enforcement Act. In the second half of 2018, the Working Group developed and submitted two proposals for a legal amendment to lawmakers involving appellate and regional courts, and relying on the experiences of the national conference of presidents of chambers.

The Working Group is also responsible for the professional support of continuing education for judges and court employees. In this context, the electronic course material prepared within the E-Code CrPC Project was used and updated in the second half of 2018, including some elements of legal practices that had emerged in the meantime.

The Working Group promotes the search for answers to questions of court administration arisen since the entry into force of the new Code. As the administration system had been established, the transition was smooth when the Code entered into force. In the second half of 2018, BIIR underwent further improvements to facilitate the daily work of courts. Furthermore, the Working Group developed a set of criteria to measure the efficient application of the new CrPC at the end of the year.

## **5.2. Electronic actions**

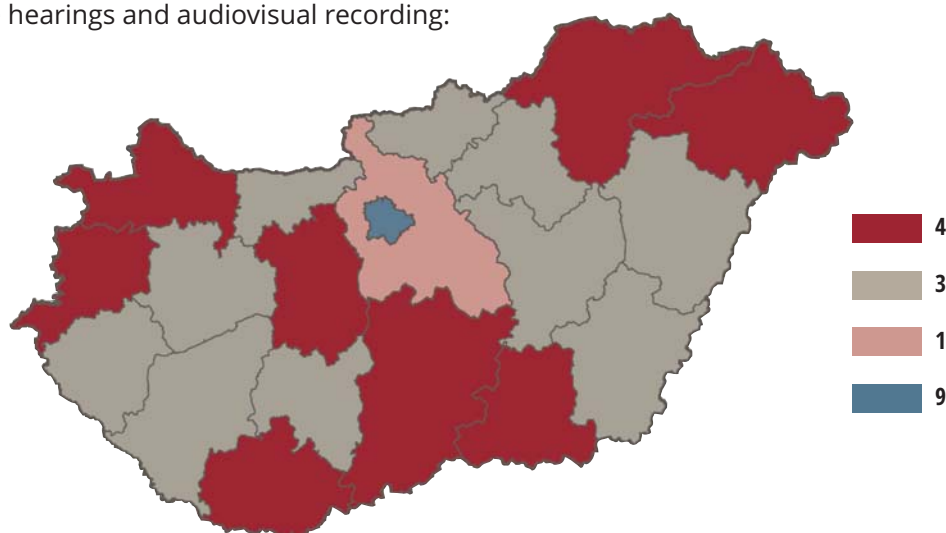
### **5.2.1. VIA VIDEO Project**

Improved timeliness and transparency in court procedures is a fundamental expectation of society. Accordingly, the National Office for the Judiciary is working towards increasingly extended and efficient electronic court administration as a priority, introducing remote hearings and audiovisual courtroom recording across the country.

By September 2018, 72 courtrooms had been equipped for remote hearings and audiovisual recording. The first courtroom was set up at the Eger Regional Court in April 2018. By September 2018, another 71 courtrooms fit for remote hearings and audiovisual recording had been created. The project put in place an operative remote hearing system in each regional and county town district court.



The following country map illustrates the number and distribution of courtrooms equipped for remote hearings and audiovisual recording:



The new technology establishes a connection between remote hearing courtrooms with

- other courts,
- domestic partner agencies (correctional facilities, immigration offices, government offices, district offices),
- international judicial agencies.

The technical services supporting project implementation (reservation system, endpoint telephone directory) are also in place.

The following table shows the total number of remote hearings from September to December 2018:

Total number of remote hearings from September to December 2018											
All courts	Number of judges holding remote hearings	Number of hearings	Number of hearings by location			Number of persons heard (by procedural position)					
			Correctional facilities	Court remote hearing rooms	Foreign locations	Defendants	Civil parties (plaintiffs and respondents)	Civil infraction offenders	Witnesses	Experts	Other (training)
September 2018	10	15	5	9	1	16	0	0	1	0	2
October 2018	31	79	55	23	1	65	0	3	14	1	13
November 2018	55	97	60	32	5	86	2	0	7	1	25
December 2018	44	103	88	7	8	89	2	2	10	0	0
<b>Total</b>	<b>140</b>	<b>294</b>	<b>208</b>	<b>71</b>	<b>15</b>	<b>256</b>	<b>4</b>	<b>5</b>	<b>32</b>	<b>2</b>	<b>40</b>

The next milestone will be the equipment of another 112 courtrooms with a VIA VIDEO device, compatible with the existing system. The project is scheduled to end on 30 August 2019 and is expected to create at least one courtroom suitable for remote hearings and audiovisual recording at each district, regional and appellate court, and the Curia.



The objective is to develop annotation software so that audiovisual recordings made at remote hearings will be easy to use with multiple search options. The software will allow for taking notes and placing extra tags while the recording is being made or afterwards. The tags assigned to a given date and time will be editable, expansible and deletable, making it possible to search for recordings by speaker or the beginning of each stage of procedure.

The nationwide introduction and increasingly common use of the VIA VIDEO system may offer a number of benefits to both clients and the judiciary. In the long run, it may help improve the timeliness indicators of court procedures, increase the transparency of procedures and develop the skills of courts as service providers. Remote hearings will save time and significant costs for both courts and clients, greatly reduce the security risks of transporting convicts, and offer a guarantee for the safety of protected individuals. The expansion of the technology's use may make the administration of justice independent in terms of time and space.

In 2018 National Info Communication Service Provider Ltd. presented the National Office for the Judiciary with the award "Info Communication Project of the Year in Public Administration" for its work in building remote hearing systems.

### **5.2.2. Further digitisation of court administration, the Digital Court Project**

The main aim of the Digital Court Project is to make court administration faster and more efficient. Its principal development areas include

- the improvement of the disclosure and anonymization of court decisions,
- the digitisation of case files (creating e-files) and the provision of electronic access to case files,
- the establishment of an online connection between electronically available public registers and court information technology systems.

These improvements are expected to

- make court decision searches easier and faster,
- offer 24/7 online access to case files independently from time and space,
- enable courts to request data from public registers to minimise the scope of data to be requested from clients and to conclude actions faster.

The project is implemented with support from the European Union within the Széchenyi 2020 Program.

### **5.2.3. Speech recognition and transcription software**

In 2018 all courts in Hungary became able to use transcription software for their daily work. The installation of both Global Speech Notes and SpeechTex-Voxerver has been continuous. Purchases and coordination, as required, are still supported by the Zalaegerszeg Regional Court.

In December 2018 courts were using a total of 879 units.

2018 witnessed a considerable increase in the number of advanced and proficient users from 65 to 122 and from 17 to 32, respectively.

In the second half of 2018, the number of advanced and proficient users almost doubled. In parallel, the number of beginners dropped.

The management of users' questions, comments and error reports was taken over by the NOJ's self developed Helpdesk because giving responses and looking at the reports generated a huge workload as installations progressed and the use of software became common.



The NOJ created a network of contact persons including one judge and one IT staff member from the Curia and each appellate and regional court for single-person direct contact with an increasing number of users. Afterwards, the NOJ convened contact persons for a series of regional meetings coordinated by the Zalaegerszeg Regional Court to discuss problems and suggestions related to the program. The regional meetings brought together the contact persons of all appellate courts and their respective regional courts at the seat of the given appellate court. The meetings were also open for any user other than the contact persons.

At the request of the IT Department of the IT State Secretariat of the Ministry of the Interior, the NOJ held a presentation of transcription software for designated officers of the Ministry at the Hungarian Academy of Justice on 8 May 2018.

In June 2018, video tutorials were made and uploaded to the central intranet, giving beginners substantial help with using Global Speech Notes and overcoming initial difficulties.

On 5 July 2018, the National Office for the Judiciary held Digital Open Day for representatives of the partner agencies to present the new electronic devices available in courts, offering the transcription software to each participant for a free trial. This central initiative was later followed by local open days held by each regional court.

In October 2018, a questionnaire was designed to identify patterns in the use of transcription software including individual motivations. The questionnaire was completed by 372 respondents, 85% reporting that the transcription software efficiently helped their work as a judge.

In November 2018, the NOJ released an e-learning course material on Coospace, a website available for court employees, to help users in the learning period and later, during the daily use of the software.

On 20 November 2018, the NOJ held a workshop for legal contact persons at the Hungarian Academy of Justice. The transcription software development companies presented new upgrades, and the future tasks of contact persons were determined. The primary objective is to help users with their daily work on the premises.

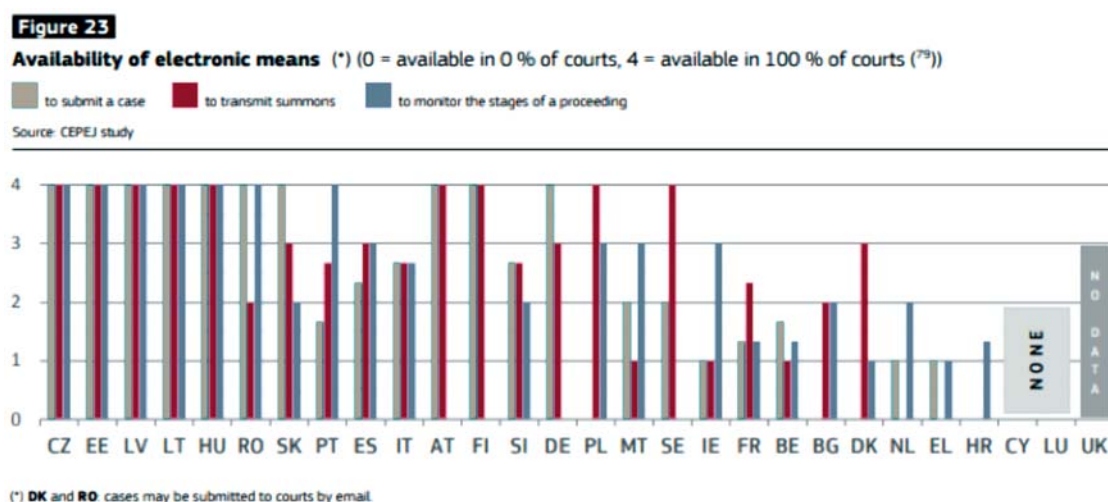
## 6. JUDICIAL EFFICIENCY IN THE EU JUSTICE SCOREBOARD

Access to an efficient judiciary is a fundamental right underlying European democracies. As such, it is a part of the shared constitutional tradition of Member States. The significance of the right to seek efficient redress in court is also emphasised in the Charter of Fundamental Rights of the European Union. In 2018 the European Commission published its annual justice scoreboard presenting the efficiency, level and independence of justice in Member States. The scoreboard helps Member States to improve the efficiency and effectiveness of justice.

The scoreboard examines the justice systems of Member States in terms of civil, financial and administrative cases, relying on both data supplied by the affected countries and surveys by different NGOs. The sixth edition (reflecting the state of affairs in 2017) concludes that the Hungarian judiciary can still boast of achievements that place the country among



the best in Europe. For instance, Hungary is in the forefront, ahead of other Member States such as France and Germany, when it comes to the level of digitisation of court administration, electronic communication, and electronically available information about pending cases. A highlight of quantitative indicators is that Hungary is the second best Member State of the EU 28 in the number of first instance administrative cases pending per 100 inhabitants and in the length of EU trademark cases. Hungary achieved a pre-eminent fifth position concerning the length of first instance civil cases and, in general, administrative cases. A highlight of qualitative indicators is that Hungary belongs to a five-member elite club that offers the option of overall electronic administration to citizens seeking justice.



Hungarian judges make rulings efficiently by international standards, which is largely due to their continuous (self) training. In this respect, a key finding of the Justice Scoreboard is that Hungary has trained more judges and court employees in EU law than any other Member State. The scoreboard also evaluates client satisfaction and the trust of Hungarian citizens in courts. Concerning the latter, the vast majority of people who gave a relevant response believe Hungary's courts work independently and without any undue influence.

## 7. ACTIVITIES IN SUPPORT OF JUDICIAL EFFICIENCY

### 7.1. National programs

Launched by the central management to develop the skills of courts as service providers, the national programs aim to draw greater attention to key areas of the daily duties of legal practitioners, including the management of minors involved in court procedures and of victims, the extended use of alternative dispute resolution procedures, and the presentation of judicial work, to raise legal awareness and, at the same time, to considerably promote judicial work.



Adopted in 2015, NOJ Instruction 6/2015 (30 November), which regulates court administration (Administrative Regulation), describes in a separate paragraph the national programs announced by the NOJ's President, including the related duties of court presidents. For the success of each national program, court presidents must designate a court officer and contact person, submit a regular report on the given court's programs to the NOJ's President, build a local and central network, coordinate the qualitative and quantitative assessment of national programs, provide training, and arrange for the relevant communication and transfer of knowledge.

In addition to the successive national programs, the NOJ's President focuses court administration by announcing periodic programs to reinforce a key area from time to time.

### **7.1.1. Permanent programs**

#### **7.1.1.1. Court mediation**

Mediation as a form of alternative dispute resolution was only available in civil litigious and non-litigious cases at Hungarian courts from the second half of 2012 to the end of 2017. As of 1 January 2018, a legal amendment also made mediation an option in some administrative cases which had previously been excluded. The new CPC allows for mediation without the need to file an action together with the option of attempted settlement. The same procedure allows for the enforcement of a previously reached agreement, eligible for court approval, against the payment of a low amount of duty. Mediation primarily offers the benefit of scheduling sessions as required by the parties and their agreements made with the contribution of a court mediator, in both the civil and the administrative branches. Where parties opt for mediation in a civil case, they are not bound by the content of the petition. At the same time, the court only approves the part of their settlement which is in line with the petition upon the joint request of the parties. Consequently, it will have the same effect as a judgement delivered in the action. Where a settlement is reached in administrative mediation, the court may also repeal any decision that does not infringe the law. Another benefit is that the procedure is duty free as the parties need not pay hourly rates or reimbursements. The parties may also choose to pay a discount duty depending on the stage of court procedure where the civil action is brought to an end based on the settlement.

In 2018 courts received 1,299 applications for mediation and finished 1,497 cases by the end of the year. Mediation was conducted in 819 cases (approximately 55% of the cases completed). This number is 16% lower than 975 in 2017. This decline is linked to the overall decrease in the number of civil petitions. The 819 procedures included 410 settlements, accounting for approximately 51% in the whole of Hungary. From the introduction of mediation to the end of 2018, Hungarian courts conducted a total of 4,659 procedures including 2,418 settlements, a share of 53%.



Number of procedures conducted and types of completion in 2017 and 2018		
Years	2017	2018
Total of mediation procedures	1 758	1 497
Procedures completed	975	819
Procedures finished by settlement	540 (55 %)	410 (51 %)
Procedures finished (without settlement)	435 (45 %)	409 (49 %)
Ordinary completions (without mediation)	783	678

In 2018 the NOJ's President appointed 14 secretaries and 15 judges to act as mediators. As a result, a total of 75 judges and 78 assistant judges, including expired terms of office, were authorised to act as mediators in December 2018.

The related administrative tasks are performed by one coordinator per regional court, supported by a deputy in some cases. The development of mediation is also supported by the NOJ Court Mediation Working Group ("Working Group") for members of the mediation network. In the first half of 2018, the Working Group studied recent legal amendments and prepared a guide for clients and judges on mediation as an option in the administrative branch with a protocol of procedure and a sample order. Also, in cooperation with regional chambers, the Working Group prepared a list of recommended administrative case types eligible for mediation. In response to the amendment of the Civil Procedure Code, the Working Group prepared a protocol of both forms of attempted settlement. In 2018 the number of such non-litigious procedures completed (CPC Section 168) was 450, the vast majority by settlement.

In 2018 two codification workshops were held to prepare the draft amendment of the NOJ President's Instruction regulating effective court mediation, scheduled to come into force in the second half of 2019.

The Working Group prepared a client satisfaction questionnaire which received 306 anonymous responses in March and April 2018. Approximately 257 respondents (84%) had been engaged in court mediation in family cases, 14 did so in labour and 11 in financial cases. Over 73% (224 respondents) reported that they were willing to choose mediation again. 95% (291 respondents) claimed they would offer this option to a friend.

In April 2018, the NOJ launched a pilot project, the first in its kind in Hungary, to hold an accredited mediation course for 15 administrative judges and secretaries. Several participants applied for appointment to act as mediators.

At a national conference organised on 7 February 2018, key topics included the extension of court mediation to cover administrative cases under the new APC in effect from 1 January 2018 and the examination of changes in the new CPC in terms of mediation. In September, the people in charge of mediation organised a meeting, bringing together coordinators and experienced court mediators appointed by the presidents of regional courts, preparing as would-be instructors to help their co-workers with the professional and methodological aspects of mediation.



Using a grant offered by the NOJ, three regional courts (in Szeged, Miskolc and Nyíregyháza) and the Budapest Metropolitan Appellate Court held a regional event on court mediation.

2018 was the third year when the NOJ co-organised the alternative dispute resolution conference with the National Bank of Hungary's Financial Conciliation Body, this time at the Hungarian Academy of Sciences on 3–4 December 2018.

After the first edition held in May 2016, the HAJ hosted its third, highly successful international conference for mediators, coordinators and court presidents with three foreign speakers on 17–18 October 2018. In addition to the foreign talks, the highly successful event "The Social Embeddedness/Aspects of Court Mediation" featured seven Hungarian presentations and a financial case simulation.

#### 7.1.1.2. Witness care and victim protection

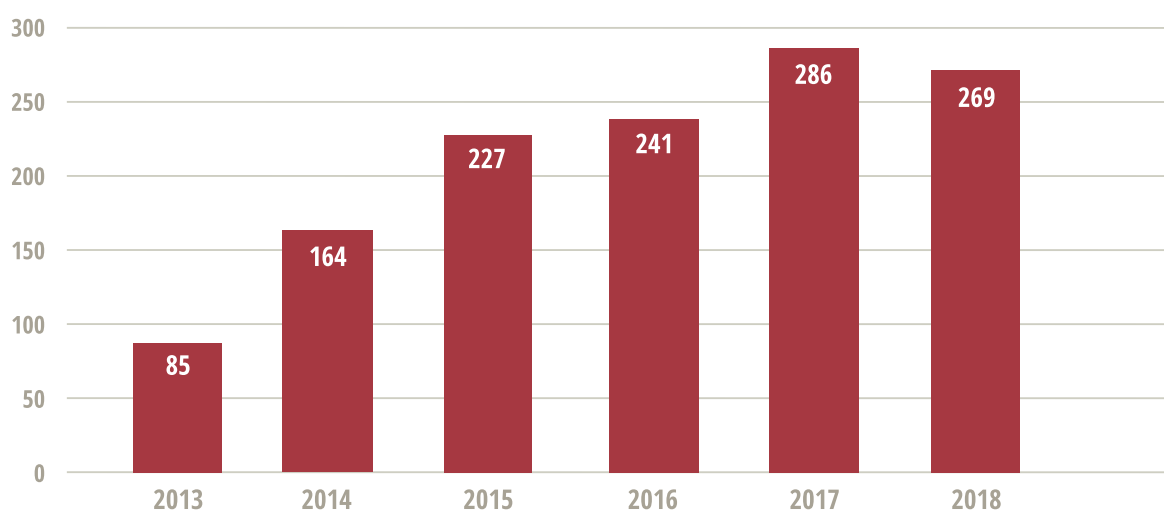
In the early 21<sup>st</sup> century, courts designed the option of witness care as a sensitive response to client needs. The idea was to give individuals summoned to court as witnesses appropriate information about their rights and duties. Afterwards clients had an opportunity to discuss any question with witness caretakers, a designated court employee. In 2013 the NOJ's President turned witness care into a national program as another way to simplify access to justice and to achieve the strategic objective.

The program was focused on

- providing witnesses with detailed and easy-to-understand information,
- reducing the traumas of the inevitable waiting for the hearing to make sure evidence is given without fear, and
- improving the conditions of interrogation.

Since the national program was launched, the number of witness caretakers rose from year to year. The number of registered professionals had risen from 164 in 2014 to 286 in 2017. In 2018 the number of witness caretakers stopped growing and there were 269 of them in line with client needs and the requirement of optimum workload.

*Number of witness caretakers between 2013 and 2018*

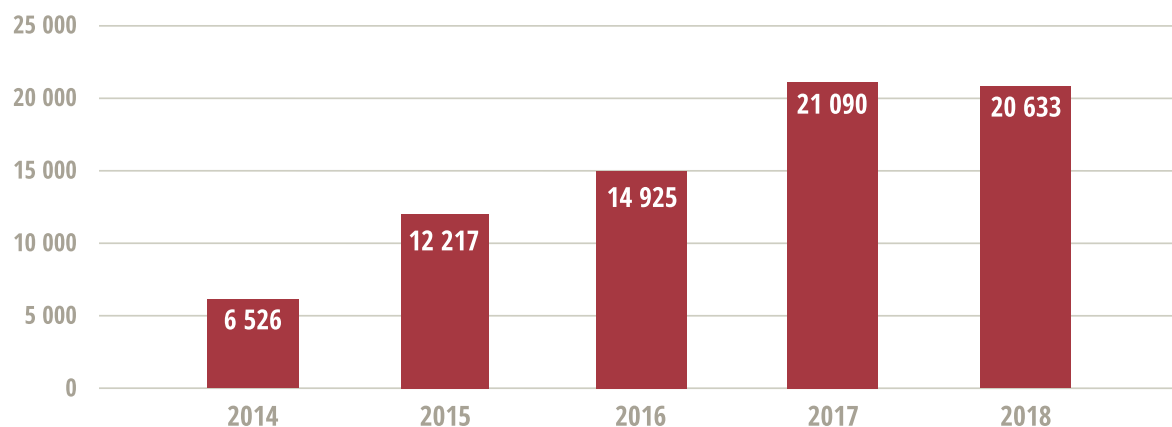


In 2018 Hungarian witness caretakers received 20,633 registered applications, nearly two-thirds by telephone.



Witness care grew out of a client centred approach and its efficiency is demonstrated by the growing number of clients seeking justice in awareness of their rights and duties. This legal awareness is also reflected by a steady decrease in the number of witness filings and in an increased willingness of the parties summoned to appear in court.

*Changes in the number of registered applications to witness caretakers between 2014 and 2018*



Witnesses summoned to court tend to feel safe if they are separated from other parties, especially the defendant, while waiting for their interviews. In response to this need, the judiciary equipped designated witness rooms for waiting in new and renovated court facilities.

In 2018 Hungarian courts offered their clients 66 witness rooms and children's hearing and mediation rooms, also used for witness waiting.

It is a major achievement that the redesigned <https://birosag.hu/en> site came to offer clients a "Search for Witness Caretakers" feature in 2018. In the same year, the NOJ and the Moholy-Nagy University of Art co-produced two episodes of the animated short film series "Judicial Compass" to present witnesses with plain information. "Going to Trial" focuses on the tasks, rights and obligations of witnesses from the moment of receiving the summons to their arrival at the court, while "Testifying in Court" focuses on witness rights and duties at the trial.

Victims of crimes and civil infractions were interviewed as witnesses in the procedures therefore the National Witness Care Program came to include the topic of victim protection in 2015.

In 2017 and 2018, the judiciary prepared for the entry into force of the new procedure codes then gathered and analysed the experiences. Logically, this affected witness caretakers seeking answers to questions about the legal amendments and intent on updating their knowledge. By contrast, the entry into force of the CrPC as of July 2018 brought about enhanced protection for the rights of victims and other vulnerable groups.

The NOJ lays great emphasis on training to assist judges and court employees in doing efficient work and administering timely justice. This goal was served by the program's national conference in April 2018, which brought together Hungarian witness caretakers and offered a discussion forum for matters of victim protection. As witness caretakers provide the very first instance where clients establish direct contact with the court, training featured communication skills as a priority.



In December 2018 we held the first conference for the coordinators of witness caretakers. This professional meeting had coordinators from all regional and appellate courts presenting best practices and identifying proposals and objectives in support of cooperation, and highlighted the topic of remote hearing as a solution that also supports witnesses.

The entry into force of the new procedure codes and the growing importance of victim protection prompted several courts to include a session in their annual training plans with a focus on client relations, the extension of knowledge of witness caretakers and tasks of victim protection.

It is a key goal of the judiciary to exhibit due sensitivity in treating victims identified during its work, whatever their procedural positions, as a court procedure may traumatise the participants but sensitive treatment may help to avoid a secondary trauma.

Efficient cooperation with partner agencies may offer a guarantee for the success of victim protection. Feedback shows that regional courts have maintained good relations with county police departments and government offices, guardianship professionals and parole officers for years, attending inter-professional meetings with attorneys and prosecutors, and cooperating with victim assistance services.

The NOJ also lays great emphasis on a high-level dialogue with partner agencies on victim protection. The year 2018 closed a project financed by the Internal Security Fund where the NOJ co-organised with the National Police Department the training series called "Victim Protection Training in Human Trafficking". The conference held in all counties brought together professionals engaged in the identification of human trafficking victims to meet each other in person and discuss their experiences.

To make cooperation between members of the Child Protection Alert System more efficient, the NOJ held several professional meetings in 2018 to present the judiciary's ambitions and results in victim protection, reinforcing the relationships that may make victim protection a success story.

In 2019 the fundamental aim will be to consolidate the practical skills of witness caretakers and to develop their competences. In victim protection, the primary objective is to deepen cooperation with partner agencies, to promote previous successes of cooperation, and to go on sensitising the judiciary to victims and to prevent secondary victimisation.

#### **7.1.1.3. Child Centred Justice**

Child Centred Justice is a national program designed to create a judicial system which achieves the highest possible level in respecting and efficiently enforcing children's rights in the administration of justice and which enforces children's paramount interest in each case conducted with their participation or affecting them as a primary consideration. The NOJ continues its hard work to achieve the goals of Child Centred Justice.

In 2018, the Budapest Metropolitan Regional Court finished its pilot course for criminal judges hearing juvenile matters.

In 2018 the Child Centred Justice Working Group gathered the names and contact data of people competent in Child Centred Justice from each regional court in cooperation with the coordinators of Child Centred Justice. As a result, the NOJ and coordinators now have access to a database of judges and secretaries with specialty qualifications, presentation skills and profound expertise in the subject.



The working group used the new CrPC to prepare forms affecting minors and designed forms affecting minors by virtue of the new CPC.

In 2018, we laid great emphasis again on activating the coordinators' network of Child Centred Justice. This year the coordinators organised courses, workshops and round table discussions on Child Centred Justice in the jurisdiction of each regional court. It is safe to say that every regional court held some form of training in Child Centred Justice. Such training at regional courts was described in a summary to share best practices.

In 2018 coordinators were also responsible for gathering the rules of conduct of parole officers and for submitting them to the National Office for the Judiciary. The Working Group structured all inputs to produce a Summary, uploaded to our website to make judges' work easier.

In 2018 the Working Group set the goal of mapping the operation of the Child Protection Alert System in each regional court and prepared the necessary forms.

On 7 September 2018, we organised the second meeting of Child Centred Justice coordinators at the Hungarian Academy of Justice, keeping the primary objective of activating the network and sharing best practices.

On 9 November 2018, the Hungarian Academy of Justice hosted a national conference called Child Centred Justice on interviewing children in consideration of their age. The national conference featured speeches by a children's rights expert, psychologists, and experienced judges. The national conference finished with a round table discussion which also involved the invited speakers.

In 2018 civil judges used children's hearing rooms 163 times in Hungary (as opposed to 100 times in 2016 and 109 times in 2017). The result of 2018 shows that our efforts to encourage the use of children's hearing rooms (supported by training and coordinators' meetings) were successful. In 2018 criminal judges used children's hearing rooms 261 times (as opposed to 738 times in 2016 and 823 times in 2017). The dramatic decline in the use of children's hearing rooms is linked to the rules of the new CrPC as children are interrogated by the investigation authorities and not by investigative judges as of 1 July 2018.

Some regional courts set up a separate working group to help achieve the objectives of the national program. These regional courts include

- Debrecen Regional Court
- Győr Regional Court
- Kaposvár Regional Court
- Kecskemét Regional Court
- Szolnok Regional Court.

Sharing knowledge is also a priority within Child Centred Justice. In 2018 every regional court held a course and professional meeting in the subject of Child Centred Justice, organised by Child Centred Justice coordinators.

In 2019 the Child Centred Justice Working Group will be responsible, among other tasks, for establishing and sharing a thematic Repository by gathering the rules of parole. The Repository



will contain general and special rules of conduct and will group them by the existence of the obligation and the offences committed to help criminal judges hearing juvenile matters. Another duty of the Working Group for 2019 will be to map the operation of the Child Protection Alert System in every regional court, to gather best practices and prepare and share a summary. The working group is planning to prepare a Family Law Guide to assist family law judges, offering them an advanced search engine to provide help in any relevant matter.

#### **7.1.1.4. Best practices**

Courts develop a number of solutions, practices, methods and applications during their work to achieve more efficient, timely and accurate work or division of workload. The NOJ considers the collection, analysis and national dissemination of such best practices as a priority. Therefore, the central intranet of courts features a special menu enabling all stakeholders to gain fast and easy access to best practices developed by individual courts and the NOJ.

An indication of the importance of this area is that the Administrative Regulation has turned the catalogue of best practices to a national program. The NOJ has organised Best Practices Workshops since 2015, enabling courts to share their knowledge and exchange their experiences in best methods and practices applied in any (administrative, professional, financial, etc.) specialty area.

The workshops, which have already established a tradition, have been thematic since 2017, with courts presenting their respective practices in a major topic then discussing current matters.

As the new CPC has also brought about an essential change in the administration of complaints days, the NOJ dedicated its first Best Practices Workshop to this topic in Siófok on 10 and 11 April 2018. The workshop was attended by court administrators, judges and court employees from across Hungary, from the district to the appellate level. The first day of the event was held with the participation of officials from the Ministry of Justice and the Somogy County Government Office. The participants expressed that the legal amendment had greatly reduced the role of this legal institution as courts can only record the petitions and statements of clients without counsel that are laid down in the new CPC. After the event the NOJ's President announced the call for proposals "Let's Rename Complaints Day!" for judges and court employees to replace this name, now dated with the recent changes in the statutory environment, with one that is plain and reflects that parties seeking court assistance in client service hours will be provided with more efficient professional services under the CPC. The call for proposals received a total of 137 valid proposals, including 293 names. The winner was "Client Assistance". The results were announced at a ceremony in the client centre of the Szigetszentmiklós District Court on 3 October 2018. In order to inform clients, the NOJ notified the judiciary and partner agencies related to judicial activities (the Prime Minister's Office, the Ministry of Justice, the Constitutional Court, the Supreme Prosecutor's Office, the Parliamentary Commissioner for Fundamental Rights, the Hungarian Court Bailiffs Body, the Hungarian National Chamber of Notaries Public, the Hungarian Chamber of Forensic Experts, the Hungarian Bar Association, the National Data Protection and Freedom of Information Authority, the Financial Conciliation Body, and the National Police Department) of the change of name. We also shared the results of the best practices workshop on complaints days with the Working Group Supporting the Enforcement of the New CPC.

The jurisdiction of the Debrecen Regional Court has used a local work management method known as the "Debrecen Model" in court administration for years. The model's success has been confirmed by caseload data and staff feedback. Driven by this, the NOJ held a best practices



workshop in Debrecen on 3–4 July 2018 to present the “Debrecen Model” personally to court presidents and judges. This enabled the participants to discuss all methods, difficulties and results concerning the introduction and application.

Using the experiences of the workshop, regional courts were offered an opportunity to launch a pilot project for introducing the model or some of its elements at the district courts in their jurisdiction as of 1 October 2018 (more on this in paragraph 2.4 of Part IV).

As a part of the project, the Budapest Environs Regional Court undertook to introduce the Debrecen Model at the Gödöllő District Court and the Monor District Court, the Budapest Metropolitan Regional Court did so at the Budapest 2<sup>nd</sup> and 3<sup>rd</sup> District Court in consideration of the Pest Central District Court’s Judicial Development Program, the Nyíregyháza Regional Court did so at the Mátészalka District Court, the Szeged Regional Court did so at the Szeged District Court in its entirety, and the Kecskemét Regional Court did so at the Kecskemét District Court, the Baja District Court, and the Kiskunhalas District Court partially.

The initial results suggest that it would be reasonable for other courts to adopt this work management method aimed at efficient and timely justice as a best practice.

### **7.1.2. Periodic programs**

#### **7.1.2.1. Sustainable Development Program 2**

In 2016 the NOJ’s President announced the Sustainable Development Program (SDP) for the development of the judiciary and for the improvement of work efficiency. The idea was to preserve previous results and to give greater visibility to the responsible initiatives, work management solutions and executive measures introduced at appellate and regional courts. In the program, courts achieved considerable results in high-quality and timely justice, professional career, and client relations and communication.

The objectives continued to apply and the SDP went on with a narrower and clearer scope to keep caseload results, bearing in mind that the biggest challenge in 2017 was the preparation for the new procedure codes. As a result, Sustainable Development Program 2 announced in 2017 also aimed at promoting further development without imposing an extra workload on judges and court employees. Just like the previous program, Sustainable Development Program 2 included general caseload indicators that are currently monitored by court presidents to present court results.

Sustainable Development Program 2 ran for a longer term, covering the statistical period between 1 November 2016 and 31 October 2018, with checkpoints to make sure that development remained sustainable. The program covered all regional and appellate courts using caseload, timeliness and soundness indicators to present their results.

Courts did an outstanding job as the number of completions exceeded the number of filings at every level and in every branch in the above period. Specifically,

- regarding the litigious cases of district courts, there were 96,000 filings as opposed to 104,000 completed cases, and the number of pending cases dropped by 8,000, which represents a 9% improvement,
- at the first instance of civil litigious cases at regional courts, there were 33,000 filings as opposed to 39,500 completions so the completion to filing ratio closed with a 22% improvement as opposed to the initial value.



Courts kept their positive timeliness indicators by the end of the program. Special mention must be made of the changes in the number of cases pending for more than two years. While this number did not drop owing to the decreasing number of filings (fewer cases logically change the ratio), the number of cases pending for more than two years was 7,532 on 31 October 2018 as opposed to 8,014 on 31 October 2016, a 6% improvement.

It is noteworthy that several branches at regional and appellate courts raised the ratio of second and third instance litigious cases completed within six months. For instance, appellate courts completed only 7,130 of 9,150 cases (78%) within six months.

It should be stressed that the work of courts to improve their caseload and timeliness indicators did not usually affect the quality of justice, which had been appropriate anyway. Indeed, the ratio of approved rulings showed an improvement in several cases. For example, the second instance court approved more than half of the appealed rulings made by a district court in civil litigious cases, improving the ratio from 49.9% to 52.5%.

Despite the closure of SDP 2, courts keep up their hard work to achieve high-quality and timely justice and the National Office for the Judiciary will provide them with the required administrative support to achieve that goal.

May 2018 marked the successful closure of the Court Presidents' Program announced for the presidents of regional courts in the first half of 2017 to continue and further develop certain goals in the previous Sustainable Development Program. The Court Presidents' Program was designed to reinforce court communication, ensure an even workload and improve staff satisfaction. In addition, it offered an opportunity to exchange best practices in certain key areas of court administration such as human resources management.

## **7.2. Reviews**

Reviews are an in-depth analysis of a given area of administration. They must have methods that make them suitable for drawing the attention of court presidents to efficient and timely justice and to any deficiency in the target area. An in-depth analysis helps to identify administrative measures to avoid similar cases, check performance and expect periodic reporting of administrative court presidents as necessary.

The Administrative Regulation provides for two types of reviews in court administration: executive and administrative reviews.

Executive reviews are designed to provide a reliable and comprehensive picture of court presidents' activities, exploring their strengths, developing professional and executive skills, identifying areas of operation in need of development, and evaluating court presidents' activities. The NOJ provided input for the development of criteria for executive reviews in compliance with the Administrative Regulation in 2016 and the executive reviews started along those lines in 2017.

Administrative reviews may be regular, extraordinary, ad-hoc, target or impact reviews. In the NOJ's administrative practices, typical forms include regular general and target reviews.



Reviews may be ordered on the following grounds:

- an official observation, usually based on caseload data,
- any circumstance stated in a complaint and found well-grounded by a subsequent inquiry,
- a report by a partner agency,
- a legal amendment affecting the entire judiciary or the introduction of a new legal institution, or
- the examination of other obligations.

### 7.2.1. General reviews

General reviews are conducted regularly, typically on an annual basis. 2018 witnessed three such reviews, including:

- criminal cases prescribed in court
- cases pending for more than two years, and
- reports on the activities and costs of on-call and stand-by staff.

In addition, the NOJ annually monitors the experiences about the recognition and equivalence of judgements and generally about requests for international legal assistance.

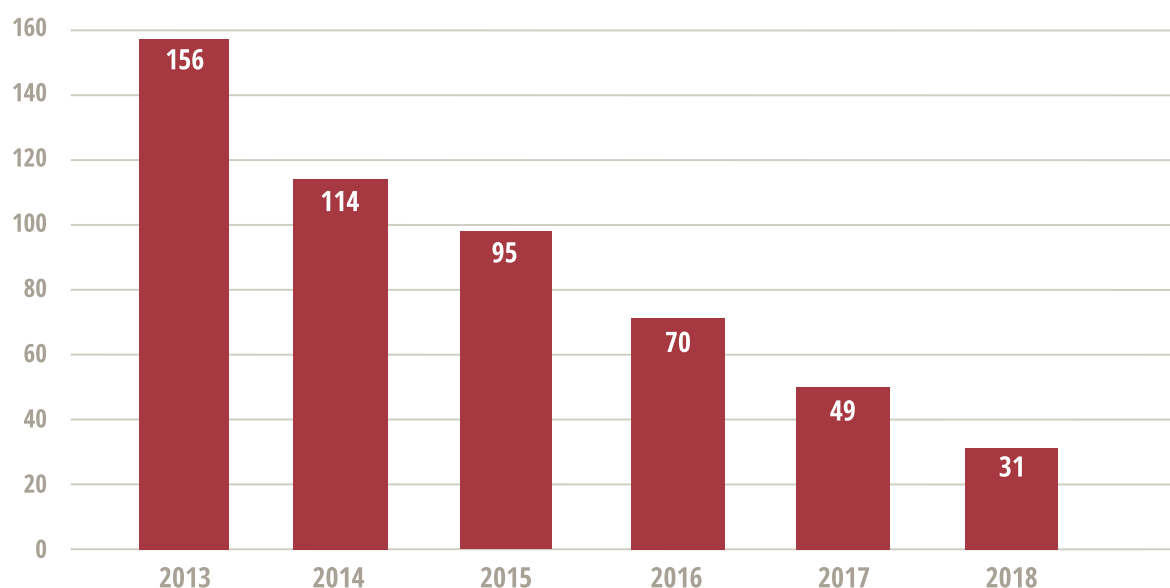
#### 7.2.1.1. Reviews of criminal cases prescribed in court

In 2012 the Supreme Prosecutor's Office published a report on cases prescribed in court. Therefore, the NOJ also regularly reviews prescribed cases every year.

NOJ Instruction 6/2015 (31 November) on court administration introduced the obligation to report any criminal case prescribed in court as of 1 January 2016.

Review findings indicate that the number of criminal cases prescribed in court has decreased steadily in the past five years, as shown in the following diagram.

*Changes in the number of prescribed cases between 2013 and 2018*



Since 2015 no case has prescribed in the jurisdiction of two regional courts:

- Balassagyarmat Regional Court,
- Debrecen Regional Court.



Approximately half of the prescribed criminal cases affected district courts with a high caseload in the jurisdiction of the Budapest Metropolitan Regional Court, especially the Pest Central District Court.

At the same time, the decrease in the number of prescribed criminal cases at the Budapest Metropolitan Regional Court remained steady in 2018, their ratio being 34.6% less than in 2017.

Review documents also give a detailed number of cases prescribed through no fault of the courts and by the fault of a judge or court employees. Between 2014 and 2018, most prescriptions through no fault of the courts were caused by the defendants' unknown whereabouts. This caused prescription in 63 out of 114 cases in 2014 (55%), in 59 out of 95 cases in 2015 (62%), in 48 out of 70 cases in 2016 (68.5%), in 26 out of 49 cases in 2017 (53%), and in 15 out of 31 cases in 2018 (48%).

It is a positive trend that the number of criminal cases prescribed in court by fault of a judge has been dwindling since 2014. It had dropped from 24 in 2014 to two in 2018.

The NOJ wants to do its best to support all local administrative measures aimed at preserving the results, achieving timely justice and minimising prescription by any court's fault. From 2017 it coordinated the preparations for the smooth introduction of the new CrPC, and reworked the table and datasheet for the obligatory reporting of prescribed criminal cases under NOJ Instruction 6/2015 (30 November) on court administration, so courts supplied data using these resources and the 2018 survey of prescribed criminal cases was conducted accordingly.

#### **7.2.1.2. Review of cases pending for more than two years**

Courts continued to pay special attention to reviewing cases pending for more than two or five years. A follow-up on the 2016 "Service Provider Courts", a national program designed to reduce the number of protracted cases, identified the required executive resources. In the national program, court presidents adopted a number of efficient measures for timely and efficient administration regarding the management of protracted and urgent cases, and a proportionate case division, to name but two areas. This was followed by the Sustainable Development Program, continued as Sustainable Development Program 2 in 2018, to keep the good results (more on this in paragraph 7.1.2.1).

In 2018 the NOJ continued to look at changes in the number of regional court cases pending for more than two and five years. It called on regional courts showing a negative trend to account for this and report their corrective actions. The NOJ will perform further follow-up reviews in the first half of 2019 to monitor the effects of the measures and will check again the changes in the number of cases pending for more than two and five years at all regional courts.

By virtue of NOJ Instruction 8/2015 (12 December) on the Regulation of the Standard Evaluation of Judges' Activities and Detailed Evaluation Criteria, courts submit semi-annual reports to the NOJ on cases pending for more than two years. In 2018 the NOJ developed a table to standardise the structure of the reports and help courts with the data supply.

#### **7.2.1.3. Reports on the activities and costs of on-call and stand-by staff**

By virtue of Annex 9 of NOJ Instruction 5/2013 (25 June) on the NOJ's financial management (Financial Management Rules), which regulates on-call and stand-by, judges and court employees may be required to work on-call and stand-by for performing a specific task.



Court Presidents submit a written annual report to the NOJ on the essential data, as laid down in the Financial Management Rules, of on-call and stand-by work ordered and performed between 1 October in the previous year and 30 September in the reporting year. These data are fed into a summary report which compares and analyses the on-call and stand-by indicators of individual courts to optimise the management of budget funds across Hungary.

### **7.2.2. Target reviews**

By virtue of Section 76(6)b) of the Act on the organisation and administration of courts, the NOJ controls and inspects, as part of its responsibilities related to court administration, the administrative activities of court presidents except for district courts, and administrative and labour courts, by monitoring the enforcement of the rules of court administration and compliance with procedural deadlines and administrative rules, ordering a review for these purposes.

In other words, a target review is a detailed overview of a given activity or topic aimed at offering an accurate picture of the area and at setting tasks. A target review ordered by the central management may be conducted simultaneously in several or all courts depending on its background.

Target reviews are conducted locally by the affected courts. In doing so, they also look at the given topic and adopt local administrative measures to promote efficient court work. The NOJ is only informed about the course and findings of the review. The NOJ summarises review experiences and results, makes findings about the object of review, uses them for its future work, adopts a central measure to provide help in the case of any systematic error, and shares best practices with other courts wherever it identifies any.

Accordingly, target reviews are important because they offer an opportunity for both a local and a central analysis of a particular area of legal practices and for providing support with administrative measures.

In 2018 the NOJ's President ordered multiple target reviews, both national and comprehensive, aimed at certain regional courts.

#### **7.2.2.1. National target reviews**

The NOJ's President ordered a national target review to explore the timeliness of posting final cost awarding orders to police departments regarding apprehensions in criminal cases between 1 January and 28 February 2018 and the potential causes of failure to post such orders. This target review followed a National Police Department inspection in 2017 which found that apprehensions ordered by external agencies, including courts, accounted for 39% of all apprehensions. It was also found that these agencies failed to post the final decision awarding apprehension costs worth nearly 351 million forints in every other case. This is a problem as apprehension costs generate revenues for the police department competent at the seat of the police agency conducting the apprehension. By lack of a final cost awarding decision, the police department cannot collect outstanding apprehension costs if they are not paid. The review summary suggested that final cost awarding orders were issued within 30 days in slightly more than two-thirds of the cases. As a result of the target review, three-quarters of regional courts adopted an administrative measure and one in five regional courts adopted a professional measure.



The NOJ's President ordered a national target review to explore the practices of regulating the exclusion of judges and to determine the required administrative measures. It was found that judges reported bias more often than other parties but the number of such reports was relatively low as opposed to both the overall number and the number of litigious case filings and hence did not abuse of invoking grounds for relative exclusion. Most arguments for bias were well-grounded and led to the exclusion of the entire court in two-thirds of the cases. Other parties submitted fewer motions for exclusion. This shows that judges act without any cause suggesting that their action fails to be impartial in the vast majority of cases. Courts examine reports in compliance with the relevant administrative rules and do not generally cause a considerable protraction of cases. Therefore, there was no need for a comprehensive administrative measure.

#### 7.2.2.2. Target reviews ordered concerning specific regional courts

As the legal environment of criminal cases of international relevance underwent a considerable change in 2018, a target review was conducted at the Budapest Metropolitan Regional Court to ensure timeliness by the unit of international non-litigious criminal cases. The review summary found that the unit was prepared for the expected increase in the caseload due to the legal amendments and the exclusive competence of equivalence procedures and it kept permanent contact with the affected agencies concerning legal interpretation, i.e. the Prosecutor's Office, the Ministry of Justice and the Ministry of the Interior's Criminal Registry.

The NOJ's President ordered a target review at the Budapest Environs Regional Court regarding its caseload data to improve timeliness in second instance criminal cases. The review summary found that it was reasonable to order the review as the delay of more than two years in most second instance cases was wrongfully caused by the chairman of the chamber acting in the matter. The NOJ's President took the required administrative actions against the chairman of the chamber in breach.

In 2018 no target review was launched upon a complaint.

## 8. STATUTORY ENVIRONMENT OF THE OPERATION OF THE JUDICIARY

### 8.1. Legal amendments affecting the judiciary

#### 8.1.1. Legal amendments on legal status

- The provisions of the **Seventh Amendment to the Fundamental Law of Hungary** affecting the judiciary came into force on 29 June 2018. By virtue of the amendment, the judiciary shall be comprised of ordinary and administrative courts. Administrative justice shall be regulated by a cardinal Act. Another essential provision requires courts to identify the objective of laws primarily from their preamble and justification when interpreting them.
- **Decree 20/2017 (21 December) of the Minister of Justice on the amendment of Decree 11/1999 (6 October) of the Minister of Justice on the legal internship and training of trainee judges** came into force on 1 January 2018. These amendments support the new generation by promoting the development of uniform national practices in the training of trainee judges.



### 8.1.2. Amendment of procedural rules considerably affecting courts

- **Act CXXX of 2016 on Civil Procedure (CPC)** came into force on 1 January 2018. This code reregulated civil procedure after 60 years with a number of novelties, including the division of first instance actions to a preliminary and a trial stage, courts' obligatory contribution to the clarification of case files, the principle of concentration (identifying the subject of the action and obtaining the required evidence as soon as possible), and the requirement to use forms.
- **Act I of 2017 on Administrative Procedure (APC)** came into force on 1 January 2018. This code separated civil and administrative procedure and extended the powers of courts acting in administrative cases. Regional courts came to have first and second instance administrative chambers and central regional courts were established. The legislator radically reduced the scope of non-litigious procedures and replaced them with special administrative actions and other administrative court procedures.
- **Act CL of 2016 on general administrative procedure (GAPA)** came into force on 1 January 2018. Passed in replacement of the Act on the general rules of the official procedures and services of public administration, this code brought about a number of novelties, including the extension of the concept of official cases, the introduction of automatic decision-making (summary procedure) and the types of overall procedure, the replacement of final decisions by definitive decisions, and the establishment of new legal institutions in enforcement.
- **Act CXVIII of 2017 on court rules applicable in civil non-litigious procedures and certain non-litigious procedures**, which came into force on 1 January 2018, adopts certain provisions of the 1952 Civil Procedure Act on personal cost exemption and deferred payment of legal costs, as well as the partly revised rules of Decree 6/1986 (26 June) of the Minister of Justice on the authorisation of personal and objective cost discounts.
- **Act CXVIII of 2017 on court rules applicable in civil non-litigious procedures and certain non-litigious procedures (Non-litigious Act)**, which came into force on 1 January 2018, repealed Decree 105/1952 (28 December) of the Council of Ministers on the provisions required by the entry into force of Act III of 1952 on civil procedure, and Decree 1/1960 (13 April) of the Minister of Justice on the procedure of declaration of death and pronouncement of death. Chapter I of the Non-litigious Act contains all general provisions applicable in non-litigious procedures.
- **Act CXXX of 2017 on the amendment of certain Acts related to the entry into force of Act CXXX of 2016 on civil procedure (CPC Omnibus Act)** came into force in three stages, on 31 December 2017, 1 January 2018 and 2 January 2018. Section 146 of the CPC Omnibus Act repealed Law-Decree 22 of 1952 on the entry into force and implementation of Act III of 1952 on civil procedure.
- **Act L of 2017 on the amendment of certain Acts related to the entry into force of the General Administrative Procedure Code and the Administrative Procedure Code** is another omnibus law amending a total of 242 other laws. Most amended acts pertain to public administration. The legislator primarily wanted to achieve harmony with the procedural laws coming into force on 1 January 2018 (APC, GAPA).
- **Act CLI of 2017 on tax administration procedure (TAPA)** came into force on 1 January 2018. This law brought about a number of novelties, including administrative justice as an option against certain definitive decisions of the tax authority that are subject to an independent appeal, and the prosecutor's right to challenge not only definitive decisions but also failure to perform any procedural obligation in the case of the prosecutor's ineffective order.



- **Act CL of 2017 on taxation (TA)** came into force on 1 January 2018. The new TA covers all detailed rules of taxation. TAPA and the revised TA are coordinated and supplement each other. The provisions of TAPA and the revised TA mostly coincide with those of the repealed Act XCII of 2003 on taxation.
- **Act CLIII of 2017 on the enforcement procedure to be conducted by the tax authorities (TAEA)** came into force on 1 January 2018. In essence, this Act must be applied from 2018 to the enforcement of all statutory payment liabilities determined and registered by the state's tax and customs authorities and by local government tax authorities. The general enforcement authority shall be the National Tax and Customs Administration.
- The court related provisions of **Act CXLIII of 2017 on the amendment of certain Acts on migration** came into force on 1 January 2018. This omnibus law amends a total of 16 Acts, including Act I of 2007 on the entry and stay of persons with the right of free movement and stay, Act II of 2007 on the entry and stay of third country citizens, and Act LXXX of 2007 on asylum. Specifically, the amendments turned a number of non-litigious procedures into litigious procedures, shortened the deadline for evaluation, and regulated the appointment of interpreters, the payment of interpretation costs, and the service of rulings.
- **Act CXLIV of 2017 on the amendment of Act XIX of 1998 on criminal procedure, certain criminal laws, and Acts regulating international and EU criminal cooperation** came into force on 1 January 2018. The Act amends a total of 19 Acts. The provisions of Act XIX of 1998 on criminal procedure primarily changed with the introduction of electronic communication and the entry into force of the new CPC.
- **Act CXCVII of 2017 on the amendment of certain Acts related to the entry into force of Act XC of 2017 on criminal procedure** amends a number of laws. The amendment of the rules of the LSRJA on the election of lay judges for juvenile and military criminal cases and the rules of certifying the eligibility of lay judge candidates entered into force on 1 January 2018. By virtue of the revised rules of the Criminal Enforcement Act, the termination of the enforceability of criminal fines shall be established by criminal enforcement judges ex officio or upon the motion of the correctional facility or upon the application of the convict or his counsel.
- Act XXXIX of 2017 on the amendment of Acts regulating EU and international criminal cooperation and other related Acts for legal harmonisation amended **Act XXXVIII of 1996 on international criminal assistance** as of 1 January 2018. The amendment contains new provisions on the delivery and acceptance of criminal actions, reports filed with a foreign state, the temporary delivery of persons held in custody, interrogation via a closed purpose telecommunications network and telephone, controlled transport, undercover investigators, joint investigation teams, exchange of information without an official request, the return of assets, and the service of official documents.
- Act CXLIV of 2017 on the amendment of Act XIX of 1998 on criminal procedure, certain criminal laws, and Acts regulating international and EU criminal cooperation also amended **Act CLXXX of 2012 on criminal cooperation with the Member States of the European Union (EUA)** as of 1 January 2018. The amendments affect, inter alia, delivery by virtue of a European Arrest Warrant, European Investigation Order, procedural legal assistance and the enforcement of supervisory measures.
- **Act IV of 2018 on the amendment of Act CXCI of 2017 on the amendment of certain Acts pertaining to the official supervision of the financial mediation system** entered into force on 2 March 2018. Specifically, ongoing administrative actions shall not be suspended by virtue of Section 337(1) of the 1952 Civil Procedure Act. Similarly, the rules of



the Act shall no longer apply to the continuation of actions, the interviews of petitioners, the payment of costs of filing actions and submitting retrial applications, etc. First instance cases shall be heard by the Budapest Metropolitan Regional Court.

- **Decree 17/2018 (27 June) of the Minister of Justice on the amendment of certain ministerial decrees on criminal procedure and criminal enforcement and of the related ministerial decrees on the administration of justice** entered into force on 1 July 2018. This decree amended the previous decrees in response to the amended criminal Acts. The changes affect the rules of sessions on pre-trial detention held via closed purpose telecommunications networks, the obligation of courts to supply data for the recognition of foreign rulings or the equivalence of Member State rulings (datasheet No. 6), and the issuing and posting of notification forms.
- **Act XL of 2018 preparing Hungary's 2019 Central Budget** entered into force on 26 July 2018. It supplemented the provision of the APC regulating the imposition of performance fines. The Act amends Act XLIX of 1991 on bankruptcy and liquidation procedure. Specifically, proceedings filed by the creditor shall be terminated without the creditor's consent if the debtor certifies payment of the creditor's claim before the start date of liquidation.
- **Act XXXVI of 2018 on the amendment of certain elections Acts** entered into force on 1 September 2018. It extends the scope of submitting redress applications. Submission shall also take place in person if, upon submission of the filing, a power of attorney drafted as a fully probative private deed or a public deed is attached. Also, a redress application shall be considered as served if sent by letter in a sealed envelope. The time limit for the Curia to take action shall be the day after submission and the grounds for a review shall include the unlawfulness of the summary and the infringement of the rules of determining the result of an election.
- **Act LXXXII of 2018 on the amendment of certain tax laws in compliance with European Union obligations and of certain laws for tax administration purposes** entered into force on 24 November 2018. Upon the proposal of the NOJ's President, the entry into force of the Act made the dismissal of motions for a court procedure duty free again after seven years. Another major change is that with the amendment of the Data Protection Act, the state's tax and customs authority shall enforce judicial claims as of 1 January 2019 if the enforceable document was issued after 31 December 2018.

### 8.1.3. Main legal amendments related to electronic procedure

- **Act CCXXII of 2015 on the general rules of electronic administration and fiduciary services** (hereinafter: E-administration Act) introduced overall electronic administration in court procedures with effect from 1 January 2018. Electronic communication is obligatory for the agencies and individuals listed in Section 9(1) of the E-administration Act: in non-litigious procedures launched by virtue of the new CPC on 1 January 2018 and afterwards, and in criminal actions launched by virtue of the new CrPC on 1 July 2018 and afterwards.
- **Government Decree 451/2016 (19 December) on the detailed rules of electronic administration** (hereinafter: E-administration Enforcement Decree) contains detailed rules for the implementation of the E-administration Act. The Decree entered into force on 1 January 2017 but its provisions became generally applicable as of 1 January 2018. The E-administration Enforcement Decree adopts the terminology of services laid down in the E-administration Act (Regulated Electronic Administration Services, Central Electronic



Administration Services), contains detailed requirements for identifying the agency that performs e-administration, defines the scope of information to be provided by the agency that performs e-administration, and regulates the admission of requests submitted via the general purpose electronic application form (e-paper service).

- **Decree 52/2017 (29 December) of the Minister of National Economy on the amendment of certain ministerial decrees of local government taxation, duty assessment and income taxation** amended Decree 44/2004 (20 December) of the Minister of Finance on the detailed rules of paying procedural duties and checking payments as of 1 January 2018. By virtue of the amendment, procedural duties shall be collected on the centralised collection account or subaccount created by the Hungarian State Treasury for this purpose. In order to facilitate the verification of court duties, the scope of data to be stated in the field for notes was changed, and the Decree came to include the rules of duty payment to other agencies (e.g. independent court bailiffs) before the court procedure.
- **Decree 19/2017 (21 December) of the Minister of Justice on the conduct of civil trials and hearings via an electronic communications network** entered into force on 1 January 2018. The Decree lays down detailed rules for conducting trials, personal hearings of the litigants and other parties to the action, witnesses and experts, or inspections via an electronic communications network under the CPC.
- **Act XLIII of 2017 on the public register of general powers of attorney for litigious and non-litigious procedures (GRA)** came into force on 1 January 2018. In compliance with this Act, the NOJ developed its own software called Register of General Powers of Attorney (hereinafter: Register). The GRA requires that the Register be kept electronically. The IT application designed for keeping the Register and supplying data is operated by the NOJ's President.

#### 8.1.4. Relevant changes in substantive laws applied by courts

- **Act CXLIV of 2017 on the amendment of Act XIX of 1998 on criminal procedure, certain criminal laws, and Acts regulating international and EU criminal cooperation** entered into force on 1 January 2018, including an amendment of the Criminal Code. It determined rules for deducting the term of confinement, community service and fine imposed and enforced in a civil infraction procedure from the term of imprisonment, confinement, community service, fine or education in a reformatory imposed in a criminal procedure, and rules for deducting the penalty or measure imposed and enforced in the basic matter if the decision taken as extraordinary redress or in a repeated trial changes the decision taken in the basic matter.
- **Act II of 2012 on civil infractions, civil infraction procedure and the civil infraction registration system** was amended on 1 January 2018. Some of these amendments related to the introduction of electronic communication but also affected the enforcement of on-the-spot and ordinary fines imposed in civil infraction procedures.
- **Act CLXXVII of 2017 on enhanced criminal protection for children under the age of twelve against sexual violence** came into force on 1 January 2018. This Act revised the system of qualified instances of sexual violence. The new qualification system takes into account the victim's age more and hence imposes a more serious punishment for sexual violence against victims under the age of twelve.



- **Act LXXVIII of 2017 on the professional activities of attorneys-at-law (AtA)** came into force on 1 January 2018. This Act gives a detailed list of persons eligible for attorneys' activities. It changes the umbrella term of appointed attorney by excluding patron lawyers. The AtA introduces the term *registered in-house legal counsel* for persons acting as attorneys by virtue of employment, public service in a broad sense or a voluntary status aimed at activities of public interest, who will be eligible for performing their activities as members of a bar association.

Courts shall no longer be required to keep a register of legal counsels. Instead, the Hungarian Bar Association shall keep the register of registered in-house legal counsels. Registered in-house legal counsels shall hold a card with a photo. Court employees may not act as registered in-house legal counsels but may provide legal representation as legal counsels in civil and administrative cases.

- **Government Decree 75/2018 (20 April) on the tasks required for creating the Insolvency Register** came into force on 25 April 2018. Hungary created the Insolvency Register to comply with its obligation as a Member State under Regulation 2015/848 of the European Parliament and of the Council of 20 May 2015.
- **Act XLI of 2018 on the amendment of certain tax laws and other related Acts and on the special immigration tax** entered into force on 26 July 2018. By virtue of the amendment, any portion of benefits received upon the termination of certain legal relationships aimed at work in excess of 3,500,000 forints shall be free from the 75% special tax (e.g. any portion of 9 or 13 monthly instalments of salary paid to a judge whose legal relationship is terminated for reasons of health, above 3,500,000 forints). The Act applies to any income obtained after 1 January 2018 and subject to special tax without affecting the public dues of employers.
- **Act XLIV of 2018 on the amendment of Act II of 2012 on civil infractions, civil infraction procedure and the civil infraction registration system** entered into force on 31 July 2018. The Act reregulates the civil infraction called infringement of the rules of living in the street, making it a civil infraction punishable by confinement. Also, the Act introduced a new regime for establishing liability.
- **Act LIII of 2018 on the protection of privacy** entered into force on 1 August 2018. Its main novelties include the declared protection of the right of public figures and children to privacy, the extension of its scope to all forms of info communication, the determination of the legal consequences of the infringement of the right to privacy, and the extension of the rules of the Civil Code on the protection of the right to privacy of public figures by sharply distinguishing public life from private life.
- **Act LV of 2018 on freedom of assembly** entered into force on 1 October 2018. In parallel, Act III of 1989 on freedom of assembly was repealed. The Act resolves the collision between the protection of privacy and freedom of assembly. It specifies the violation of public security, law and order and the rights and freedom of others as primary grounds for prohibiting and dissolving an assembly. Also, it regulates the prohibition and dissolution of assemblies to be held in places and on days reminding of victims of the Nazi or communist dictatorship subject to certain conditions, the scope of the required report, the obligations of participants, the prohibition to disturb assemblies, and the term and scope of rival assemblies.



## 8.2. The NOJ's evaluation of laws

### 8.2.1. Evaluated laws and findings

In 2018 the NOJ received 219 applications for evaluating laws. The following table breaks down the evaluated drafts and bills to applicants.

Applicant	Number of applications received	Type of case
Ministry of Agriculture	0	draft law
Ministry of the Interior	64	draft law
Ministry of Human Capacities	12	draft law
Ministry of Defence	2	draft law
Ministry of Justice	41	draft law
Ministry of Innovation and Technology	8	draft law
Ministry of Foreign Affairs and Trade	0	draft law
Prime Minister's Office	6	draft law
Ministry of Finance	8	draft law
Parliament's website	20	bill
Courts	9	legislative proposal, legal practitioners' experiences
Curia	9	legislative proposal, legal practitioners' experiences
NOJ's units	20	legislative proposal, comment, request for proposals
Agencies outside the judiciary and the ministries	7	request for information
Other non-codification cases	13	miscellaneous tasks related to the cases of other departments and units
<b>Total</b>	<b>219</b>	

In 2018 the NOJ received less applications than in 2017 (290) because the codification activity is associated with Parliament's legislative procedure and lawmaking came to a halt before the general elections in April 2018. The new Parliament held its inaugural session on 8 May 2018. The restructuring of the ministries and personal changes postponed the bulk of legislation to the second half of 2018.

Legislation was characterised by a number omnibus laws related to the big codes, which amended various laws upon a single proposal but only emerged as a single "matter" in the evaluation of laws.

#### 8.2.1.1. Network of Legal Evaluation Experts

In 2018, the NOJ's President continued to receive support for her duty to evaluate laws from a reduced group of expert judges and heads of division, coordinated by the NOJ's Judicial Department. This team of members from each branch of law helped the NOJ's President to make relevant comments on all draft laws affecting courts, often by particularly tight deadlines.



## 8.2.2. Initiatives

### 8.2.2.1. Proposed legal amendments that were approved or came into force in 2018

#### Main proposals affecting the civil branch:

In both the new procedure codes and the related lower level laws, the NOJ submitted a number of synthetic comments and legal amendments. Lawmakers often incorporated these legislative proposals in the laws under preparation.

Some key results:

- Act CXXX of 2017 on the amendment of certain Acts related to the entry into force of Act CXXX of 2016 on civil procedure (CPC Omnibus Act) came into force on 1 January 2018. It amended, inter alia, Act XCIII of 1990 on duties, Act LIII of 1994 on court enforcement, and Act XLIX of 1991 on bankruptcy and liquidation procedure, incorporating a number of proposals by the NOJ's President.
- Act XLIII of 2017 on the public register of general powers of attorney for litigious and non-litigious procedures (GRA) came into force on 1 January 2018, with detailed rules based on the proposals of the NOJ's President.
- Act CXXVIII of 2017 on the application of cost exemption and the right to deferred payment of legal costs in civil and administrative procedures came into force on 1 January 2018, incorporating several proposals by the NOJ's President.
- Act CXXXVI of 2017 on the amendment of certain Acts and other judicial acts related to the entry into force of Act LXXVIII of 2017 on the professional activities of attorneys-at-law came into force on 1 January 2018. This Act amended Act CXXX of 2016 on Civil Procedure among other laws. Of the proposals by the NOJ's President that were incorporated in the Act, special mention must be made of the one to create, in harmony with the Act on court organisation and administration, the right of junior judges to legal representation and the extension of the provisional rules regulating the entry into force of the Civil Procedure Code.
- Government Decree 393/2017 (13 December) on the amendment of Act CXXX of 2016 on civil procedure and the Government Decrees related to the entry into force of Act LXXVIII of 2017 on the professional activities of attorneys-at-law came into force on 1 January 2018, affecting the amendment of Government Decree 250/2004 (27 August) on the detailed procedural rules of service to bailiffs and Government Decree 56/2008 (26 March) on certain tasks for which court clerks are eligible. The proposals of the NOJ's President were incorporated concerning service to bailiffs under CPC Section 141. Also, upon the proposal of the NOJ's President, the scope of first instance orders which court clerks may take in litigious procedures and the scope of first instance tasks in litigious and liquidation procedures was extended.
- Decree 20/2017 (21 December) of the Minister of Justice on the amendment of Decree 11/1999 (6 October) of the Minister of Justice on the legal internship and training of trainee judges came into force on 1 January 2018, amending Decree 14/2002 (1 August) of the Minister of Justice on the rules of court administration by incorporating several proposals by the NOJ's President.

#### Main proposals affecting the criminal branch:

- Act XXXIX of 2017 on the amendment of Acts regulating European Union and international criminal cooperation and other related Acts for harmonisation came into force on 1 January 2018, incorporating several proposals by the NOJ's President (e.g. terminology of the recognition of foreign judgements, deduction of the term of house arrest, suspension of



procedure and initiation of recognition, laying down the powers of district courts to enforce European Investigation Orders).

- Act CLXXVII of 2017 on enhanced criminal protection for children under the age of twelve against sexual violence came into force on 1 January 2018, amending Section 197(4) of Act C of 2012, incorporating a proposal by the NOJ's President to enhance criminal protection for children.

#### **Main proposals concerning legal status affecting the judiciary:**

- Act C of 2017 on the 2018 Central Budget of Hungary incorporated a proposal by the NOJ's President to raise the base salary of judges by another 5% to 453,330 forints with effect from 1 January 2018.
- Decree 20/2017 (21 December) of the Minister of Justice on the amendment of Decree 11/1999 (6 October) of the Minister of Justice on the legal internship and training of trainee judges came into force on 1 January 2018. These amendments support the new generation by promoting the development of uniform national practices in the training of trainee judges.
- Act XLI of 2018 on the amendment of certain tax laws and other related Acts and on the special immigration tax entered into force on 26 July 2018, amending Act XC of 2010 on the creation and amendment of certain economic and financial Acts (hereinafter: Special Tax Act) upon the proposal of the NOJ's President. The proposal was aimed at exempting judges relieved from duty for reasons of health suffering serious health damage under LSRJA Section 87(1) from paying the special tax imposed on their severance pay as regulated by the Special Tax Act.
- Decree 20/2017 (21 December) of the Minister of Justice amended Decree 14/2002 (1 August) of the Minister of Justice on the rules of court administration and the ministerial decrees related to the new Civil Procedure Code, the Act on the professional activities of attorneys-at-law, and other judicial matters. The amendment incorporated the proposals of the NOJ's President in terms of electronic administration, electronic communication with courts, electronic court filing, out-of-trial applications, providing information, defining groups of cases, and administration in company matters.

#### **8.2.2.2. Legal amendments proposed in 2018 and pending approval**

##### **Proposed legal amendments affecting the civil branch:**

- The NOJ's President proposed the amendment of Decree 1/2002 (17 January) of the Minister of Justice on the administration of court enforcement and fund management. These proposals would help to harmonise the Decree with the provisions of the Enforcement Act on electronic communication.
- The NOJ's President proposed the amendment of Decree 1/2002 (17 January) of the Minister of Justice on the administration of court enforcement and fund management. These proposals would help to harmonise the new CPC with the amended provisions of the Enforcement Act. Also, the President proposed the use of the order of enforcement forms.

##### **Proposed legal amendments affecting the criminal branch:**

The NOJ's President proposed the amendment of Act XC of 2017 on criminal procedure, affecting the rules of extending limited appeal and preparatory sessions concerning the delivery of the operative part of sentences.



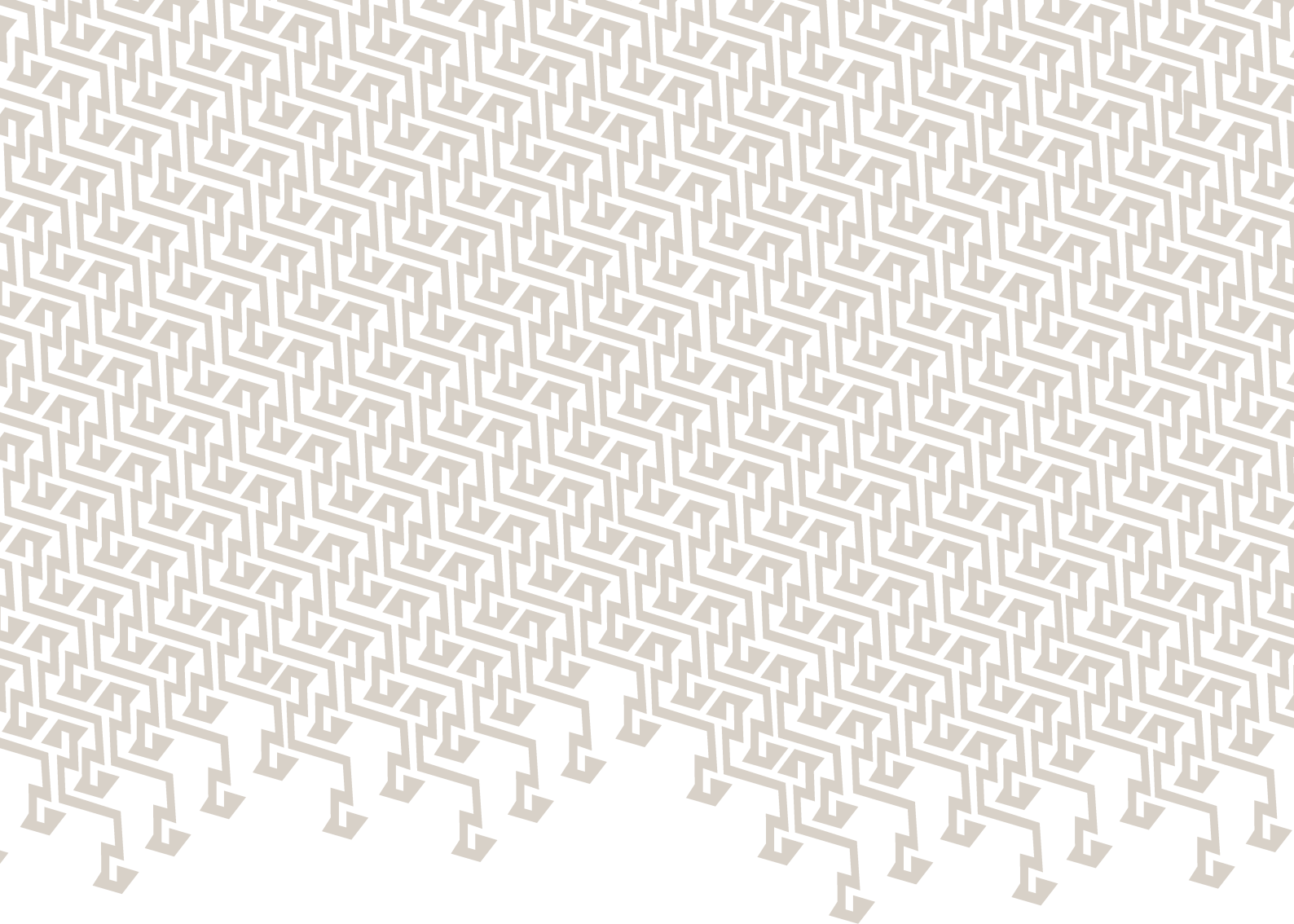
### **Proposed legal amendments affecting the judiciary:**

- The NOJ's President repeatedly proposed the amendment of Section 172(2) of Act CLXII of 2011 on the legal status and remuneration of judges (LSRJA) concerning the uniform calculation of the service period. The proposal suggested that the service period should include the time served as a judge or prosecutor before appointment and the time served in any other legal status or by performing any other activity subject to the Bar Examination.
- The NOJ's President prepared a complex proposal for the amendment of Act CLXII of 2011 on the legal status and remuneration of judges (LSRJA) for the implementation of the salary reform and repeatedly sent it to the ministries in charge.
- The NOJ's President proposed the amendment of Section 30(2) of Act CLXII of 2011 on the legal status and remuneration of judges (LSRJA) so that the provisions of the LSRJA should refer to the already effective Act XC of 2017 on criminal procedure. The proposed amendment suggested that judges hearing juvenile cases should be appointed by the NOJ's President.

### **FUTURE GOALS AND TASKS:**

- to preserve and improve timeliness indicators
- to create at least one room suitable for remote hearings and audiovisual recording at every district, regional and appellate court, and the Curia in the foreseeable future
- to monitor the implementation of the new Civil, Administrative and Criminal Procedure Codes
- to continue making high-standard and relevant comments on laws affecting courts and the judiciary, and supporting negotiations with professionals and the authorities







## II.

# HUMAN RESOURCES OF THE JUDICIARY

In terms of the optimum allocation and use of human resources, the NOJ achieved the following key results in 2018:

- The Retention Program, designed to develop the judicial career to its full potential including welfare, additional knowledge and health, and to express the recognition of any activity performed for the judiciary, continued and came to include new elements.
- A new methodology was developed for the assessment of leaders' activities.
- Administrative and labour courts in regional centres created positions for court employees.
- New positions were created for judges and court employees in response to the entry into force of the new CrPC.
- A regulation was created for the performance assessment of court employees.



## 1. PRESIDENTS OF THE JUDICIARY

### 1.1. Number of court presidents

As of 31 December 2018, the judiciary had a total of 761 court presidents, 455 appointed for a fixed term and 306 appointed for an indefinite term in line with the approved headcount.

**The President of the Curia appoints 38 court presidents:**

the Curia's Secretary General,  
the Curia's Deputy Secretary General,  
the Curia's Heads of Division,  
the Curia's Deputy Heads of Division,  
the Curia's Chairpersons of Chamber.

**Appellate Court Presidents appoint 49 court presidents:**

Deputy Heads of Division of appellate courts  
Chairpersons of Chamber of appellate courts

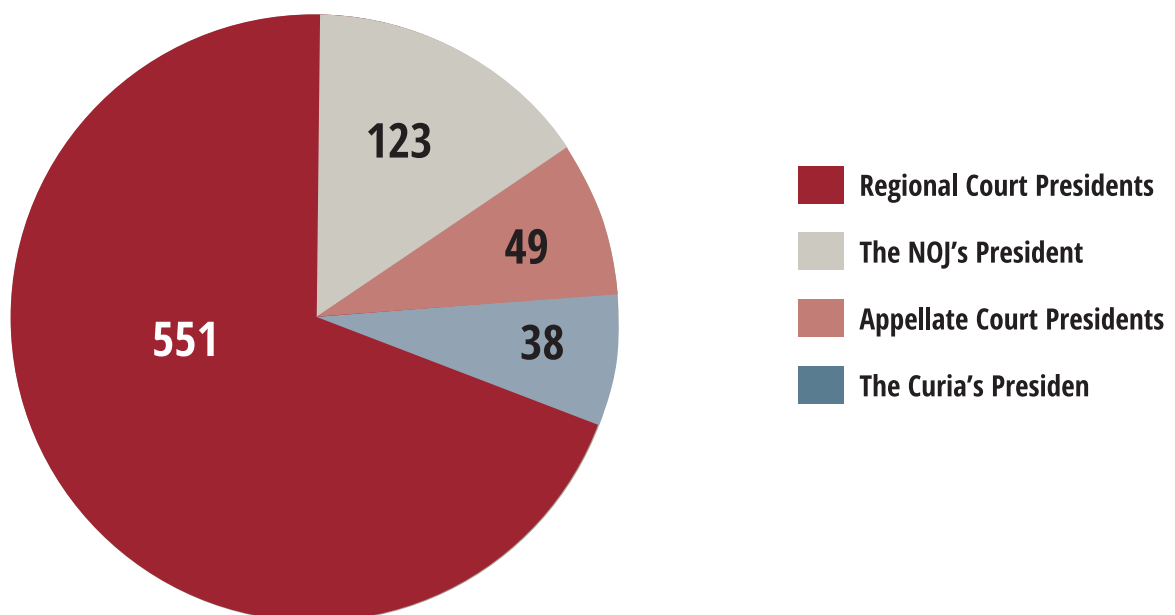
**Regional Court Presidents appoint 551 court presidents:**

Deputy Heads of Division of regional courts,  
Chairpersons of Chamber of regional courts,  
Presidents and Deputy Presidents of administrative and labour courts,  
Presidents and Deputy Presidents of district courts,  
Heads of Unit and Deputy Heads of Unit.

**The NOJ's President appoints 123 court presidents:**

Presidents, Deputy Presidents and Heads of Division of appellate courts,  
Presidents, Deputy Presidents and Heads of Division of regional courts,  
Heads of Division and Deputy Heads of Division of the regional divisions of administrative and labour courts.

*Number of court leaders in 2018 by appointing person*





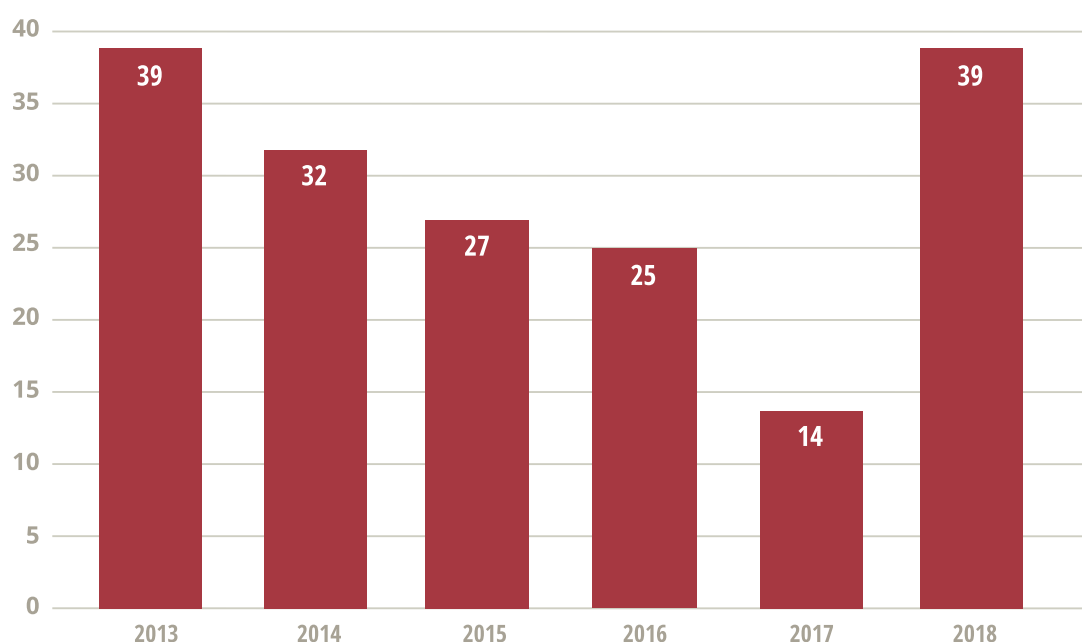
## 1.2. Changes in the number of court presidents

In 2018 there were a total of 39 vacancies subject to appointment by the NOJ's President, including four positions that had become vacant before 2018. In 2018 a total of 31 positions became vacant due to the expiry of the term of appointment (assignment), two due to resignation, one due to transfer to the Szeged Appellate Court, and another one due to transfer to the Curia.

In order to fill the vacancies, job applications were continuously invited and evaluated. There was a second round for ten leader's positions. Thus, in 2018, 21 of the 47 evaluated applications resulted in an appointment, whereas eight applications were declared invalid by lack of a call for applications, ten by lack of majority support by the evaluating bodies, and another three due to withdrawal. There were only five cases where the NOJ's President used her statutory discretionary right to declare a court president's job application inconclusive.

All appointments were in accordance with the proposals of the evaluating judges' bodies.

*Changes in the number of vacancies subject to appointment  
by the NOJ's President between 2012 and 2018*



## 1.3. Basic rules of court presidents' appointments and applications

Court Presidents are appointed for six years except for Chairpersons of Chamber, who are appointed for an indefinite term. A court president's position may only be held by a judge appointed for an indefinite term.

A court president must submit an application to hold a particular position. The consultative body (plenary session, judges' general meeting, division, regional division, all judges or a group) expresses its opinion about the applicant by secret ballot. The appointing president evaluates eligible applications based on the actual documents, the applicant's personal interview and the consultative body's proposal. By virtue of OACA Section 132(4), appointing presidents are not bound by the competent body's proposal but must give reasons in writing if they make a different decision. In the case of court presidents appointed by the NOJ's President, the rules of giving an opinion are laid down in NOJ Instruction 6/2015 (30 November).



The OACA sets forth stricter rules for the NOJ's President and the Curia's President in the above case. When making comments on multiple applicants, consultative bodies prioritise them by their votes. Where the decision deviates from this proposal, detailed reasons must be given in writing to the National Judicial Council and they must be presented separately at its next meeting. Where the NOJ's President or the Curia's President wants to appoint an applicant who has not won the majority support of the consultative body, they must ask the National Judicial Council (NJC) for a preliminary opinion about the applicant before the appointment. The applicant may only be appointed with the NJC's agreement. Other appointing presidents are not subject to such extra rules under the relevant law. Another difference is that the records of application interviews subject to appointment by the NOJ's President are public. It is a standard practice that both records of interview and application documents are uploaded to the central website of courts.

Appointing presidents evaluate applications by appointing one of the applicants or declaring the application invalid. They make their decisions in awareness of—but not bound by—the consultative body's proposal.

The application procedure includes a selection process aimed at helping the best and most suitable candidates to fill the court president's position. The responsibility for this selection is held by the person with the right of appointment whose decision, whether on appointment or the invalidation of the application, affects the operation of the given court. Where the appointing president finds that the professional quality of the application or the applicant's qualifications and suitability are inappropriate, they have the statutory and incontestable right to declare it invalid.

A call for applications must also be declared inconclusive if it did not receive any application or if the applications did not meet the statutory requirements.

Where a call for applications is declared inconclusive, another one must be announced. If such new call for applications is also inconclusive, the appointing president (the NOJ's President, the Curia's President, Appellate Court President, Regional Court President) may assign a person to hold the court president's position for up to one year.

The following table shows the number of applications evaluated by Regional Court Presidents:

Name of leader's position	Applications resulting in appointment	Calls for applications declared inconclusive	Total number of evaluated applications
Deputy Head of Division	2	1	3
Administrative and Labour Court President	3	1	4
Administrative and Labour Court Deputy President	1	3	4
District Court President	26	8	34
District Court Deputy President	10	1	11
Head of Unit	14	2	16
Deputy Head of Unit	2	-	2
Chairperson of Chamber	11	4	15
<b>Total</b>	69	20	89



## 2. HEADCOUNT OF THE JUDICIARY

The current headcount of the judiciary is approximately 12,000. As of 31 December 2018, this number was distributed as follows.

Court headcounts						
	As of 31.12.2016		As of 31.12.2017		As of 31.12.2018	
	Approved	Actual	Approved	Actual	Approved	Actual
Judges	2 937	2 846	3 023	2 862	3 016	2 933
Assistant judges	887	851	937	886	930	900
Trainee judges	254	218	253	224	257	238
Other court employees	7 326	7 189	7 422	7 526	7 560	7 660
<b>Total:</b>	<b>11 404</b>	<b>11 104</b>	<b>11 635</b>	<b>11 498</b>	<b>11 763</b>	<b>11 731</b>

In 2018, the increase of headcount as the last step under Act I of 2017 on administrative procedure raised the approved headcount with 94 court employees. In 2018, in response to the entry into force of Act XC of 2017 on criminal procedure, 15 positions were created for judges and ten for court employees. By virtue of Act CCXXII of 2015, the NOJ and courts changed over to electronic administration with effect from 1 January 2018. In addition, there arose a new option of remote hearings and drafting records by audiovisual courtroom recording. Accordingly, the budget earmarked funds for creating 23 positions for graduate officials in the NOJ in order to perform central tasks. In 2018, by virtue of Section 13 of Annex 6 to NOJ Instruction 5/2013 (25 June) on the regulation of the financial management of courts and the National Office for the Judiciary, positions from which judges are transferred to the Ministry of Justice or the NOJ for a fixed term of more than three months were taken over by the central management.

For the optimum allocation and use of human resources, the NOJ's President, acting within her remit under OACA Section 76 (4) a), took NOJ Decision 283/2014 (2 July) to determine the approved headcount of judges and court employees, the latter broken down to groups of positions. Afterwards, she revised the Decision to monitor changes in the headcount of individual courts.

In 2015 we introduced a new method to determine the approved headcount. Specifically, the approved headcount of regional and appellate courts was no longer determined by a single decision but separately. Each decision determined the number of court employees' positions in line with judge's positions as required by caseload data and the number of different court president's positions, too.

As OACA Section 76 (4) authorises the NOJ's President to determine the approved headcount of courts, the Financial Management Regulation was revised accordingly to make sure the headcount of individual court employees' groups was in line with the actual headcount. The NOJ's President may authorise the alteration of positions between individual court employees' groups within the approved headcount as requested by court presidents.



In the court organisation, the leader of the independent budget organisation, i.e. the Court President is responsible for determining the headcount of courts and units under his or her management. In order to introduce standard practices in this respect, in line with practices in the previous year, Regional Court Presidents took action in 2018 again to determine the approved headcount of judges and court employees at individual district courts and other units in a structure compliant with the decisions of the NOJ's President on the approved headcount of courts. The changes are followed by the alteration of such measures to make headcount management transparent and traceable on both a local and a national level.

Courts were put in three categories (big, medium, small) by the headcount of judges with the rate of judges and court employees adjusted to each other within the categories.

As a result of the new regulation, the headcount of assistant judges and scribes rose by a higher rate than in previous years but the number of assistant judges and clerks dropped. The current system is designed to make sure that all court employees are employed in a position compliant with the approved headcount.

Hungary's smallest court remained the Zirc District Court without any change in its actual headcount compared to 31 December 2017 (one judge and five court employees). The headcount of the largest district court, the Pest Central District Court (PKKB), was over 120 times as big as that of the smallest Zirc District Court and its actual headcount rose by 16 as opposed to 2017, making its total headcount 755 including 198 judges and 557 court employees. Of all regional courts, the Budapest Metropolitan Regional Court is outstanding in terms of both case filings and headcount. On 31 December 2018, its actual headcount was 2,857 including 760 judges and 2,097 court employees. At the same time, the regional court with the smallest headcount, the Balassagyarmat Regional Court, only had 221 employees, 47 judges and 174 court employees. Hungary's appellate court with the biggest headcount was the Budapest Metropolitan Appellate Court with 207 actual employees, including 89 judges and 118 court employees, on 31 December 2018. The Pécs Appellate Court remained the smallest in the country with 48 employees including 16 judges and 32 court employees.

In 2018 the actual headcount of the judiciary remained below the approved headcount but while the approved headcount had risen by a total of 128, the actual headcount had risen by 233 compared to 2017. Specifically, the actual headcount of judges had risen by 71, that of assistant judges by 15, that of trainee judges by 14, and that of all other court employees by 133 all told.

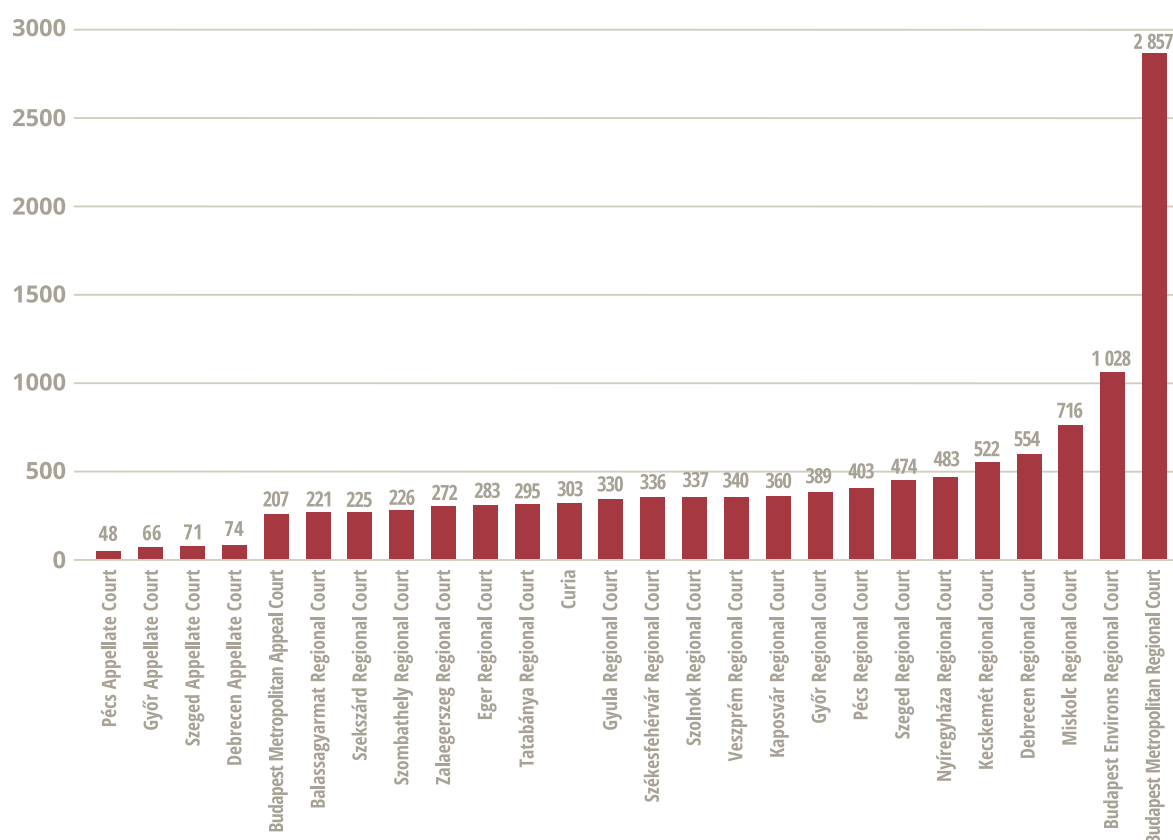
The actual headcount of judges rose because headcounts had been raised in 2017 in response to the entry into force of Act I of 2017 on administrative procedure (APC) but most of the new positions were filled only in 2018. The headcount of court employees was also raised as part of a major increase in response to the entry into force of the APC.

The year 2018 brought about an important change in the determination of approved headcounts as the decision on approved headcounts indicated separately the new payment group of Court Presidents (Payment Group 5) introduced by a new provision of the Act on the service status of court employees in force as of 1 September 2017. The new group's approved headcount was determined against the actual headcount of court presidents but courts' needs were also assessed and the approved headcounts were determined in consideration of national rates.



The following diagram shows the actual headcounts of individual courts.

*Actual headcounts of courts on 31 December 2018*



The aggregate approved and actual headcounts of the Curia and the individual appellate and regional courts by job groups as of 31 December 2018 are detailed in Annexes II.1 and II.2.

### 3. CHANGES IN JUDGE'S POSITIONS

#### 3.1. Applications and appointments

As a general rule, judge's positions must only be filled by public calls for applications, except for the cases laid down in Section 8 of Act CLXII of 2011 on the legal status and remuneration of judges (LSRJA). Such exceptions include a judge's return after the expiry of secondment to the NOJ or the Ministry, a major change in a court's area of competence or jurisdiction that prevents a judge's continued employment in their original place of service, and the appointment of a judge restored to his or her position as a result of a labour dispute. At the same time, where a judge wants to work for another court in the future (e.g. for family reasons), they must submit an application. In other words, the NOJ's President will only transfer them subject to a successful application.

In 2015 a new evaluation method was developed for judges' applications. Specifically, before applications are invited, there is a need to check if the approved headcount is proportionate to the caseload as a basic criterion. Before a vacancy is announced, it must be checked if the given level or branch of the regional court has a share of the approved headcount in proportion to



case filings. These rates are indicated in a table to help decide if it makes sense to invite judges' applications for the vacant position and to identify the courts which must create new positions for judges. When the table was made and sent out to Regional Court Presidents, a set of forms were introduced for the invitation of judges' applications and for their submission to the NOJ's President in a standard and timely manner to make the process faster and simpler.

Job applications are evaluated in successive stages. The applicant is heard by the chamber of the affected court to rank applicants accordingly. The detailed rules of ranking are laid down in the LSRJA and Decree 7/2011 (4 March) of the Minister of Justice on the detailed rules of evaluating the job applications of judges and the scores given in the ranking process. The Regional or Appellate Court President may agree with the chamber's ranking or propose, giving written reasons, that the position be given to the second or third applicant. If the NOJ's President wants to fill the position with the first applicant in the chamber's ranking and if such applicant does not hold a judge's position, she proposes the President of the Republic to appoint the applicant. If the applicant is a judge, she decides on their transfer. If the NOJ's President wants to fill the position with the second or third applicant in the chamber's ranking, she must obtain the NJC's consent.

In 2018 the NOJ's President evaluated 284 calls for judges' applications which received a total of 1,711 applications. As a result, the NOJ's President made a proposal for the appointment of 141 judges, all accepted by the President of the Republic, and decided to transfer 115 judges. She declared 28 applications invalid, including seven by lack of a call for applications, one due to a procedural infringement, because of a circumstance arisen after the call for applications was announced, causing the position to be filled without a call under the law (Section 8), and another 20 inconclusive. Of the 20 applications 19 were declared invalid due to the transfers required by the establishment of the Érd District Court on 1 January 2019. The 141 newly appointed judges included 121 who had been working as assistant judges before submitting their applications. The 115 transferred judges include 62 that continue to deliver judgements at a higher court level. A call for applications was announced for 44 of the 284 judge's positions given the second stage of the expansion of administrative justice. Regional administrative and labour courts invited applications for 42 judge's positions including 20 at the Budapest Metropolitan Administrative and Labour Court. The Budapest Metropolitan Regional Court's Administrative and Labour Division invited applications for two regional judge's positions. As a result of the evaluation, for 44 administrative and labour judge's positions, 22 assistant judges and 17 external applicants were appointed, and five judges were transferred.

The NOJ's President took her decision on each of the 284 successful applications evaluated (100%) according to the chambers' ranking.

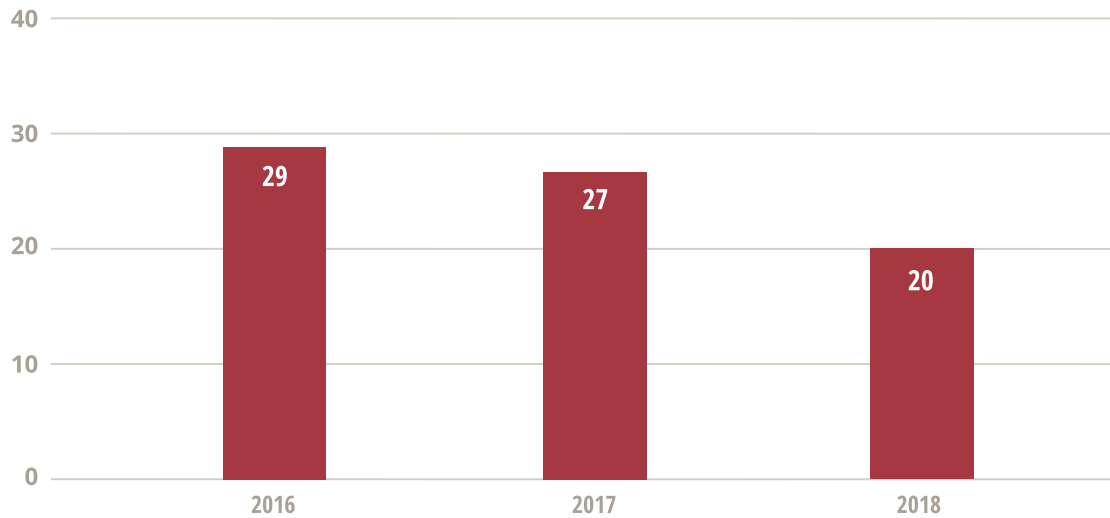
### **3.2. Termination of service statuses**

In 2018 a total of 73 judges had their service status terminated, including

- four who reached the upper age limit
- 44 who completed 40 years of service and reached the general old-age retirement
- 20 who resigned
- one who resigned for lack of medical fitness.



*Number of resigned judges in 2016*



The number of resignations has decreased steadily in recent years, from 29 in 2016 to 27 in 2017. The 20 judges who resigned in 2018 included two with a service status of 0–3 years, two with 4–6 years, four with 7–9 years, and 12 with over 10 years. The reasons for resignation typically included family reasons and moving abroad. Alternatively, judges may decide to terminate their service status during their appointment of a fixed term and their audit.

### **3.3. Assignments**

Judges are assigned due to the special nature of the given branch or to manage cases within a branch that require special skills or qualifications or a specifically assigned judge by virtue of the relevant Act. LSRJA Section 30 provides for assignment by the NOJ's President and the President of the Curia whereas it is the Regional Court President's duty to assign investigative judges under CPC Section 207(1) and criminal enforcement judges under Criminal Enforcement Act Section 47.

By virtue of Fundamental Law Article 27(3), in cases defined by law, assistant judges may also act as sole judges. By virtue of Section 41/A(1) of the Act on the service status of court employees, in cases defined by law, Regional Court Presidents shall assign assistant judges authorised to act as sole judges. In the case of assistant judges at district courts, the Regional Court President shall decide on assignment as proposed by the District Court President. The assignment shall specify the scope of cases to which it applies. In 2018 assistant judges authorised to act as sole judges were assigned in civil infraction, criminal, civil (financial), and criminal enforcement cases, and in cases related to the hospital treatment of psychiatric patients.

Upon the proposal of Regional Court Presidents, in 2018 the NOJ's President:

- assigned 67 judges to hear juvenile criminal cases,
- assigned 27 judges to hear cases defined in Section 17(5)–(6) of Act XIX of 1998 on criminal procedure,
- assigned 26 judges to hear administrative and labour cases,
- assigned 18 judges and 24 junior judges to act as court mediators, and
- terminated the assignment of three judges and two assistant judges to act as court mediators.

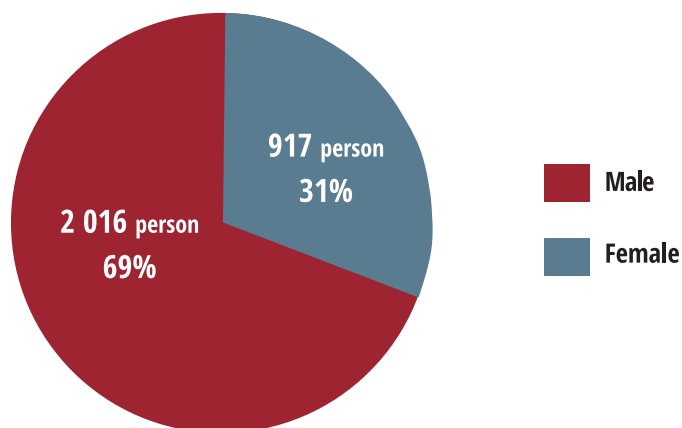


## 4. COMPOSITION OF JUDGES

### 4.1. Breakdown by gender

In 2018 the aggregate number of female judges was 2,016 (69%) as opposed to 917 male judges (31%). This means that the overall gender ratio had not changed considerably since 2017. On 31 December 2018, the Győr Appellate Court (58%) and the Debrecen Appellate Court (65%) had the two highest ratios of male judges.

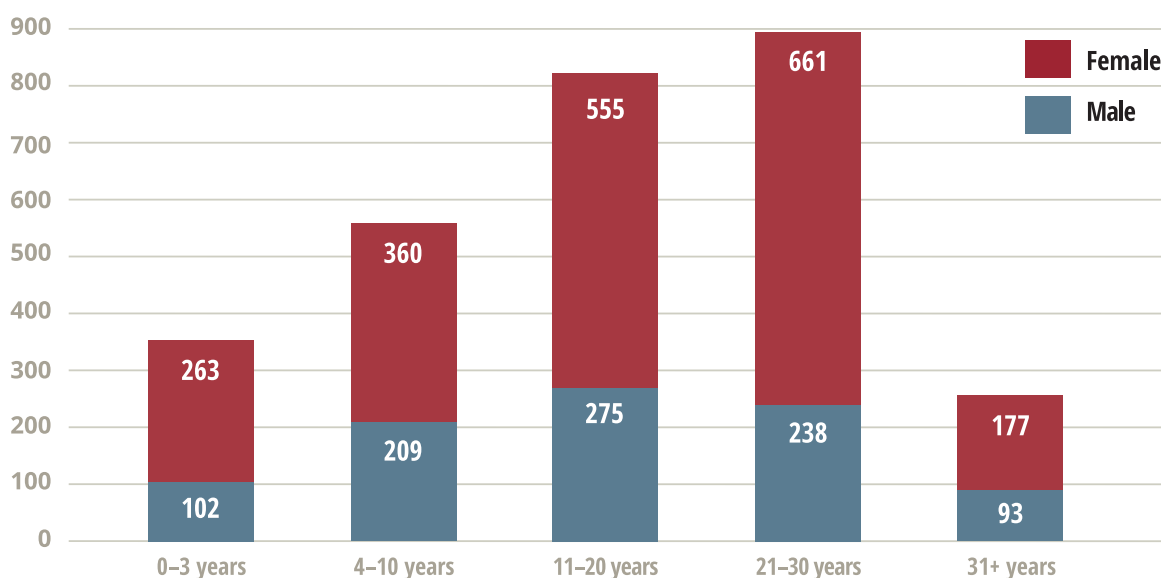
*Aggregate number of judges by gender*



### 4.2. Term of judges' service

On 31 December 2018, roughly one in three appointed judges (899) had 21 to 30 years of professional experience and the number of judges with 0–3 years of experiences was only 365. The latter figure had risen more considerably compared to 2017 (217 people) due to appointments. The number of judges with more than 31 years of professional experience was 270. Nearly 50% of judges had 4 to 20 years of experience. The following diagram shows the lengths of professional experience of Hungarian judges.

*Actual judges by professional experience and gender on 31 December 2018*

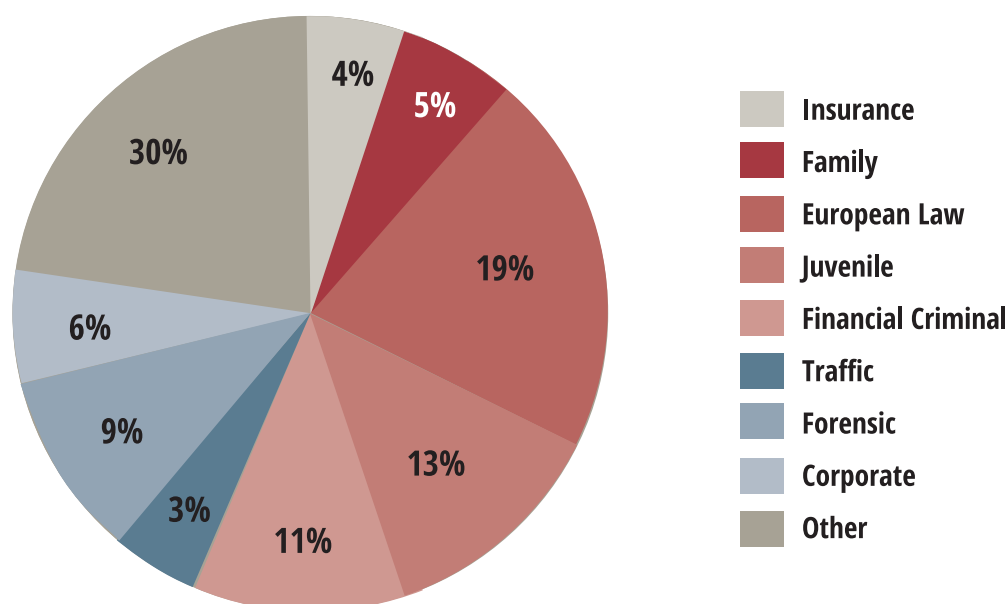




### 4.3. Additional qualifications

At the end of 2018, the 2,933 appointed judges included 27 with a PhD and 935 with a total of 1,129 postgraduate law degrees, specifically 124 in financial criminal law, 210 in European Union law, 147 in juvenile law, 107 in forensic law, 64 in corporate law, 50 in insurance law, 58 in family law, and 34 in traffic law. In addition, judges held 335 different postgraduate law degrees.

*Rates of postgraduate law degrees on 31 December 2018*



### 4.4. Language examination certificates

On 31 December 2018, 1,422 judges held an intermediate or proficiency level examination certificate. Regarding the most common languages, 1,039 judges held a certificate in English, 691 in German and 110 in French. A total of 561 judges held a certificate in two or more languages.

## 5. ALLOCATION OF HUMAN RESOURCES

### 5.1. Changes and principles of headcount

In 2018 the following positions were created and altered.

In 2018, the entry into force of Act XC of 2017 on criminal procedure required an additional number of judge's positions due to the obligatory three-member chambers and the wider scope of evidentiary procedures. Specifically, the entry into force of the new CrPC enabled seven appellate courts and eight regional courts to create a total of 15 judge's positions.

Figures as of 15 March 2018:

- Budapest Metropolitan Appellate Court: two
- Debrecen Appellate Court: two
- Szeged Appellate Court: three



Figures as of 1 December 2018:

- Budapest Environs Regional Court: two
- Eger Regional Court: one
- Kecskemét Regional Court: one
- Nyíregyháza Regional Court: two
- Székesfehérvár Regional Court: one
- Szolnok Regional Court: one

The NOJ's President has worked hard for years to fully enforce all conclusions drawn from case numbers in order to make caseload proportionate and to invite applications for vacant positions for the court that most needs it. This is promoted by a set of analyses, altered according to professional needs and related to the invitations of applications for positions. These analyses look at the approved headcount of courts inviting applications, their caseload figures and the workload of their judges. Such indicators help to take a well-grounded decision whether the given position should be announced at the applicant court or another court in a considerably less favourable situation than the national average.

In 2018, three judge's positions were terminated:

- Balassagyarmat Regional Court
- Gyula Regional Court
- Zalaegerszeg Regional Court

In 2018 the Budapest Metropolitan Appellate Court created one position for a Chairperson of Chamber as of 1 January 2018.

The approved headcount had dropped compared to the end of 2017. By virtue of Section 13(2) of Annex 6 to NOJ Instruction 5/2013 (25 June) on the regulation of the financial management of courts and the National Office for the Judiciary, in 2018 the central management started to take over positions from which judges were seconded to the Ministry of Justice or the NOJ for a fixed term of more than three months as these institutions may not fill these positions. This eliminated the distorting factor that affected the comparison of the approved headcount and caseload figures.

Where a fixed-term position terminates, the given institution receives new positions. The approved headcount does not include positions taken over by the central management.

In order to create a more balanced workload for judges, certain regional courts altered judge's positions, mostly upon the Regional Court President's initiative. Typically, district judge's positions were transformed to regional judge's positions.

Specifically, in 2018 a total of 19 positions were transformed:

- Budapest Metropolitan Appellate Court: one
- Eger Regional Court: one
- Budapest Metropolitan Regional Court: two
- Győr Regional Court: two
- Kecskemét Regional Court: one
- Nyíregyháza Regional Court: one
- Pécs Regional Court: two
- Szeged Regional Court: one
- Székesfehérvár Regional Court: one



• Szolnok Regional Court:	one
• Szombathely Regional Court:	one
• Tatabánya Regional Court:	three
• Veszprém Regional Court:	one
• Zalaegerszeg Regional Court:	one

The NOJ's President may employ judges, with their consent and in agreement with the Minister of Justice, in the Ministry of Justice. In 2018 the Ministry had five judges and one assistant judge for a fixed term, including one whose position was terminated during the year.

## 5.2. The evaluation process of judges' job applications

It is a key responsibility of the NOJ's President, in harmony with her strategic objective, to safeguard the enforcement of the criteria of publicity, transparency, equal opportunities, uniformity, predictability, consistency and objectivity in the evaluation process of judges' job applications. This helps to meet the statutory requirement that a judge's position should be awarded to the most suitable candidate.

The "Scoring Decree" on the evaluation of judges' job applications was revised on 1 November 2017.

We made a number of professional aids available to all participants of the application procedure to promote their efficient preparation for the changes. Specifically:

- a general guide for judges' job applications (Courts Bulletin)
- a plain guide for judges' job applications – FAQ (birosag.hu)
- auxiliary application forms (general, administrative branch)
- guides for completing auxiliary application forms (general, administrative branch)
- score aggregation tables (general, administrative branch)
- proposal forms (general, administrative branch)
- statistical datasheets
- statements of professional experience
- a guide for the evaluation criteria of the "Scoring Decree", including practical information and eligible proof.

After the revision of the "Scoring Decree", matters of legal application primarily arose during the evaluation of applications invited in the second stage of the extension of administrative justice. As in previous cases, we continuously deal with such matters and give feedback to courts accordingly.

The finalisation of the guide on the application procedure reached its last stage. In order to promote legal compliance, it covers the topics of requesting missing information, grounds for dismissal, and a summary that assists court divisions in expressing their opinions.

In order to provide people interested in a judicial career with comprehensive information, the domain called "applications" within the improved birosag.hu website came to feature a guide presenting the data of judge's applications from 2012 including useful information in plain language about the appointment process, as well as a number of related materials, such as information by the NOJ's President on the evaluation practices of judges' applications until 31 December 2018. The publication and the guide are also available in English on birosag.hu.

These measures are expected to facilitate and simplify the evaluation process for all participants of the application procedure as a contribution to the success of applications.



## 6. TITLES AWARDED AND HELD

LSRJA Section 174(1) authorises the NJC to award judges, in recognition of their work, the title Excellent Judge qualified for a higher position or qualified with distinction and the title Honorary Judge after at least six years of actual experience at the given court level, including their term of service at a higher level court. The NJC makes such decisions upon the proposal of the President of the Regional Court, the Appellate Court or the Curia, and upon the initiative of the NOJ's President.

While the titles awarded by the NJC under LSRJA Section 174(1) are optional, LSRJA Section 174(2) stipulates that the NOJ's President shall award the title Honorary Judge in recognition of the given judge's term of service after twenty years of actual experience at the given court level, including their term of service at a higher level court.

Pursuant to Section 22(1)a) of Act CCII of 2011 on the use of Hungary's coat of arms and flag, and on state decorations, NJC Decision 2/2012 (24 March) maintained the Andor Juhász Award in memory of Andor Juhász, the late President of the Hungarian Royal Curia, in recognition of outstanding judicial activities, and NJC Decision 3/2012 (24 March) maintained the Diploma for Court Service. The golden diploma of the Andor Juhász Award may be conferred on a generally esteemed judge who is worthy thereof based on their exemplary life and excellent judicial activities or outstanding court administration activities performed for a long term. In 2018 the NJC gave the Award to ten judges, including three posthumous golden diplomas.

Pursuant to the Decision, the silver diploma of the Andor Juhász Award may be conferred on judges in recognition of their outstanding professional or administrative activities in court service or upon court employees in recognition of their exemplary life. In 2018 a total of 12 silver diplomas of the Andor Juhász Awards were issued. The bronze diploma of the Andor Juhász Award is conferred on court employees in recognition of their exemplary professional activities in court service performed for a long term. In 2018 a total of 17 court employees received this decoration.

In 2018 a total of 85 professionals were declared Honorary Judge, including 41 ex officio after 20 years of practice as actual judges and 44 professional as a recognition. Considering the termination of legal statuses in the meantime, the judiciary had a total of 721 Honorary Judges on 31 December 2018.

## 7. JUDICIAL CAREER

In addition to the regular remuneration and extra allowances of judges and court employees, the Judicial Career covers professional promotion, continuing education, the recognition of performance, social (healthcare) services offered to judges and court employees, the improvement of working conditions, and the creation of harmony between work and family, i.e. the conversion of courts to family-friendly workplaces.

The Judicial Career not only keeps staff in the system and offers them appreciation but also makes the job of judges and court employees attractive for young career starters.

As a major milestone in the Judicial Career in 2018, upon the proposal of the NOJ's President, the basic salary of judges rose by 5% for the third time, from 431,740 to 453,330 forints as of 1 January 2018.



In 2018, after the increase of court employees' remuneration, the emphasis shifted to the overall change of judges' remuneration as three 5% increases of the basic salary of judges alone are insufficient for tackling the problems inherent to the current remuneration system of judges. Only a fully reformed remuneration system can reflect appropriately the recognition of service term and the responsibility of judges' work even in the case of career starters, can make a proportionate distinction between court levels and recognise the weight of responsibility carried by a court president's position.

Our aim is to make the remuneration of assistant judges attractive for young talented career starters within the legal profession and to encourage more experienced members of the judiciary to apply for higher court levels and leader's positions.

To achieve these goals, the NOJ started to develop a proposal for the reform of judges' remuneration system back in 2017. In the first half of 2018, this proposal was used to submit the 2019 Court Budget.

The NOJ also submitted this proposal to the 2019 Budget Bill and then to the bill underlying the 2019 Budget. In the summer of 2018, we involved expert presidents to reconsider the payment scale, to make it more adapted to the individual levels of judicial liability and to eliminate all sorts of previous disproportionateness. After eight months of successive negotiations, the participants of the Presidents' Meeting in September 2018 discussed and unanimously supported the plans aimed at a complex reform of judges' remuneration. The Presidents forwarded the draft to judges for making comments and proposals. Also, in the autumn of 2018, the NOJ's senior officers travelled Hungary to attend judges' forums so that judges can directly express their opinions on the draft. In order to discuss further proposals and comments about the approved draft, there was a series of negotiations with the presidents of unions. The proposal, incorporating a wide range of comments, including the textual revision of the LSRJA, was finalised by the Presidents on 6 December 2018.

In the autumn of 2018, we held multiple negotiations with government agencies about the reform of judges' remuneration and initiated the establishment of a joint experts' body with the Ministry of Justice to create together the planned system of judges' remunerations and the legal amendment. The Ministry of Justice confirmed its intention to cooperate for discussing the proposals concerning the Judicial Career but the joint experts' body was never set up in 2018.

On 13 December 2018, Dr. Gergely Gulyás, Minister in Charge of the Prime Minister's Office, announced that the Government had requested the Ministry of Justice to prepare, in cooperation with the Ministry of Finance and the National Office for the Judiciary, a proposal for a considerable pay rise for all judges.

As a result, on 18 December 2018, in order to start the joint work schedule for 2019 as soon as possible, the NOJ forwarded to the Ministry of Justice the proposal for the amendment of the LSRJA unanimously approved by the Presidents and judges. The joint project will continue in 2019 and is expected to involve a considerable amount of pay rise for judges as of 1 January 2020.

The Judicial Career page of the central website of courts continuously disclosed the proposal for the reform of judges' remuneration and the results of the related negotiations.



Introduced by the NOJ's President from 2016 to the overall reform of the remuneration system, the Retention Program aims to make sure that judges and court employees are preserved and new entrants represent an appropriate level of professionalism. In 2018 the program's elements, their ranges, the scope of eligible people, and the criteria for awarding benefits were determined involving the representatives of unions.

In 2018 the previous elements of the Retention Program came to include holiday vouchers for court employees and an advanced level medical test, funded by the NOJ and its budget savings as a result of the responsible and efficient financial management of courts.

In 2018 five out of the twelve program elements added to the welfare of judges and court employees. One element was aimed at health preservation, two elements recognised the existing additional knowledge, and another element recognised the length of professional experience in the judiciary. The professional self-study support was aimed to encourage judges to obtain additional knowledge whereas extraordinary promotion recognised their additional performance. Also, additional performance was acknowledged by the end-of-year recognition with a set of objective criteria including results achieved in the Sustainable Development Program and excellent and above-the-average performance. The scope of professionals eligible for the Retention Program elements was defined using standard and objective criteria applicable to all courts and staff.

Court Presidents had a discretionary right for the following two elements:

- extraordinary promotion where the affected judges also had to meet the statutory conditions, and
- end-of-year recognition but this was also subject to a set of objective criteria that they had to consider when taking their decisions.

In 2018 the program gave additional benefits to more than 10,000 employees. The diversity of the program elements and the amount of benefits clearly reflected our commitment to the retention of judges and court employees and to hiring the new generation.

In 2018 additional benefits to judges and court employees per capita rose by 261% compared to 2016.

Welfare	30,000 forints	Easter gift voucher	15,000 forints/people
	30,000 forints	Holiday voucher	7,900 court employees
	20,000 forints/child	Schooling aid	900 people
	380,000 forints	Clothing reimbursement	10,900 people
	min. 165,000 forints/judge min. 125,000 forints/court employees	Christmas gift voucher	10,500 people
Additional knowledge	90,666 forints/month	Recognition of a PhD	17 judges
	36,266–54,400 forints/month	Language allowance	20 court presidents appointed by the NOJ's President
	2x250,000 forints	Professional self-study aid	2,900 people
Recognition	22,665 forints/month	Extraordinary promotion of judges	150 judges
	45,333 forints to 498,663 forints	Recognition of professional experience	10,000 people
		End-of-year recognition	9,500 people
Health	39,500 forints	Advanced level medical examination	11 000 people



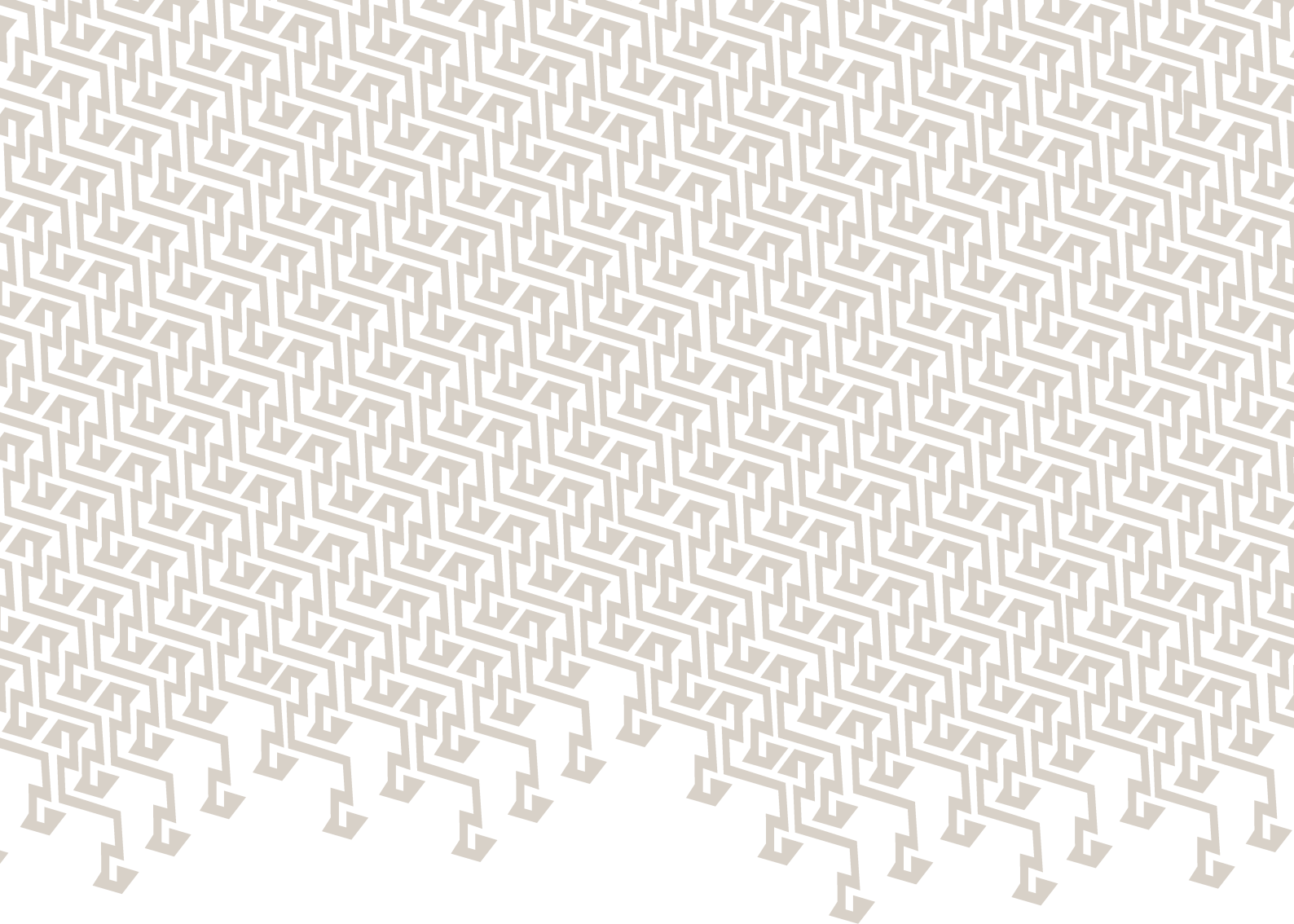
As in previous years, in 2018 the Retention Program elements and their amounts were determined in awareness of the required budget savings.

A key goal for 2019 will be to preserve the existing elements and to introduce further elements supporting health preservation (sports activities) and families (support for preschool catering and zoo tickets).

## FUTURE GOALS AND TASKS:

- to prepare a protocol of criteria and procedural rules for filling vacancies
- to prepare a protocol of the main rules and process of evaluating court presidents' job applications
- to liaise and constructively cooperate with the decision-maker and other legal professions to promote the earliest possible implementation of the proposal for the reform of judge's remunerations
- to extend the scope of the Retention Program elements, especially to create a balance between family, career and health
- to prepare a guide for the performance assessment of court employees and to establish an IT system







### III.

## PHYSICAL CONDITIONS

In terms of the strategic objectives of creating, optimally allocating and utilising physical conditions, the NOJ achieved the following key results in 2018:

- The new building of the Eger District Court and the renovated parts of the Veszprém Administrative and Labour Court and the Pécs Administrative and Labour Court were commissioned.
- Work started to design the interior of Wing “C” of the Hungarian Academy of Justice to provide space for an increasing number of courses.
- In 2018 authorisation and building plans were prepared for the HAJ-BALATON Project.
- Work continued to develop the judiciary’s IT equipment. The project “Road to the Future – Acquisition of Innovative Assets” involved the purchase of 1,431 notebooks, 567 work stations and 1,133 tablets for judges.
- 72 rooms started to operate remote hearing equipment.
- In the project “From Dream to Reality” modern office licenses were acquired for all court employees.
- The Retention Program paid court employees a total of 11,769.5 million forints (exclusive of contributions).
- Monitoring by the NOJ’s Financial Department and the KIR Controlling System made all financial management processes visible and thereby financial management considerably more efficient at each court.



## 1. BUILDINGS OF THE JUDICIARY

### 1.1. Court facilities

#### 1.1.1. Buildings

In late December 2018 the judiciary managed:

- a total of 185 facilities
- of a total net floor area of 462,220 m<sup>2</sup>, only 154 buildings were used as actual court houses.

Monitoring the technical condition of the 185 facilities in 113 cities, facility management, maintenance and refurbishment with due diligence, creating 21<sup>st</sup> century working conditions for court employees to serve the quality of justice, creating buildings for millions of court clients every year that meet the demands of an open and client-friendly court, and creating the physical conditions for access to justice are key responsibilities of the NOJ that require considerable resources.

In line with its short and medium term plans, the NOJ allocates the available funds every year within the Gyula Wágner Program and the Ferenc Jablonszky Tender. According to the pre-approved project plan, simple works are carried out by courts whereas complex multiyear projects are carried out by the NOJ as its own investments within the Gyula Wágner Program. In the Ferenc Jablonszky tender system, the NOJ provides funding for centrally determined purposes and building improvements.

#### 1.1.2. Breakdown of court facilities by use

In 2018 courts owned and leased 185 facilities across Hungary. The Gödöllő and Szarvas Courts temporarily moved out of their facilities for the term of the overall reconstruction.

Breakdown of courts' own facilities:

- The National Office for the Judiciary's Szalay utca building and the Hungarian Academy of Justice's building
- 154 court facilities
- archives over a total floor area of 3,112 m<sup>2</sup>
- other buildings over a total floor area of 4,658 m<sup>2</sup>

#### 1.1.3. Facilities shared with the Supreme Prosecutor's Office

By the end of 2017, the SPO had moved out of the buildings of the Hódmezővásárhely, Jászberény and Nagykáta District Courts, so the number of facilities shared with the prosecution services had dropped from 58 at the end of 2016 to 55.

The prosecution services started to prepare a project for their own facilities. This will enable the judiciary to use parts of the Mohács, Siklós, Tiszafüred, Esztergom, Komárom, Encs, Monor, Vác and Sárvár District Courts and the Kaposvár Regional Court, shared with the prosecution services so far, for its own purposes.

In 2017 two shared facilities underwent a comprehensive refurbishment. The Eger Regional Court's building was commissioned in April 2018, work continued to rebuild the Gödöllő District Court then, as a result of insufficient workmanship, work started to prepare for a new public procurement.



In 2016 the NOJ and the prosecution services jointly prepared a Feasibility Study Plan for a preliminary exploration of the needs for building sizes and the required funds as a preparatory engineering project for the planned Érd District Court. This was the basis for planning the joint project in 2017. The construction plans were prepared in December 2018 and the public procurement procedure was launched to select the building contractor. Building is scheduled to start in September 2019.

As planning programs were made, in the second half of 2016, preparation started for the comprehensive renovation of the Dunakeszi, Kiskőrös and Tapolca District Courts, also subject to cost sharing.

For rebuilding the Tapolca District Court, the National Office for the Judiciary issued a public call for bids. Architects showed an intense interest in participation and designed sophisticated, elegant, proportionate and moderate buildings. After the Jury selected the winning project, planning is scheduled to start in early 2019 and the construction is expected to be completed by late 2022.

The Dunakeszi District Court's new building was subject to another public call for bids. The due date for submission was 4 September 2018. After the Jury selected the winning project, the planning process may start in the first quarter of 2019 and the building is expected to be commissioned at the end of 2022.

After the affected buildings will be completed subject to cost sharing as previously agreed, the two organisations will be seated in separable self-contained building parts and will divide assets of the new and renovated facilities in proportion to their floor areas.

The two organisations signed a cost allocation agreement on the shared buildings under comprehensive refurbishment, the improvements of the shared buildings as part of the NOJ's Gyula Wágner Plan and Ferenc Jablonszky Tender, and on the delivery of development costs affecting the Supreme Prosecutor's Office.

The two organisations are joint beneficiaries of the European Union Tender "KEHOP-5.2.2. – Priority Energy Management Developments and Utilisation of Renewable Energies in Public Buildings". This will enable them to use 1.4 billion forints of subsidy. For the implementation of the projects, the NOJ signed a Consortium Cooperation Agreement with National Development and Strategic Institute Nonprofit Ltd. as the designated consortium leader. Specifically, the subsidies will be eligible for the overall energetic renovation of the Komló and Baja District Courts in the first project stage.

## **1.2. Priority projects, developments**

### **1.2.1. Curia Project – Kossuth Tér Palace of Justice**

In 2016 the Government launched the Imre Steindl Program for a historically authentic reconstruction of Kossuth Lajos tér and its neighbourhood in the 5<sup>th</sup> district of Budapest and for the renovation of all buildings around the square and the adjacent public areas.



In association with the Program and in cooperation with Imre Steindl Program Nonprofit Ltd. as its management company, this project aims to prepare the removal of the Curia to the Kossuth Tér Palace of Justice, currently used by the Museum of Ethnography and the Political History Institute.

During the preparation, the NOJ places emphasis on harmonising the preservation of artistic and historic assets with present-day demands. To this end, the NOJ's President, accompanied by the staff of SIP Ltd., the Curia and the NOJ, visited the Leipzig Supreme Administrative Court and the Viennese Supreme Court, both built in the same period. The Moholy-Nagy University of Art and Design was commissioned to create a design thinking plan to assist the planning program. Also, a plan was made to build a visitor centre in the former Palace of Justice.

### **1.2.2. Budapest Environs Regional Court (BERC) HQ Development Project**

By Decision 1785/2015 (30 October), the Government moved the BERC to the M3 Business Centre at Hungária körút 179–187. in the 14<sup>th</sup> district of Budapest. After the Government bought and occupied the property in March 2016, the NOJ prepared the project planning program in cooperation with the BERC units and professionals. In 2018, the NOJ established its internal organisation for project coordination.

In early 2017, Hungarian National Asset Management Ltd. finalised the program to locate the units of the Budapest Metropolitan Regional Court and called for building design bids. The construction plans were completed in the second quarter of 2018.

Act CXXXVIII of 2018 on the implementation of public construction projects and Government Decree 299/2018 (27 December) on public construction projects authorised Investment, Technical Development, Sports Operation and Public Procurement Ltd. (BMSK Zrt.) to act as the responsible contractor of government projects as of 1 January 2019.

### **1.2.3. Regional administrative and labour courts**

This priority project aims to accommodate eight priority administrative and labour courts in four stages between November 2017 and November 2018. The total headcount of 790 requires an overall area of 25–30,000 m<sup>2</sup>.

The Government earmarked 205.2 million forints in 2017 and 3.266 billion forints in 2018 for the creation of all physical conditions. As the available amount and short time did not allow for erecting new buildings, the new courts will be accommodated in leased facilities in six cities (Győr, Veszprém, Pécs, Miskolc, Debrecen, Szeged). The courts within the jurisdiction of the Budapest Metropolitan Regional Court and the Budapest Environs Regional Court will be accommodated by rationalising the existing building capacities.

The development costs of creating the physical conditions, as requested by the regional courts, were reallocated in two stages, in December 2017 and March 2018.

The renovated building parts of the Pécs Administrative and Labour Court were inaugurated on 16 November 2018.



In September 2018 the Veszprém Administrative and Labour Court started to use its building refurbished under a cooperation agreement of the court and the local government. The Court will have its definitive location in the historic building of the former Piarist grammar school in the Veszprém Castle.

#### **1.2.4. Eger Regional Court**

- Address: 3300 Eger, Barkóczy u. 1.
- Affected headcount: 116
- Original floor area: 5,198 m<sup>2</sup>
- Proposed floor area: 7,080 m<sup>2</sup>
- Overall budget: 3,525 billion forints shared with the Prosecutor's Office
- Date of completion: 3 April 2018

This project covered the overall renovation and extension of the regional court's building. The Eger Regional Court shared its old building with the Prosecutor's Office. Launched in November 2015, the renovation project explored several parts that had been covered over time and first reconstructed the marble painting in the grand stairway and its decorative sculptures. In accordance with the priority principles of open client-friendly courts, this renovated building became the first among those fully renovated to have a modern client centre, designed by the Moholy-Nagy University of Art and Design in cooperation with the NOJ according to the "Image Handbook". The overall renovation and extension resulted in a versatile building that meets all modern needs. The inauguration ceremony took place on 3 April 2018.

#### **1.2.5. Szeged Regional Court, Szeged District Court**

- Address: 6720 Szeged, Széchenyi tér 4.
- Affected headcount: 293
- Original floor area: 9,200 m<sup>2</sup>
- Proposed floor area: 13,000 m<sup>2</sup>
- Estimated overall budget: 16,645 billion forints shared with the Prosecutor's Office
- Completion of planning: second quarter of 2019
- Due date of public procurement subject to available coverage: end of 2019
- Proposed date of completion: end of 2022
- Work is underway to temporarily move the court to a leased property.

The project involves the court's overall renovation and extension.

The Szeged Regional Court's property in Széchenyi tér is in a poor condition and provides extremely limited space for staff. The building is now home to the Szeged Regional Court, the Szeged District Court and the Szeged District Prosecution's Office. After the public procurement procedure came to an end, the NOJ signed an agreement with the architecture agency that prepared the winning authorisation and construction plans at the end of 2016 Q2.

The NOJ made another agreement with the competent authority in charge of the required archaeological excavations on the timely completion of the project. The construction plans for the listed building under priority protection will be completed by mid-2019 and the project is expected to finish by the end of 2022.



The project will result in a building that provides excellent working conditions and access to clients in line with current needs and the requirements of a service provider court.

MNV Ltd. did not have any property in the city that the occupants could temporarily use during the overall renovation. This prompted us to consider several possibilities with the Szeged Regional Courts at end of 2016 and found a satisfactory solution to the problem. We drafted a lease agreement and obtained MNV Ltd.'s approval to use a property in need of minimum rebuilding from late 2017.

### **1.2.6. "KEHOP-5.2.2. – Priority Energy Management Developments and Utilisation of Renewable Energies in Public Buildings" European Union tender**

The EU-funded Environmental and Energy Efficiency Operative Program (EEEHOP) is comprised of two projects that allocate a total of 1.7 billion forints for the modernisation of several court facilities. For the implementation of the projects, the NOJ signed a Consortium Cooperation Agreement with National Development and Strategic Institute Nonprofit Ltd. as the designated consortium leader.

The NOJ spent 300 million forints on energy improvement in the buildings of the Pécs Regional Court and the Pécs Appellate Court with another 1.4 billion forints on overall energy improvement in the buildings of the Komló and Baja District Courts. The support agreement for the improvement of the Pécs building was signed in April 2017 and that for the Baja and Komló buildings in July 2017.

The call for bids to plan the Pécs Regional Court and Appellate Court was finished at the end of 2017. The construction plans were completed in July 2018. This allowed for starting a public procurement procedure to select the building contractor. After the procedure is over, the building contractor's agreement will probably be signed in March 2019. The construction project is expected to finish in late autumn of 2019.

Construction plans for the Baja and Komló buildings were completed by August and November 2018 respectively. The public procurement procedure for the selection of a building contractor and the signature of its agreement are expected for the second half of 2019.

## **1.3. Renovations, constructions, and other projects**

### **1.3.1. Projects launched in 2016 and pending in 2018**

#### **1.3.1.1. Gödöllő District Court**

- Address: 2100 Gödöllő, Tessedik Sámuel u. 6.
- Affected headcount: 65, including 17 judges
- Original floor area: 1,592 m<sup>2</sup>
- Proposed floor area: 2,755 m<sup>2</sup>
- Estimated overall budget: 1.25 billion forints shared with the Prosecutor's Office
- Construction start date: first half of 2017
- Proposed date of completion: second half of 2020
- The court is temporarily located in the building of Saint Stephen's University



The Gödöllő District Court shares its building with the Prosecutor's Office. Authorisation and construction plans for rebuilding were completed by the summer of 2016, then a public procurement procedure started to select constructors. The procedure was finished and the contract was awarded in June 2017. The renovated building put in place the conditions required for modern working conditions and appropriate client service. The NOJ provides the required project funding on schedule.

#### **1.3.1.2. Érd District Court**

- The new District Court will start operations on 1 January 2019.
- Proposed floor area: 2,990 m<sup>2</sup>
- Estimated overall budget: 4 billion forints shared with the Prosecutor's Office
- Due date for authorisation and construction plans: Fourth quarter of 2018
- The NOJ established its internal organisation for coordinating this complex project.
- Proposed date of completion: first quarter of 2021

The court will be located in a temporary building until the new one is completed.

In 2015 the Government amended Act CLXXXIV of 2010 on the names and seats of courts and on the determination of their competence to establish the new Érd District Court. By lack of a property with an appropriate size for the new court and Prosecutor's Office, the only option was to construct a new building. In June 2016, the NOJ's President applied to the Government for releasing the estimated 950 million forints as a Court Heading surplus free from any liability in 2015, payable by the court for the new property. The release of the required amount provided financial coverage for the project. In 2016 the Érd Local Government purchased four residential properties and offered them as building plots to the State for free. In 2016 the NOJ and the Supreme Prosecutor's Office ordered a feasibility study to use the plots for the proposed construction project. A Study Plan was used to launch the planning process in May 2017. The new institution will be occupied by 65 court employees. The District Court will continue to operate in a leased property during the construction. The project is expected to finish in 2021 Q1.

#### **1.3.1.3. Ráckeve District Court**

- Address: 2300 Ráckeve, Kossuth Lajos u. 25.
- Affected headcount: 16 including 4 judges
- Proposed floor area: 490 m<sup>2</sup>
- Estimated overall budget: 300 million forints
- Under the Cooperation Agreement between the NOJ and the Ráckeve Local Government, the new building received a plot for free.
- The Government earmarked 169 million forints for the project, to be spent by the Ráckeve Local Government on implementation.
- The project will be implemented by the Ráckeve Local Government. The costs of furniture and security equipment are covered by the NOJ.
- Proposed date of completion: fourth quarter of 2020

In May 2016 the Government amended Act CLXXXIV of 2010 on the names and seats of courts and on the determination of their competence to maintain the Ráckeve District Court by narrowing its area of competence given the establishment of the Szigetszentmiklós District Court. In September 2016, the NOJ's President and the Mayor of Ráckeve agreed to relocate the District



Court with its reduced number of staff to a new building. In the planning program designed by the NOJ and the BERC Engineering Department, the Local Government offered a plot of an appropriate size for free to construct the new building of an estimated 490 m<sup>2</sup>. In cooperation with the NOJ, the Local Government started to use the Government's subsidy to prepare planning. Construction plans are expected to be in place by October 2018 with project completion and commissioning due in fourth quarter of 2020.

#### **1.3.1.4. Szarvas District Court**

- Address: 5540 Szarvas, Deák Ferenc u. 1.
- Affected headcount: 20, including four judges
- Original floor area: 1,158 m<sup>2</sup>
- Proposed floor area: 1,530 m<sup>2</sup>
- Estimated overall budget: 1.5 billion forints
- Proposed date of completion: first half of 2022

In 2016, after authorisation and construction plans were completed, a public procurement procedure was launched to select the winning constructor. Unfortunately, this dragged on and prevented the renovation's scheduled start. The court review started during the public procurement was finished in early 2018 but no agreement was made with the original technical content as the Prosecutor's Office announced in the meantime that it was seeking another facility as a new location. Work started to review and update the planning program and the technical content. The authorisation and construction plans should be completed by the middle of 2019 and December 2019 respectively.

The Szarvas District Court has an appropriate location as its staff started to use the university property designated as a temporary venue in the summer of 2016. The renovation is designed to create modern working conditions for court employees and a higher quality in client service.

#### **1.3.2. Multiyear projects launched in 2017**

##### **1.3.2.1. Tapolca District Court**

- Address: 8300 Tapolca, Köztársaság tér 4.
- Affected headcount: 22, including four judges
- Original floor area: 767 m<sup>2</sup>
- Building shared with the Prosecutor's Office
- Proposed floor area: 1,100 m<sup>2</sup>
- Estimated overall budget: 1.2 billion forints shared with the Prosecutor's Office
- Proposed date of completion: end of 2022

The Tapolca District Court shares its decrepit building with the Prosecutor's Office. In 2015 the NOJ developed a planning program in cooperation with the Prosecutor's Office and the Regional Court for an overall renovation. Upon the decision of its President, the NOJ is working on a pilot project to build 21<sup>st</sup> century courts on three locations in Hungary. In addition to the Tapolca District Court, the locations will be Kisvárda and Dunakeszi. In order to achieve the best possible result and to construct buildings powered by sustainable green energy and equipped with state-of-the-art technology, we made lengthy engineering preparations and announced a nationwide open call for design bids in the second half of 2016. The results were announced and the bids



were presented in November 2017. The planning process and the revision of the Local Building Regulation required for implementation are expected to finish in early 2020. Project funding is provided by the NOJ on schedule from 2018.

#### **1.3.2.2. "HAJ-BALATON Project" – Balatonszemes Training Centre**

The demolition of the existing buildings finished in May 2018.

Proposed floor area of the new facilities on two plots: 2,600 m<sup>2</sup>

Estimated overall budget: approx. 3.5 billion forints

Scheduled date for authorisation and construction plans: December 2018

Proposed date of completion: end of 2020

In 2016 the NOJ took over three facilities in Balatonszemes under a tripartite agreement between the Curia, the NOJ and MNV Ltd. Subsequently, the NOJ started work to prepare the construction of a training centre for further courses, conduct an online needs assessment and design a development program based on the findings of the relevant workshop. After the demolition of a decrepit resort building, we aim to build two facilities, one mainly for training and the other mainly for accommodation. The project is scheduled to finish by the end of 2020.

#### **1.3.2.3. Budapest 2<sup>nd</sup> and 3<sup>rd</sup> District Court**

- Address: 1035 Budapest, Miklós u. 2.
- Affected headcount: 126, including 36 judges
- Original floor area: 2,600 m<sup>2</sup>
- Proposed floor area in the leased property: approx. 4,700 m<sup>2</sup>

By early 2016, the Court had grown out of its current property in Miklós utca. By lack of a definitive location, the NOJ worked hard and found a temporary place in the building at Lajos utca 48–66. in the 3<sup>rd</sup> district of Budapest. After the lease agreement is signed and the required rebuilding and improvement works are completed, the building is expected to be ready for use in January 2019. It will have the third uniform client centre in the spirit of granting access to justice. Work is underway to evaluate the potential definitive locations for the court.

#### **1.3.2.4. Hungarian Academy of Justice Wing "C" – inner rebuilding**

- Address: 1122 Budapest, Tóth Lőrinc u. 6.
- The HAJ is a department of the National Office for the Judiciary as an independent unit. The HAJ is the organiser and venue of central courses and the NOJ's protocol events but also the coordinator of local and regional courses within the Hungarian judiciary. In addition to training, the HAJ is responsible for the recreation of participants, organising sports, cultural and social activities as meaningful and healthy leisurely opportunities for the staff of the NOJ and the entire judiciary.
- To provide more space for an increasing number of students, Wing "C" will undergo inner rebuilding to include a training room for 70 students and training management offices. In parallel with this project, the unused tennis courts at the south-eastern end of the plot will be turned into a multifunctional sports ground and an open-air community area.
- Proposed date of completion: late 2019



### **1.3.3. New projects launched in 2018**

#### **1.3.3.1. Dunakeszi District Court – new building**

- On 23 May 2018, the National Office for the Judiciary and the Hungarian Chamber of Architects announced a call for bids to plan a new building for the Dunakeszi District Court and District Prosecutor's Office. The call for bids aims to construct the building based on the most favourable architectural solution selected from the submitted bids.
- The invitation received 27 bids, evaluated by a Jury of 11 members including the representatives of the NOJ's Engineering Department, the Budapest Environs Regional Court's Engineering Department, the President of the Dunakeszi District Court, the Chief Architect of the City of Dunakeszi, and delegated members of the Hungarian Chamber of Architects.
- After the call for bids was successfully completed, the results were announced on 26 October 2018.
- The call for bids greatly contributed constructing a modern building for both the court and the Prosecutor's Office with all physical conditions for modern and transparent work management and hence vital requirements for a client-centred approach.
- During the project, the District Court temporarily continues its operation at 2120 Dunakeszi, Fő út 24. from 7 August 2018.
- End of planning process: fourth quarter of 2020
- Proposed date of completion: end of 2022

### **1.4. Ferenc Jablonszky Tender System**

Introduced in 2014, the in-house tender system aims to improve clients' attitude to courts and the working conditions for staff using the eligible amounts within renovation subsidies. The positive experiences show that the tender system has become highly successful and one of the most efficient means of using the available funds in harmony with the strategic objectives of the NOJ's President.

A tender system appropriately explores minor development needs that are often overlooked due to major improvements but are nonetheless reasonable and it offers a remedy for deficiencies known locally, only by the occupants of buildings. The tender system creates equal opportunities for courts and rewards any proactive, well-prepared and well-grounded initiative. The way of using funds develops the judiciary's project culture and, as a result of close cooperation, increases the number of projects that are important for participants and cause satisfaction. Accordingly, the NOJ maintained the system and extended the scope of developments eligible for tender funds.

#### **1.4.1. Ferenc Jablonszky Tender 6**

In March 2017, a two-round tender was announced for heating modernisation, the replacement of external doors and windows, the modernisation of the electric network, the improvement of the working environment and security technology. The tender received 223 bids worth 2.7 billion forints in total. The 56 winners can carry out developments for a total of 521 million forints, most of them completed by December 2017. The major works were finished in the first half of 2018.

#### **1.4.2. Ferenc Jablonszky Tender 7**

In May 2018 another tender was announced for the improvement of building energy and working environment. Courts submitted a total of 192 applications worth over 2,500 million



forints in total. As part of its 2018 Annual Investment Plan, the NOJ allocated a total of 532 million forints for the 69 winning applications. Most tender developments were finished by December 2018 but the major works were finished in the first half of 2019.

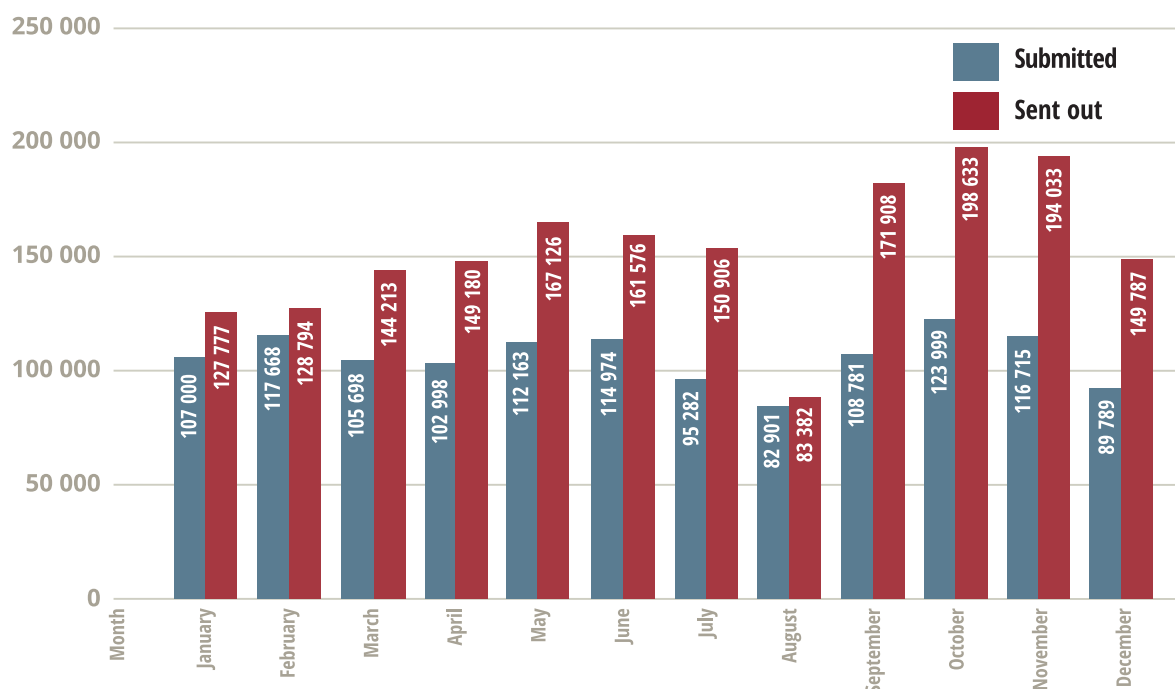
## 2. INFORMATION TECHNOLOGY

Court IT aims to support the idea of 21<sup>st</sup> century courts: continuous modernisation, more efficient and faster case management and the creation of conditions and technologies required for the simplification of actions. The future is for digital courts. This expectation is rising on the side of both court clients and court employees.

Clients increasingly prefer various forms of electronic procedure and options of case management that are independent from time and space. These needs must be satisfied by the judiciary. Specifically, there is a need for electronic access to information that is relevant for them, usually about court decisions. Also, where a party is affected in a given case, all related documents and data must be made available.

The number of case files submitted and sent out electronically has been on the rise from year to year. In 2018 our systems registered a total of 1,277,968 incoming and 1,827,315 outgoing documents:

*Number of electronic case files in 2018*



Court employees reasonably expect modern, efficient and user-friendly solutions to support their work. The management and efficient processing of an increasing amount of information is a challenge these days. To this end, there is a need for continuously developing and modernising both the IT infrastructure and all applications that support work.

There cannot be modern IT without highly qualified people who have the appropriate competences. This makes it a priority to provide court employees with appropriate training and to raise awareness of new info-communication technologies and trends.



## **2.1. Infrastructure**

State-of-the-art IT infrastructure is a necessary—but not sufficient—condition for information services at 21<sup>st</sup> century courts. Infrastructure basically covers five areas that are typically “invisible” in everyday life. Indeed, the main goal of a conscious strategy is that IT infrastructure should serve client and staff needs without being noticed.

### **2.1.1. Central servers**

In 2018 the NOJ continued to pay special attention to the operation and upgrading of servers used for the central applications, documents and correspondence of courts, together with national registers, statistical databases and other software operated for a number of other administrative tasks.

In line with its policy objectives set in previous years, the NOJ continued to modernise its physical servers and to make them virtual. At the beginning of the year, the physical servers consisted of ten obsolete tower servers and 32 blade servers, running nearly at peak capacity. In the physical environment approximately 350 virtual servers were set up.

The NOJ came to face with considerable development needs as a result of the successes of electronic administration and further legal amendments. During the year, it purchased 64 new blade servers to replace the old tower servers and to provide courts with an increased capacity. Also, the server virtualisation program resulted in 420 virtual servers in the central server pool at the end of the year. Within the “Digital Court 2.0” KÖFOP project, another 251 TB storage units were bought and installed to provide the required storage capacity for the applications developed in the project.

At the same time, in the second half of 2018, preparations were made for an even bigger purchase to double the existing server capacity for replacing the obsolete servers of companies courts, serving the sharp increase in the number of remote hearings, and storing and processing electronic files and data the quantity of which steadily grows “in a natural way” during electronic administration, for the smooth operation of central court systems in the long run.

### **2.1.2. IT network**

Active and passive devices are used in the network to establish a connection between central servers and individual courts, and between clients and courts in the case of electronic administration.

In 2018, we managed to increase the bandwidth of NISZ Ltd.’s basic network from two to ten Gbit/s. This alone noticeably improved smooth work.

In order to help the judiciary enjoy all benefits of the increased bandwidth, we prepared the purchase of high-performance active network devices (central and court switches) and border control equipment capable of serving turnover (firewalls, IPS) and launched public procurement procedures. The new devices are expected to go live in 2019.

The NOJ contributed to smooth network operation by purchasing and renewing an appropriate number of border control, intruder alarm, antivirus and anti-spam licences, and by hiring highly qualified operation professionals.



### 2.1.3. Work stations

Creating 21<sup>st</sup> century working conditions is a priority so that court employees can use modern and efficient resources at work. By late 2018, we had given all court employees a Windows 10 compatible computer and improved obsolescence indexes to an acceptable level by international standards.

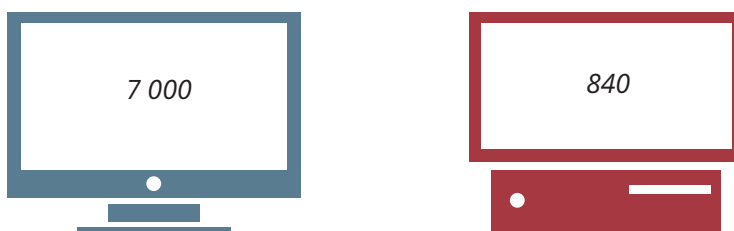
In 2018 we purchased 470 screens, 119 work stations, 1,671 notebooks, and 1,430 tablets.

A high profile purchase of all 3,690 purchases in 2018 was performed within the project **“Road to Future – Acquisition of Innovation Resources”**. In 2018 we bought a total of 2,833 IT devices for judges, including 1,479 notebooks and 1,354 tablets. Also, we bought 28 e-book readers. Judges had to complete an online questionnaire to specify their needs (for either of three types of notebooks, two types of tablets and two types of e-book readers). They were given mobile IT devices to improve their working conditions and help them work at home.

The devices were delivered as part of Digital Court, an end-of-year ceremony and open day.

In summary, the judiciary’s IT system consists of 15,518 screens, 14,359 work stations, 4,867 notebooks and 1,481 tablets in total as the IT background for work in the whole of Hungary.

In order to continue IT modernisation in 2019, we prepared the purchase of 7,000 modern large screens and another 840 work stations and launched public procurement procedures at the end of 2018.



In 2018 we also purchased and renewed overall antivirus, anti-spam and web security licences.

### 2.1.4. Multifunctional printers

Even though the spread of electronic actions reduced the need for printing in certain areas, the laws require courts to continue their paper based communication with natural person clients as requested and to forward electronically the filings of such clients to other parties subject to electronic communication. Apparently, this has brought about a major change in the attitude using only printing functions and a considerable need has arisen for performing scanning tasks. As in previous years, the NOJ’s IT Department continued its development projects to cater for scanning and printing needs, purchasing 682 new multifunctional printers in 2018.

In order to provide long-term sustainable scanning and printing capacities, we started to design a complex program in the second half of the year, aimed to homogenise devices, organise standard services, and introduce print management services.

### 2.1.5. Remote hearings

The project started in 2017 gave remote hearing equipment to 72 courtrooms, the smooth operation of which posed another challenge for the judiciary. Positive experiences encouraged us to launch the Via Video Project, which will add 112 endpoint devices to courts’ remote hearing system.



## 2.2. Apps

A “visible” pillar of court IT is the pool of apps meant for external (client) and internal (staff) use. Court apps must meet complex expectations as they should be fast, safe, comfortable and easy to use. In 2018 we developed apps searching for optimum solutions in the face of conflicting needs.

Set up in November 2017, the Digital Star Map Working Group was primarily responsible for mapping external and internal IT apps required for the delivery of judgements and for making them visible for all stakeholders of the judiciary. The Group designed the app Digital Star Map with a database including all IT apps (“small apps”) developed by regional and appellate courts, the Curia and the NOJ, and all IT apps used at the HAJ. The Digital Star Map not only promotes the introduction of IT upgrades in the judiciary but also contributes to the process optimisation of the use of the related external and internal IT apps and promotes the use of the services.

The small apps that also appear on the Digital Star Map as the results of IT developments at local courts primarily promote the delivery of judgements, daily administration, financial management and interpersonal matters. They usually support centrally developed apps (e.g. travel cost calculation software, entitlement registration software, complaints day registration software, etc.) and are often capable of nationwide introduction after further improvement.

### 2.2.1. Office and functional apps

As court work also involves classical office apps (email, Word, Excel, ppt.), we started significant developments in this area in 2018 within the project “From Dream to Reality”. The project is aimed at providing every employee with up-to-date MS Office apps, supplementary services, teamwork apps for 5+5 devices per person and for mobile and tablet devices in addition to computers.

The project is expected to:

- set up central entitlement management and fill it with data;
- set up a central email server and migrate the data of the existing court email boxes;
- install the central teamwork app, build a structure and migrate the existing teamwork data;
- regulate office app entitlements and install them in work stations;
- train IT professionals and prepare documentation (operation documentation, business continuity documentation, etc.);
- train end users (with e-learning course materials, video tutorials, sets of tasks, etc.).

After the successful purchases we started to convert the entire judiciary to the new apps and platforms. The project is expected to finish in 2019.

All courts across Hungary started to use speech transcription software for daily work. Both Global Speech Notes and SpeechTex-Voxerver are installed continuously. In 2018 we bought 726 speech recognition and transcription software units out of the courts’ own budgets. This made the total number of Global Speech units in use across Hungary 823 and the total number of SpeechTex licences 46 on 31 December 2018.



Nowadays more and more court employees have an opportunity for remote access to the network, which makes home office easier. Remote access also allows for a rapid response to malfunctions.

### **2.2.2. Special court apps**

The special apps used by courts support the delivery of judgements. The most important software includes the following:

- BIR-O (type "O" Court Judgement System) is the number one court administration system responsible for the special tasks related to case files in all branches. Also, BIR-O performs specific statistical queries of docket cases and helps judges with their individual monthly data supply. BIR-O plays a central role among all types of court software.
- The Central Synchronisation System is designed to synchronise the local databases of each court's BIR-O software with the central database, offering a number of features such as the judge notification module, an email and text notification service for clients, the generation of central statistical data and the standard sample completion app.
- CIIR is a system used for registering NGOs and processing their reports.
- ÜKM (Message Management Module) is responsible for connecting court system documents with external channels and maintaining the internal document structure.
- The Transaction System supports electronic communication by forwarding filings received by the court's official gate to the internal systems and posting documents sent from the gate to the Safe Delivery Service.
- The Electronic Administration Portal brings together a wide range of services offered to clients.

In 2018 the most significant development of special apps concerned the Digital Court 2.0 project and special mention must be made of the new Court Payment Portal, which allows for electronic payment in all sorts of court cases, and of the development needs of administration systems as a result of major legal amendments that came into force in 2018.

The National Office for the Judiciary started to introduce electronic communication by using ÁNYK (General Form Completion Software) forms. Since its introduction, it has brought about significant progress and development in this field.

In order to help the judiciary keep pace with the development of information technology, we started to introduce the form management system for the smart operation of iForm as a replacement of ÁNYK forms.

The iForm framework system is easier to use than the previously common ÁNYK forms. Easier use enables a wider range of users to choose electronic communication.

In 2018, based on development needs from the professional departments, more than 35 smaller and bigger developments were performed in nine administration systems for the continuous and up-to-date operation of court apps.

By the end of 2019, we will have started to use the iForm framework system. The changeover will involve full-time IT professionals.



## **2.3. IT organisation**

### **2.3.1. Headcount**

The judiciary's IT tasks are performed by the NOJ's IT Department and the IT professionals of courts. At the end of the reporting period, there were 223 IT professionals across Hungary, including 21 for the NOJ and 202 for courts. The NOJ's central IT organisation faces a permanent challenge of coordinating developments and other tasks with a steady rise in the number of electronic actions.

Available IT professionals at provincial courts are also directly involved in the NOJ's operation and development tasks. Another type of help with the optimisation of developments is that judges and court presidents contribute with ideas and practical experiences within certain projects, in working groups and networks.

### **2.3.2. Training**

Contributing to the professional development of staff is a priority for courts. In 2018 a total of three courses were held for court IT professionals. The topics included virus prevention, the new saving system and general network management skills. The theoretical and practical courses were attended by 160 people. Also, the IT Department's internal courses held for designated IT professionals at the HAJ were attended by 60 people in total, the course held for dedicated systems operators for the transport of network devices was attended by 16 people in total, and the Symantech Virus Prevention Seminar, also held for dedicated systems operators, was attended by 50 people in total.

## **3. COURT FINANCES**

### **3.1. Heading level financial management**

The NOJ plays a dual role in financial management performing its own financial responsibilities as an institution and exercising central control over the finances of the entire judiciary. The NOJ plans the Heading Budget and makes sure funds are allocated between the institutions proportionately. It successfully put in place balanced liquidity conditions within the Heading throughout the year. Courts' finances are continuously monitored and audited to make sure their financial situation is balanced, which is a vital condition for smooth daily operation.

In order to promote efficient financial management, the NOJ requires courts with autonomous financial management to perform uniform accounting and a regulatory system based on the same basic principles, and makes sure all data that must be supplied by law are available by the due date and with the appropriate professional content.

In 2018 Heading level financial management laid great emphasis on financial management based on tax payment after receipt of the income and on putting in place, optimally allocating and utilising all physical conditions. Further objectives included the establishment of modern, 21<sup>st</sup> century courts that meet today's technological needs, the increase of IT penetration, and the



creation of working conditions that play a key role in enforcing high-quality and timely justice. Financial coverage for building projects is provided to courts from Heading level appropriations within the Jablonszky Tender. The tender has a set of objective conditions. This enables all courts to win the subsidy subject to equal conditions.

Major IT purchases affecting the entire judiciary are performed as central purchases according to courts' needs to achieve a major price advantage.

Further objectives included the provision of coverage for costs arising out of the establishment of regional administrative and labour courts, for the increased costs related to the entry into force of the new CPC, ACP and CrPC, and for the refurbishment of obsolete buildings with the creation of a modern infrastructure.

In 2018 court presidents and the representatives of the NOJ's speciality areas held **budget negotiations** to assess the annual Heading level and court financial management and to agree on the key budget figures for 2019.

The success of the negotiations received major contributions from comprehensive and in-depth preparations made by the Controlling Information System and its Planning Module designed for this purpose.

Courts' financial management data in the system's database supply up-to-date information to prepare budget negotiations to promote their smooth and successful completion.

The Finance Department uses the Ministry of Finance's guide and involves the NOJ's affected departments every year to **give reasons for next year's extra needs within the VI. Courts Heading by the due date.**

The **Courts Heading Final Accounts** are also prepared by the NOJ's Finance Department in compliance with the formal and content requirements laid down in the Circular Letter of Final Accounts previously received from the Ministry of Finance.

In addition to compliance with statutory requirements, the NOJ pays special attention to **appropriate communication and transparency**, so these are presented to court employees via the central intranet.

As in previous years, in 2018 two **conferences were held for Heads of Finance Departments**. A key aim of the conference was to share "best practices" used in the judiciary and to discuss any question or comment involving professionals from other areas.

### **3.2. Measures in support of financial management**

Any process within the Heading that aims to rationalise financial management by using public funds is successful if it results in the standardisation, centralisation and preferably the overall efficient use of factors that influence financial management. In 2018 such achievements included:



- For the central purchase and appropriate distribution of IT devices, it is vital to keep a standard sectoral register of devices broken down to users (units and main positions). We put in place a standard procedure to record devices that are allocated for personal use and are kept in courtrooms, by which every court must extend/alter the register of devices already allocated as necessary and record any further device allocated for personal use in compliance with the Users' Manual.
- The Finance Department developed a monitoring system for the systematic audit of courts' financial management and for transparency in financial management processes. Static data analyses are replaced by an analysis of dynamic ratios and trends to make processes suitable for optimisation and critical points suitable for exploration so that the necessary interventions can be performed "just in time".
- In 2018, as part of the monitoring system, the NOJ's Finance Department prepared its usual financial analysis of institutions for January–June 2018 to map their financial situation. The analysis was sent out to court presidents and financial managers to offer them an opportunity for feedback.

**The analysis served the dual purpose** of giving court presidents an overall picture of their respective courts' financial management during the year and of enabling them to plan the budget for each element of the Retention Program.

- In the case of appropriations for each element of the Retention Program and earmarked within the Heading Budget (ALC, CrPC, VIA VIDEO), we provided central guidance and allocated unique collective codes for the close monitoring of costs involved in the given task.

It is a **key goal** to further rationalise financial management processes and make them "visible", which we want to achieve by further developments of the controlling report system. **Further objectives include** the support for preparing the annual project plan, monitoring project budgets and thereby increasing efficiency by developing a project registration system.

### 3.3. 2018 Budget of the Courts Heading

Funds required for judicial activities are provided by Parliament as a budget subsidy under each year's Budget Act and by a minimum amount of Courts Heading revenues. Pursuant to Act C of 2017 on the 2018 Central Budget of Hungary, Parliament approved the following appropriations for the Courts Heading:

2018 appropriations (million forints)	
Subsidies	112,390.1
Revenues	2,258.1
Expenditures	114,648.2



The 2018 budget subsidy exceeded the 2017 subsidy by 15,544.9 million forints.

The available budget surplus provides coverage for:

- the surplus required for achieving the obligatory salary level,
- the extra costs involved in the 5% increase of judges' basic salary as of 1 January 2018,
- the extra costs of hiring further IT staff due to the increased number of electronic actions,
- the operation of remote hearing equipment installed in the VIKI project,
- the costs of tightening the procedure in the new border control area,
- the costs involved in the amendment of the APC in 2017,
- the costs involved in the entry into force of Act CXXX of 2016 on civil procedure,
- the costs of enforcing punishments, measures, certain coercive measures and civil infraction custody,
- the extra costs of increasing the minimum hourly flat rate of asset security.

Changes in the 2018 subsidy appropriation as a result of midyear surpluses under certain Government Decrees:

Changes in the 2018 subsidy appropriation by items (million forints)		
	Amount of subsidy	Amount reported
<b>2018 original subsidy appropriation</b>	<b>112,390.1</b>	<b>112,390.1</b>
<b>2018 original subsidy appropriation</b>	<b>14,620.4</b>	<b>11,114.8</b>
<i>including:</i>		
<i>Subsidy for the 2018 surplus remuneration of court and prosecution service staff according to letter No. NGM/3214/4/2018</i>	10,687.2	9,973.9
<i>Subsidy for 2018 surplus expenditures related to the increase in the minimum wage and guaranteed wage minimum according to letter No. 11686-2/2018 of the Ministry of National Economy</i>	3.8	3.1
<i>Government Decision 1263/2018 (11 June) on the reallocation of budget funds required for the 2018 administrative task of national defence*</i>	2.0	2.0
<i>Government Decree 462/2017 (28 December) on the 2018 compensation for the staff of budget agencies and ecclesiastical legal persons</i>	56.0	52.8
<i>Subsidy for surplus costs of the amendment of Act XC of 2017 on criminal procedure under Government Decision 1347/2018 (26 July)</i>	3,871.4	1,083.0
<b>2018 revised budget subsidy</b>	<b>127,010.5</b>	<b>123,504.9</b>

\* non-reportable surplus



Of the surpluses in the table, the surplus received for

- increasing minimum wage and guaranteed wage minimum,
- the 2018 compensation,
- reforming the remuneration system of court employees,

was reallocated to the Heading Budget subject to an accounting and repayment liability.

Reporting took place in November 2018 with the amounts in the last column of the table. The Government passed a decree to reduce the budget by the amount of differences. The unused portion of appropriation for extra expenditures due to the amendment of the CrPC was paid to the Central Residual Accounting Fund as a free residual amount.

Within the Széchenyi 2020 Program, the NOJ received 2.7 billion forints of non-refundable European Union aid. Project No. KÖFOP-1.0.0-VEKOP-15-2017-00052 aims to further digitise court administration and to establish digital courts. The project is expected to finish in 2019.

### 3.4. Own revenues

In 2018 the original appropriation for revenues was 2,258.1 million forints. The following table compares 2017 and 2018 concerning the performance of court revenues in titles I and II (Courts and Curia).

Changes in revenues and residual appropriations (million forints)		
Revenues	2017	2018
Operational revenues	1,457.2	1,908.0
Tax and duty revenues	2,717.3	3,063.8
Cumulative revenues	2,817.8	1,964.1
Use of previous year's residual appropriations	6,365.9	8,027.5
- including – subject to commitment	6,254.5	8,023.2
- including – free from commitment	111.4	4.3
Sum total	13,358.2	14,963.4

In 2018 the NOJ earned 12.8% more **tax and duty revenues** and 30.9% more **operational revenues** than in the previous year.

The line Cumulative Revenues contains subsidies for other purposes from Other Sectoral Appropriations. The considerable decrease in 2018 compared to 2017 was caused, under the support agreement with the Ministry of the Interior, by the amount allocated to the Heading as coverage for the costs of **mass immigration**, amounting to 811.9 million forints in 2017 compared to only 85 million forints in 2018. Likewise, payments in 2018 do not contain the amount reallocated from the Chapter Budget in 2017 for the overall reconstruction of the Eger Regional Court.



### 3.5. Expenditure appropriations

The following table shows the expenditure appropriations of courts and the Curia broken down to key appropriations.

Original expenditure appropriations (million forints)		
Name of key appropriation	2017 original appropriation	2018 original appropriation
Remunerations	58,845.7	65,795.9
Employers' contributions and social insurance tax	15,013.7	15,961.4
Material expenditures	16,583.4	18,080.5
Financial benefits to dependents	15.0	15.0
Projects	3,734.5	7,384.5
Renovations	266.0	266.0
<b>Total</b>	<b>94,458.3</b>	<b>107,503.3</b>

The key appropriation for Financial benefits to dependents amounts to 15.0 million forints and the key appropriation for Renovations amounts to 266.0 million forints as original appropriation in the same amount as in 2017.

In order to provide and earmark coverage for the costs of Heading level tasks, 14,864.9 million forints were reallocated in early 2018 from the budget of Title I. Courts to the statutory line of Heading level appropriations for court operation, reallocated to courts over the year as the needs arose. More on this in 3.5.3. *Court operation*.

The table clearly shows that the highest amount of expenditure appropriation is represented by Remunerations with approximately 62%.

#### 3.5.1. Remunerations

In the key appropriation line of Remunerations, the remunerations of court employees are planned and paid, including the amounts to which staff are entitled on a universal basis as required by the Act on the legal status and remuneration of judges and the Act on the service status of court employees, and it is here that payments within external remunerations are planned.

The following table shows the 2018 data of the key appropriation for Remunerations compared to 2017.

Remunerations as key appropriations (million forints)			
Name	2017	2018	Change compared to 2017
Original appropriation	58,845.7	65,795.9	11.8%
Revised appropriation	69,631.0	81,169.9	16.6%
Financial performance	68,259.9	78,733.9	15.3%



The **original appropriation** for 2018 amounted to 65,795.9 million forints, including an additional 6,952.2 million forints compared to 2017. The 2018 budget surplus provided coverage for:

- paying the 5% increase in judges' basic salary, the third in a row, as part of the new Judicial Career for judges as of 1 January 2018,
- the anniversary bonuses increased together with the basic salary, also affected by the amendment of the Act of the service status of court employees,
- increasing the budget for judges' fringe benefits, and
- the remuneration of new positions in administrative and labour courts.

The 2018 **revised appropriation** was 23.4% higher than the original appropriation and 16.6% higher than in 2017. In addition to the adjustment between the already mentioned titles in the appropriations for expenditures and between key appropriations as a matter of court competence, this was justified by some surpluses received from the Ministry of National Economy in 2018 as follows:

- subsidy for the 2018 surplus expenditures related to the increase of minimum wage and guaranteed wage minimum
- subsidy for the 2018 remuneration surplus for court and prosecutor service employees
- surplus for the guaranteed wage minimum
- surplus as coverage for the remuneration of court and prosecutor service employees' positions created due to caseload raised by the amendment of the CrPC.

The change in the court employees' remuneration system and the 5% rise of judges' basic salary are reflected in both the revised appropriation and the 15.5% increase of **performance**. Within Remunerations, the expenditure comprised of the statutory remuneration payable to court employees under the Act on the legal status and remuneration of judges and the Act on the service status of court employees amounted to 60,005.4 million forints.

Another 17,566.7 million forints were paid as remunerations to service status staff and were used, among other things, for individual cost reimbursements within standby and substitution benefits, overtime pay, jubilee bonuses, per diem allowances, transport reimbursements and bonus perks.

Within the Retention Program, performance amounted to 11,769.5 million forints in 2018, 19.6% of the performance of the key appropriation for Remunerations.

Effect of the Retention Program elements stated in paragraph 7 of Heading II on the Heading Budget:

<b>Coverage for certain elements of the Retention Program from the Heading Budget (in forints) (2018)</b>	
<b>Holiday subsidies</b>	237,900,000
<b>Recognition of service period (B.N.)</b>	1,315,314,402
<b>Schooling subsidies</b>	18,460,000
<b>Easter gift vouchers</b>	316,530,000
<b>Professional self-study subsidies for judges</b>	1,452,250,000
<b>Clothing reimbursements</b>	4,019,620,180
<b>End-of-year bonuses</b>	2,787,155,267
<b>Christmas gift vouchers</b>	1,471,205,000
<b>Advanced level medical screening</b>	111,320,009
<b>Judges' promotion as a matter of urgency</b>	37,147,935
<b>Recognition of PhD (for judges)</b>	2,629,314



The amounts in the table are exclusive of employers' contributions.

The scope of individuals entitled to the above benefits was determined according to uniform principles and objective criteria, in compliance with legal provisions, and was agreed with the unions. Benefits in the Retention Program were paid out of the Heading Budget according to the Heading's financial management parameters.

External remunerations amounted to 1,162.1 million forints, including especially all amounts paid in the delivery of judgements and to cover the agency fees of lay judges, experts, witnesses and trainers.

### 3.5.2. Employers' contributions and social insurance tax

The 2018 **original appropriation** includes 947.7 million forints of surplus as opposed to the original appropriation in 2017, covering the contributions payable on judges' salary increased by 5% as previously mentioned in the section about remunerations. The 2018 budget surplus also provides coverage for contributions payable on remunerations in the new administrative and labour court positions. As planning balanced out the under-planned contributions payable by courts in recent years, no need arose for reallocating the appropriation for remunerations (K1).

Key appropriation for employers' contributions (million forints)			
Name	2017	2018	Change compared to 2017
Original appropriation	15,013.7	15,961.4	6.3%
Revised appropriation	17,070.9	17,967.4	5.3%
Financial performance	15,975.0	16,330.0	2.2%

The difference between the **revised appropriation** and the original appropriation is explained by

- the contributions payable on the appropriations received during the year as coverage for extra remunerations as detailed in the section on remunerations within the authority of the national economy and the government, and
- the previously mentioned settlement of appropriations between the titles.

The key appropriation was determined with the 20% tax rate known at the time of planning but the tax rate dropped to 19.5% as of 1 January 2018. The difference resulted in a 0.5% unused free appropriation in the budget of Titles I and II.

### 3.5.3. Material expenditures

In 2018 the **original appropriation** for material expenditures amounted to 18,080.5 million forints, increased by 1,497.1 million forints compared to the 2017 appropriation.

Key appropriation for material expenditures in titles I and II (million forints)			
Name	2017	2018	Change compared to 2017
Original appropriation	16,583.4	18,080.5	9.0%
Revised appropriation	16,816.5	21,016.7	25.0%
Financial performance	15,504.2	17,587.9	13.4%



The 9.0% budget surplus provides coverage for

- the expenditures necessary in 2018 for creating and operating the physical conditions of drafting records via obligatory audiovisual recording,
- the costs of security guards in court facilities under current and future contracts in view of the minimum hourly rate defined in the Asset Security Act and specified by a Government Decree

**within the local administrative scope of courts.**

Also, the surplus provides coverage for **training tasks** related to the entry into force of the new CPC, APC and CrPC within the **central administrative competence** of National Office for the Judiciary.

The **revised appropriation** grew compared to the original appropriation after courts adjusted key appropriations for the maintenance costs of the establishment of regional administrative and labour courts as those amounts were available in the key appropriations for projects within the original appropriation while expenditures arose in the key appropriation for material expenditures. The budget fund provided by the Ministry of National Economy for the 2018 administrative task of national defence also explains the growth of the revised appropriation as opposed to the original appropriation.

**Performance** amounted to 17,587.9 million forints in 2018, 13.4% more than in 2017. This considerable increase was apparent in the performance of IT services. This was caused by the purchase of a Microsoft licence for all members of the judiciary within the project "From Dream to Reality".

Expenditures related to court actions were fully paid and the appropriation for their performance was available.

### 3.5.4. Cumulative expenditures

The following table compares cumulative expenditures in 2017 and 2018.

Appropriations for cumulative expenditures (million forints)						
Standard Accounting Item code – Name	Projects			Renovations		
	2017	2018	Change compared to 2017	2017	2018	Change compared to 2017
Original appropriations	3,734.5	7,384.5	97.7%	266.0	266.0	0.0%
Revised appropriations	8,012.8	16,975.8	111.9%	3,213.9	3,992.6	24.2%
Financial performance	4,439.0	7,601.1	71.2%	2,543.3	1,634.3	-35.7%

In 2018 the **original appropriation** for projects grew by 3,650.0 million forints compared to 2017. The budget surplus reported in the key appropriation line provided 2,524.0 million forints as coverage of a single amount for the project costs of establishing regional administrative and labour courts and another 1,053.1 million forints of the related operation and maintenance costs in Title I, and 72.9 million forints of surplus for underground injection to support a pillar in the Curia's garage that had sunk in and for the modernisation of the first floor doors and windows in the Curia's headquarters. The original appropriation for the key appropriation of renovations is identical with the original appropriation of the previous years.



The change in the 2018 **revised appropriation** compared to the original appropriation was caused by the reallocation

- of the appropriation available for the establishment of regional administrative and labour courts for the benefit of the statutory line of court operation, and
- of the statutory line of court projects within the NOJ's Ferenc Jablonszky Tender and Gyula Wágner Program for the benefit of courts.

The increase in "Projects" compared to 2017 was caused by the purchase of IT devices, specifically mobile devices for judges within the project "Road to the Future Innovation Asset Acquisition" and a storage and archival system for storing an increasing amount of electronic documents within "Digital Court".

The decline in the expenditures for Renovations was caused by the decreasing financial performance for the renovation projects at the Tatabánya Regional Court, the Kecskemét Regional Court and the Kaposvár Regional Court from 2017 to 2018.

The appropriations for cumulative expenditures temporarily included an appropriation unrealised by the end of the year due to pending multiyear projects. A reason for this is that planning (especially related to listed buildings) and construction may often require unexpected work and surveys that extend the scheduled building period. Logically, this delays payments.

### 3.5.5. Other operational expenditures

The line of other operational expenditures includes payments for international commitments and subsidies within public finances.

The 2018 **revised appropriation** is considerably lower than it was in 2017 as the obligatory payment of savings from the decrease of the social contribution tax in 2017 no longer appears among expenditures in 2018, while it was part of the key appropriation for other operational purpose expenditures in 2017.

Key appropriation for other operational purpose expenditures (million forints)		
Name	2017	2018
Original appropriation	-	-
Revised appropriation	2,779.1	400.2
Financial performance	2,777.8	400.2



## 4. HEADING LEVEL APPROPRIATIONS

The following table shows the amount of and changes in Heading level appropriations laid down in the 2017 and 2018 Budget Acts.

Changes in Heading level appropriations (million forints)				
Appropriation name	2017 original appropriation	2018 original appropriation	2017 revised appropriation	2018 revised appropriation
Reconstruction of the Budapest Environs Regional Court's building	0.0	0.0	991.0	935.8
Court operation	1,561.9	1,561.9	15.0	56.8
Court projects	3,083.0	5,583.0	7,094.8	3,812.1
<b>Sum total</b>	<b>4,644.9</b>	<b>7,144.9</b>	<b>8,100.8</b>	<b>4,804.7</b>

There is a conspicuous change in the appropriation for court projects as we had 2,500 million forints, 81.9% more in 2018 than in the previous year. In 2017 the original appropriation was increased by the 5,929.6 million forints as a residual amount carried over from the previous year and was decreased by the appropriation of 1,917.8 million forints delivered to courts. In 2018 the original appropriation was increased by 3,294.2 million forints as a residual amount and decreased by an appropriation of 5,065.1 million forints delivered to courts during the year. The difference between the two years in terms of revised appropriations is jointly caused by the lower residual amount carried over to 2018 and the considerably higher appropriation delivered to courts in 2018 for project purpose tasks.

### 4.1. Reconstruction of the Budapest Environs Regional Court's building

The Heading level appropriation for the reconstruction of the Budapest Environs Regional Court, pending for years, was used as coverage for buying title to the M3 Office Centre building. The residual amount requested for refunding, reported as a free residual amount in 2017, was 935.8 million forints, which was paid to the Central Residual Accounting Fund in 2018.

### 4.2. Court projects

The Heading level appropriation for court projects was used as coverage for intra-Heading projects and renovations. The following table compares 2017 and 2018 in terms of the reallocation of project-related appropriations delivered to courts until 30 June.

Change in deliveries of the Heading appropriations line of court projects (million forints)		
Scope of funding	2017	2018
Appropriation delivered as coverage for the expenditures of court projects and renovation tasks	5,718.3	5,246.8
<b>Sum total</b>	<b>5,718.3</b>	<b>5,246.8</b>

The table shows that in 2018 courts received 471.5 million forints less as coverage for the expenditures of projects and renovations.



#### 4.2.1. Purchases and projects

Purchases and projects within the Heading were performed in consideration of the judiciary's statutory tasks and the strategic objectives of the NOJ's President. The Gyula Wágner Program announced by the NOJ's President enabled courts to modernise and renovate their technically obsolete infrastructure and to launch projects for promoting the more economical maintenance of court facilities.

In 2018 a considerable amount of appropriations was delivered to a number of courts within the Gyula Wágner Program as coverage for building energy modernisation, facade door and window replacement, internal renovation, air conditioning, temporary lease, and building reconstruction, as follows:

- Balassagyarmat Regional Court: 200 million forints
- Budapest Environs Regional Court: 220.4 million forints
- Budapest Metropolitan Regional Court: 400 million forints
- Kaposvár Regional Court: 349 million forints
- Szeged Regional Court: 464.1 million forints

In 2018, the Ferenc Jablonszky Tender announced by the NOJ's President granted 23 courts a total of 552.7 million forints of central funds as coverage for heating system modernisation, electric network modernisation, cover panel heat insulation, working environment improvement, and for the design of uniform client centres.

#### 4.3. Court operation

The Heading level appropriation for court operation was used as coverage for statutory remunerations, extra payments and benefits for vacant positions subject to central management, and for unexpected intra-Heading personal, material and other expenditures. The following table shows the major reallocations to courts by scope of funding.

Changes in reallocations of the Heading appropriation Court operation (million forints)		
Scope of funding	2017	2018
Delivery of appropriation for the Retention Program	7,786.4	14,113.0
Coverage for remunerations paid after removal from office for reasons of health	55.2	29.2
Coverage for training related to central administration	73.3	89.1
Coverage for expenditures related to migration/mass immigration	736.1	41.5
Coverage for remuneration of vacant positions filled	243.2	345.6
Coverage for remuneration in new positions	37.3	32.7
<b>Sum total:</b>	<b>8,931.5</b>	<b>14,651.1</b>

In 2018 the delivered appropriation exceeded the amount of 2017 by 5,719.6 million forints. The rise was caused by the higher amount of clothing reimbursement within the Retention Program, the amount of Christmas gift voucher, the **subsidy for judges' professional self-study**, and the amount of appropriation delivered as coverage for the expenditures of the **advanced level health screening**.



## 5. RESULTS OF EFFICIENT FINANCIAL MANAGEMENT IN 2018

After the **reform of the remuneration system of court employees in 2017**, the Ministry of National Economy supplied the required amount as coverage for the increased remuneration out of its provision in 2018, too, in March 2018. Even though the approximately 11,000 million forints of coverage for remunerations were not available to courts in the original appropriation, the Finance Department's thorough and considerate planning helped prevent any liquidity problem about court operation even in the transitional period.

Monitoring by the NOJ's Finance Department and the KIR Controlling System made financial management processes visible and helped **courts to become more efficient in financial management**. As a result, the **Retention Program** announced by the NOJ's President was successful again in 2018.

The scope of benefits provided in previous years came to include advanced level health screening in 2018. The satisfaction survey after use of the service demonstrated that the examination was extremely popular among employees and they also gave positive feedback on service quality.

As a result of rational and conscious financial management, all courts closed 2018 with a positive balance.

## 6. PREPARATIONS FOR THE 2019 BUDGET

In May 2018, the Ministry of Finance (previously: Ministry of National Economy) sent to the NOJ its schedule for the preparation of the 2019 Budget Bill, submitted to Parliament in its spring session.

The 2018 national elections and the new Government's formation considerably reduced the time for preparing next year's draft budget as opposed to the previous years.

Compared to the 2018 original appropriation, a budget surplus was available for the following tasks in 2019:

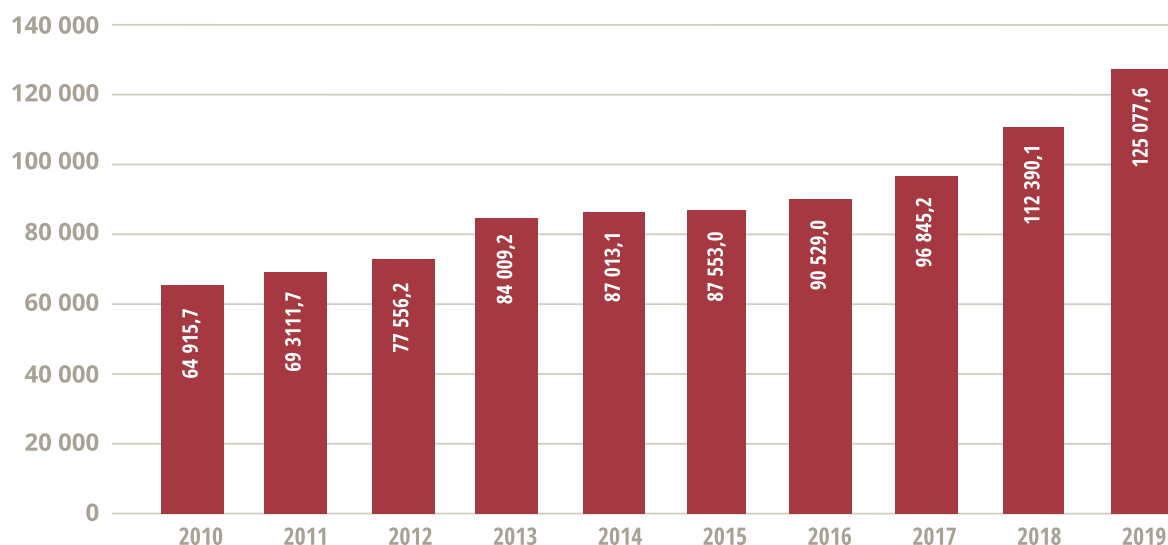
- Pay rise due to the revision of Act LXVIII of 1997 on the service status of court employees as of 1 September 2017
- Increase of the 2018 minimum wage and guaranteed wage minimum and the adjustment of the incorporation of the 2017 increase
- Government Decision 2128/2017 (29 December) on the Government's Encrypted Backbone Network
- Government Decree 1752/2017 (27 October) on the tasks related to the implementation of Act XC of 2017 on criminal procedure
- Replacement of the hardware infrastructure of companies courts (due to obsolescence)
- The Curia's international legal conference in 2019
- Modernisation of the Curia's IT equipment

The Heading Budget rose by 15,544.9 million forints from 2017 to 2018. The 2019 Heading Budget also featured a total of 12,687.5 million forints of surplus compared to 2018, including coverage for the submitted needs for surplus.

The following diagram shows changes in budget subsidies within the Courts Heading, raised by more than 47,521.7 million forints, i.e. 61.3% since 2012.



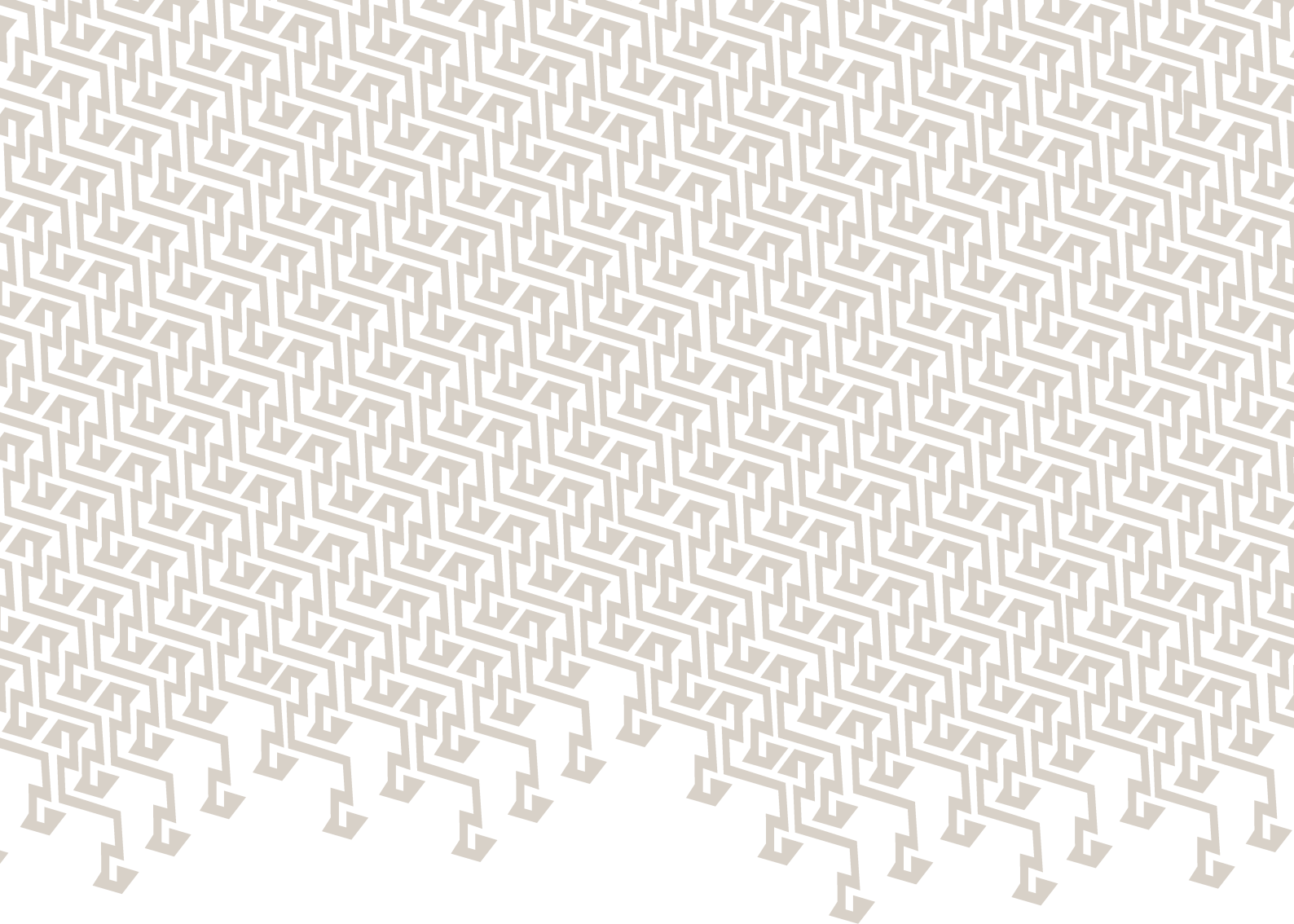
#### VI. Budget subsidies for the Courts Heading (million forints)



#### FUTURE GOALS AND TASKS:

- to enhance IT security
- to physically develop the central server room
- to maintain the level of the obsolescence indexes of IT infrastructure
- to implement a mid-term printer and scanner strategy
- to continue rationalising financial management processes and to make them “visible”
- to support the preparation of the annual project plan, monitor project budgets and thereby increase efficiency by establishing a project registration system
- to introduce a new methodology at the Finance Department’s Controlling Unit for its comprehensive analysis of the NOJ’s financial management in 2019
- to develop the deposit module of the Resource SQL Program for liquidators’ deposits
- to continue the key projects (Budapest Environs Regional Court, Curia, Szeged Regional and District Court), providing the required funds
- to start building the “HAJ-BALATON Project” – Balatonszemes Training Centre
- to start the inner reconstruction of Wing “C” of the Hungarian Academy of Justice
- to start building the Érd District Court and District Prosecutor’s Office







## IV.

# JUDICIAL INTEGRITY

In terms of judicial integrity, transparent judgements and administration, and predictable and monitored administration, the NOJ achieved the following key results in 2018:

- NOJ President's Recommendation 3/2018 (26 June) on the rules of procedure for managing events violating the organisational integrity of appellate and regional courts entered into force and so did NOJ President's Recommendation 4/2018 (26 June) on the regulation of integrated risk management at appellate and regional courts.
- The State Audit Office's 2018 Integrity Survey suggests that the judiciary shows a high awareness of integrity. The average risk of the judiciary (33%) exceeds the average of all respondent institutions (23%) by 10%. At the same time, the control index is way above the 54% average at 81%, the highest value of all respondent institutions.
- The National Office for the Judiciary and all courts also assessed their risks and prepared their integrity working plans and risk management action plans accordingly.
- The Judicial Integrity Survey continued at courts in 2018.
- The Court Network Against Cyber Crime was established on 2 July 2018.
- Courts maintained and deepened their cooperation relations with educational and training institutions in 2018.



## 1. ACTIONS FOR IMPROVED JUDICIAL INTEGRITY

The President of the National Office for the Judiciary has always laid great emphasis on establishing an organisational and operational system to ensure judicial integrity as reinforcing an integrity-based organisational operation and the corresponding staff behaviour (personal integrity) is one of the most efficient tools to prevent corruption and to reduce and eliminate corruption risks.

This commitment has been reflected in a number of central administrative actions affecting multiple topics over the past few years. The NOJ pays special attention to cooperation for integrity, awareness-raising courses on integrity for judges and court employees, the exchange of best practices, the assessment of the organisation's situation of integrity, seeking ways to eliminate and manage integrity risks, and creating internal rules of integrity. These objectives motivated the integrity-related measures adopted in 2018 to date, including:

ACTIONS FOR IMPROVED JUDICIAL INTEGRITY IN 2018	
<b>February 2018</b>	Internal Regulation 1/2018 (5 January) of the President of the National Office for the Judiciary on entry to and exit from the buildings of the National Office for the Judiciary, the rules of conduct in the buildings and the maintenance of order in the buildings entered into force.
<b>April 2018</b>	As part of the development of an instructors' system for new entrants to the National Office for the Judiciary, one instructor was appointed at each affected department. Standard practices were introduced for keeping a register of gifts to the National Office for the Judiciary.
<b>May 2018</b>	The Hungarian Academy of Justice held a central course entitled "Judges' Ethics, Judges' Independence and Liability". An annual course was held for the National Office for the Judiciary's new entrants to make them aware of internal integrity and safety-conscious, with a focus on the importance of integrity and the main provisions of the Integrity Regulation together with a presentation by an agent of the Constitution Protection Office.
<b>June 2018</b>	Judges received the annual integrity questionnaire to explore the processes and circumstances of judicial integrity. The findings of the questionnaire survey reflected that judges recognised and consciously avoided situations compromising integrity and corruption risks, administering justice independently and without any undue influence. A comparison of the findings of the first integrity survey in 2015 and the 2017 edition shows that judges' awareness of integrity had increased in response to recent measures. Another benefit of the questionnaire is that it highlights the importance of certain areas such as internal communication, which promotes the work of administrative court presidents. Work to regulate multiple matters of integrity was completed. Specifically, NOJ President's Recommendation 4/2018 (26 June) on the regulation of integrated risk management at appellate and regional courts entered into force on 27 June 2018.



<b>July 2018</b>	Entry into force of NOJ President's Recommendation 3/2018 (26 June) on the rules of procedure for the management of events violating organisational integrity at appellate and regional courts
<b>August 2018</b>	Entry into force of the NOJ President's Internal Regulation on the rules of procedure for the management of events violating organisational integrity and the NOJ's integrated risk management
<b>October 2018</b>	<p>In 2018 the State Audit Office conducted its integrity survey to assess the integrity status of Hungarian public institutions and to support increased awareness of integrity.</p> <p>The National Office for the Judiciary and all courts participated in the survey as they had done previously.</p> <p>In addition to the new, shorter and more focused online questionnaire, there was a change in the evaluation of results as the State Audit Office returned a self-evaluation to the respondent institutions then published a summary report.</p> <p>The National Office for the Judiciary gathered the self-evaluation forms of the respondent courts and prepared an anonymous summary of the results.</p> <p>Overall, the indicators show that the average risk of the judiciary (33%) exceeds the average of all respondent institutions (23%) by 10%. At the same time, the control index is way above the average of 54% at 81%, the highest value of all respondent institutions.</p> <p>The risks of external economic relations of the judiciary (23%) remain below the institutional average (26%). The corresponding control index is 75%, also way above the average of all respondents (58%) as with the basic control index. This suggests that there is a higher level of specific controls. These results, similarly to the results of the State Audit Office's previous surveys, continue to suggest that the judiciary has a high awareness of integrity.</p> <p>The implementation period of the 2015–2018 National Anti Corruption Program finished at the end of 2018. As a result, upon the request of the Ministry of the Interior, the National Office for the Judiciary also reported on its integrity related administrative measures and programs completed in the reporting period and formulated proposals, with the contribution of the Judicial Integrity Working Group, for the development of the future strategy.</p>
<b>November 2018</b>	<p>The entry into force of the Integrity Regulation in 2016 prepared the ground for the National Office for the Judiciary and courts to assess, with valuable contributions from the appointed integrity officers, all integrity risks emerging during their operation, and hence to prepare their integrity working plans for the next year and their long-term three-year plans for anti-corruption measures.</p> <p>In 2018 all of these work processes relied on the new regulations of integrated risk management. As a result, the National Office for the Judiciary and all courts assessed their respective risks and hence prepared their integrity work plans and risk management plans.</p>



**December 2018**

In 2012 the National Office for the Judiciary joined the Joint Declaration of Government Agencies on cooperation in the fight against corruption signed on 18 November 2011.

In line with International Anti-Corruption Day (9 December every year), the court presidents of the participating agencies hold a joint annual conference to assess the results of their cooperation and organisations in the given year. As with the previous years, the National Office for the Judiciary attended the annual conference organised by the Public Procurement Authority.

Also, with the entry into force of the Integrity Regulation, each appellate and regional court has a designated integrity officer to continuously receive, analyse and evaluate integrity-related reports, contribute to the relevant inquiries and make the required proposals for the actions they deem fit, and issue opinions on matters of integrity and the potential risks as requested by court presidents and employees. The National Office for the Judiciary kept courts informed about any integrity risks of the judiciary that had become known to it throughout 2018.

## 2. TOOLS OF COURT ADMINISTRATION

The use of all administrative tools of the judiciary are designed to make sure that all decisions are taken after comprehensive and well-grounded preparation, the efficiency and effects of previous measures are suitable for monitoring, to allow for efficient, timely, and high-quality justice, and that the NOJ's President can achieve her strategic and operative objectives. The achievement of these goals is promoted, inter alia, by the regulations and recommendations of the NOJ's President but also by other tools, such as pilot programs, networks, workshops, meetings, and working groups.

### 2.1. Regulations (instructions) and recommendations by the President of the National Office for the Judiciary

In 2018, the NOJ's President consulted with courts and published 13 normative instructions (five new and eight amended), and seven recommendations (six new and one amended), and took a final decision in 117 organisational and 886 personal matters.

**Instructions:**

- NOJ Instruction 1/2018 (5 March) on the use of appropriations under the VI. Courts Heading in 2018
- NOJ Instruction 2/2018 (29 March) on the public register of general powers of attorney for litigious and non-litigious procedures
- NOJ Instruction 7/2018 (11 July) on the rules of procedure for whistle-blowing reports and complaints
- NOJ Instruction 10/2018 (19 December) on the performance assessment of court employees
- NOJ Instruction 13/2018 (21 December) on the statistical activities of the National Office for the Judiciary and courts

**Amended instructions:**

- NOJ Instruction 3/2018 (21 June) on the amendment of NOJ Instruction 6/2016 (31 May) on the regulation of integrity



- NOJ Instruction 4/2018 (29 June) on the amendment of certain NOJ Instructions due to the entry into force of Act XC of 2017 on criminal procedure
- NOJ Instruction 5/2018 (29 June) on the amendment of NOJ Instruction 17/2014 (23 December) on the Uniform Court Filing Regulation
- NOJ Instruction 6/2018 (29 June) on the amendment of certain NOJ Instructions
- NOJ Instruction 8/2018 (26 July) on the amendment of NOJ Instruction 11/2013 (31 December) on the National Office for the Judiciary's Bylaws
- NOJ Instruction 9/2018 (13 December) on the amendment of NOJ Instruction 3/2016 (29 February) on the regulation of trainee judges' admission
- NOJ Instruction 11/2018 (19 December) on the amendment of NOJ Instruction 17/2014 (23 December) on the Uniform Court Filing Regulation
- NOJ Instruction 12/2018 (19 December) on the amendment of NOJ Instruction 6/2015 (30 November) on the regulation of court administration

#### **Recommendations:**

- NOJ President's Recommendation 1/2018 (24 January) on the operation of courts and the National Office for the Judiciary as places of professional practice
- NOJ President's Recommendation 2/2018 (21 February) on the holiday entitlements of judges and court employees
- NOJ President's Recommendation 3/2018 (26 June) on the rules of procedure for the management of events violating organisational integrity at appellate and regional courts
- NOJ President's Recommendation 4/2018 (26 June) on the regulations of integrated risk management at appellate and regional courts
- NOJ President's Recommendation 5/2018 (26 June) on the repeal of NOJ President's Recommendation 8/2015 (2 December) on the regulation of the internal control system of the Curia, appellate courts and regional courts
- NOJ President's Recommendation 6/2018 (21 September) on the sample regulation of the operation of security cameras in court facilities

#### **Amended recommendations:**

- NOJ President's Recommendation 7/2018 (25 October) on the amendment of NOJ President's Recommendation 1/2018 (24 January) on the operation of courts and the National Office for the Judiciary as places of professional practice and of NOJ President's Recommendation 6/2017 (20 October) on the structure and content of the reports made by district court presidents

In 2018 the strategic objectives were especially promoted by the publication of four regulations and two recommendations.

NOJ Instruction 2/2018 (29 March) on the public register of general powers of attorney for litigious and non-litigious procedures defines the tasks of keeping a court register of general powers of attorney for civil litigious and civil non-litigious, administrative litigious, non-litigious and other administrative procedures. The provisions of the regulation include detailed rules of data supply from the register, registration, cancellation, access, and the cancellation of erroneous entries.

In order to achieve the strategic objectives of high-quality and timely justice by independent judges and the simplification of access to justice, the NOJ issued Instruction 7/2018 (11 July) on the rules of procedure for whistle-blowing reports and complaints. The instruction is designed to increase public trust in courts and improve court operation, and expresses that courts



recognise the significance of complaints and whistle-blowing reports and provide the highest possible protection to whistleblowers.

In 2018 the NOJ issued Instruction 10/2018 (19 December) on the performance assessment of court employees, laying down the tasks related to performance assessment, the elements of performance assessment (job requirements, basic and professional competences) and its process, and the way of keeping a register of results. By issuing the instruction, the NOJ helps to achieve an optimum distribution and utilisation of human resources as strategic objectives. The identification of requirements and competences contributes to making court employees' career predictable and to making administrative work transparent.

NOJ Instruction 13/2018 (21 December) on the statistical activities of the National Office for the Judiciary and courts makes sure that courts comply with the laws on official statistics and court organisation. The instruction promotes the performance of central and local administrative tasks of courts and the disclosure of the official data of court statistics.

In 2018 one NJC instruction was repealed. The professional matters laid down in it were re-regulated by NOJ Instruction 13/2018 (21 December) on the statistical activities of the National Office for the Judiciary and courts in compliance with the effective legal provisions and the strategic objectives. The NOJ started and continued the review of the four effective NJC regulations.

By issuing NOJ President's Recommendation 3/2018 (26 June) on the rules of procedure for the management of events violating organisational integrity at appellate and regional courts, the NOJ contributed to the uniformity of courts in the correction of errors, deficiencies and mistakes found in events violating organisational integrity, in the determination of liability, and the adoption and implementation of measures, making sure to achieve the strategic objectives of integrity in the judiciary and transparency in judicial and administrative work.

NOJ President's Recommendation 4/2018 (26 June) on the regulations of integrated risk management at appellate and regional courts determined risk factors, their evaluation, the responses to risks, the review of risks, and the powers, liability and documentation of people in charge of the related tasks.

## **2.2. Meetings, consultations, workshops**

Meetings, consultations and workshops are targeted management tools as they help efficiently explore problems in certain areas and offer an opportunity to jointly develop solutions in the form of direct communication.

The NOJ's President convenes multiple meetings of the presidents of regional and appellate courts every year to discuss current topics and problems that affect all.

On 12 February 2018, the year's first Presidents' Meeting featured the delivery of memorial certificates within the György Ráth Competition and a discussion of certain issues of the new procedure codes and electronic communication, statistical criteria for the guide of judges' reports and the introduction of performance assessment.

The Presidents' Meeting of 4 April 2018 presented the Court Presidents' Information System, remote hearing equipment (VIA VIDEO) and the Client Centred Repository, and provided information on the new dimensions of executive audits.



The meeting held between 14 and 18 April 2018 mainly discussed the NOJ President's First Semi-Annual Report of 2017, the reform of judges' remuneration system, the past, present and future of the Start II package, new generation courses, the development of the training system, and the options of court presidents' support (workshops).

The Presidents' Meeting of 29 May 2018 discussed, inter alia, matters of regulation (adoption, the amendment of integrity regulation, the amendment of rules affecting the NJC), the reform of judges' remuneration system, and the 2019 Annual Budget.

The Presidents' Meeting of 29 June 2018 gave information on the tasks related to the entry into force of the new CrPC, the reform of administrative courts, the mapping of IT applications operated by courts, the reform of judges' remuneration system, the draft regulation of performance assessment, and points and comments made.

The Presidents' Meeting of 10 and 11 September 2018 presented the revised performance assessment regulation, the reform of judges' remuneration system, the 2019 plans for new generation courses, Start II, GDPR, court brand, new projects, the integrity questionnaire and other topical matters.

The Presidents' Meeting of 10 October 2018 featured presentations by appellate and regional court presidents with topics they found of key importance, including the Digital Court Project, the commissioning of new equipment at courts, client centres, the even distribution of workload, the status of transcription software, the media and communications strategy, Open Court, court branding, and other topical matters.

Held on 6 December, the last Presidents' Meeting of 2018 discussed, inter alia, the proposed legal amendment on judges' remuneration, the Retention Program, the results of FFP 2, and enforcement cases at regional courts.

In addition to the General Meeting of Judges, individual courts hold multiple management meetings every year in line with their respective work schedules, where all administrative court presidents discuss topical administrative and financial matters.

In 2018 the NOJ's President attended, in person or by proxy, almost all meetings of appellate and regional judges and the management meetings of the Győr Appellate Court, the Budapest Metropolitan Regional Court, the Budapest Environs Regional Court, the Szolnok Regional Court, the Zalaegerszeg Regional Court and the Székesfehérvár Regional Court.

Workshops are interactive consultations aimed at the exchange of experiences and knowledge, and offering an opportunity for an intensive exchange of views. Their high efficiency prompted the NOJ to organise an increasing number of central courses in this form and to offer an opportunity to exchange knowledge at workshops as part of the given course.

In 2018 such workshops included:

- a Best Practices Workshop on the experiences of the introduction of the "Debrecen Model" (3–4 July 2018)
- a workshop on drafting decisions on accessory matters (exhibits, confiscation, criminal costs)
- a workshop on the new CPC in practice



### 2.3. Working groups

Court Presidents and the NOJ's President may create working groups to perform any of the responsibilities laid down in the COAA. They are professional bodies that make proposals, perform analyses and give opinions while creating professional materials to support decision-making.

Working groups are important as they channel the knowledge and experiences accumulated in courts towards the central administration and may hence assist judges and court employees with their special skills for efficiency, timeliness and transparency in the delivery of judgements and administrative duties.

Regional and appellate courts set up working groups to promote the tasks related to the entry into force of the new procedure codes. In addition, a number of working groups were active in exhibit management, procedural and administrative matters in cases with electronic communication, the simplification of electronic communication in practice, matters of integrity, court traditions, support of IT developments and the reduction of workload, to name but a few. In 2018 at least 71 local working groups helped regional and appellate courts with their professional and administrative responsibilities. Their number continuously varied as individual goals were achieved.

In 2018 the NOJ operated 13 working groups, including

- seven that continued multiyear projects (Court Mediation Working Group, Judicial Integrity Working Group, Filing Working Group, Financial, Headcount and Wage Management Working Group, Child Centred Justice Working Group, New Execution Working Group, IT Security Control System Working Group)
- two that had their terms of operation extended (Plain Information on Courts Working Group, Digital Star Map Working Group)
- three that were set up in response to the new procedure codes (Working Group Supporting the Enforcement of the New CPC, Working Group Supporting the Enforcement of the New APC and Working Group Supporting the Enforcement of the New CrPC), and
- a new working group supporting the uniform design of Client Centres.

Some key achievements of the working groups:

- The Digital Star Map Working Group worked hard to identify and explore the IT applications supporting judicial and administrative activities.
- The Working Group Supporting the Enforcement of the New CPC, the Working Group Supporting the Enforcement of the New CrPC and the Working Group Supporting the Enforcement of the New APC worked hard to monitor the enforcement of the new procedure codes and to promote their smooth application.
- The Filing Working Group played a major role in developing proposed legal amendments in response to the changing legal environment while the Mediation Working Group played a major role in exploring new opportunities in mediation.
- The Plain Information on Courts Working Group focused on improving the efficiency of the network of press spokespersons and press secretaries.
- The Child Centred Justice Working Group focused on the hearing of children and updating the rules of conduct for parole.



## 2.4. Pilot programs

Pilot programs are significant as they provide an opportunity within limited time and at low costs for the practical testing of a particular work method or its supporting application in a reduced group of legal practitioners. The idea is to prepare national introduction and to explore any defect, deficiency and need for further development.

On 4 December 2017, in coordination with the NOJ, the Budapest Metropolitan Regional Court launched a four-module pilot course including professional and awareness-raising components for criminal judges hearing juvenile cases. Training was given one day per month to teach new skills to such judges. The first module included presentations on children's fundamental rights and the characteristics of juvenile delinquency. Coordinated by the NOJ's Child Centre Justice Working Group, the course was designed to extend the knowledge of criminal judges hearing juvenile cases and to rely on the experiences of the pilot course to prepare the national training. The speakers included judges and professionals with a track record of cases involving minors. Their presentations were both theoretical and practical. In 2018 the pilot course continued for another three days. The experiences were evaluated in preparation for regional courses across Hungary from 2019.

In April 2018 a two-month pilot program was launched at the Pécs and Zalaegerszeg Regional Courts to prepare the reform of data gathering in the Open Court Program. The experiences were fed into the new type of data gathering, which will be introduced in January 2019 to replace the monthly reporting obligation and to allow for a differentiated national evaluation of processes in approximately 2,000 programs per year, promoting the development of the program.

After the national Best Practices Workshop held in Debrecen on 3–4 July 2018, regional courts launched a pilot project to introduce the "Debrecen Model" and certain elements thereof in their respective jurisdictions as of 1 October 2018.

To achieve an even workload, the Budapest Environs Regional Court undertook to introduce the Debrecen Model at the Gödöllő District Court and the Monor District Court, the Budapest Metropolitan Regional Court did so at the Budapest 2<sup>nd</sup> and 3<sup>rd</sup> District Court in consideration of the Pest Central District Court's Judicial Development Program, the Nyíregyháza Regional Court did so at the Mátészalka District Court, the Szeged Regional Court did so at the Szeged District Court in its entirety, and the Kecskemét Regional Court did so at the Kecskemét District Court, the Baja District Court, and the Kiskunhalas District Court partially.

The initial results suggest that it would be reasonable for other courts to adopt this work management method aimed at efficient and timely justice as a best practice. The idea is to achieve good results, efficiency and timeliness, exploit all means of motivation, and share experiences.

In 2018, under the agreement between the Hungarian National Chamber of Notaries Public and the NOJ on the delivery of documents in the custody of courts, the Eger Regional Court started test scrapping, scheduled to finish in the first half of 2019.



## 2.5. Networks

In performing its responsibilities, the NOJ works hard to efficiently share professional knowledge and practical experiences accumulated in the judiciary. To this end, it created professional networks. These networks help court employees with ample knowledge in direct contact with each other to do coordinated, fast and efficient work.

In 2018 the following professional networks, established in previous years, continued their operations:

- National Network of Mediation Coordinators
- National Network of Court Coaches and Trainers
- Network of Child Centred Justice Professionals and Coordinators
- Network of Contact Persons of the National Open Court Program
- Network of Project Contact Persons
- Network of Press Spokespersons and Press Secretaries
- Network of E-ACTION Contact Persons
- Network of European Union Legal Advisors (judges' and secretaries' networks)
- Network of National Court Library Expert Coordinators

After preparations finished in the first half of the year, 2 July 2018 witnessed the establishment of the Cyber Crime Network to ensure a smooth flow of information about crimes committed on or related to the internet, and to provide fast and efficient professional assistance to judges in applying the law. The network has a total of 60 members, including judges and IT staff, from each regional and appellate court, continuously engaged in domestic and foreign training to extend and update their knowledge.

The network works for a number of objectives, including the preparation and disclosure of crime-specific guides to judges, and cooperation with a similar network of prosecutors.

The NOJ runs a network of internal contact persons in certain professional areas for the purpose of exchanging information, including

- civil infractions,
- court tasks related to therapy for psychiatric in-patients.

## 2.6. Projects

The judiciary launches an increasing number of projects, also relying on the experiences of EU tenders, to manage major tasks in a complex way. In these cases work is done by project organisations whose operation serves efficiently the identification, scheduling and implementation of the required tasks. They offer the benefit of utilising courts' internal knowledge and experiences from all specialty areas while project based operation also results in a high level of transparency and accountability.

In the past few years the NOJ has completed a number of successful projects in a wide range of areas (e.g. engineering, IT, introduction of new laws, acquisition of assets) and is currently running multiple successful projects, including:

- Digital Court
- Curia
- Budapest Environs Regional Court Headquarters Building Development
- HAJ Balaton
- "Road to the Future – Acquisition of Innovation Resources"
- "From Dream to Reality – 21<sup>st</sup> Century Case Management"



## 2.7. Tenders

The NOJ invites tenders as a flexible way to help the achievement of goals that need less funding. Tenders serve individual needs in certain specialty areas or encourage activities not directly associated with judicial and administrative tasks.

The target groups of tenders include regional and appellate courts or court-related professional bodies on the one hand and individuals on the other. The NOJ's tenders usually affect engineering (Ferenc Jablonszky Tender), administration (support of courts' professional organisations) and culture & science (György Mailáth Scientific Competition, György Ráth Court History and Tradition Competition, Court in Focus Photo Competition).

Every NOJ tender is evaluated by judges and experts familiar with the given area using pre-determined and measurable criteria to make the standards for award decisions clear and objective.

## 2.8. Programs

Announced in harmony with and keeping in mind the NOJ President's strategic objectives, the programs primarily aim at maintaining the results of the judiciary, sharing best practices, promoting the participation of clients in actions with a high legal awareness and access to justice, thereby supporting the administration of justice. The latter elements are efficiently supported by permanent national programs, such as Witness Care and Victim Protection, and Child Centred Justice. At the same time, the NOJ's President announces ad-hoc periodic programs to focus the administrative activities of courts on some key areas in order to preserve the existing good results and to make progress and achieve new goals. Such programs include Sustainable Development Program 2 with a focus on the preservation and improvement of positive caseload indicators. The NOJ's President also announced a special management program for regional court presidents. In 2018 its goals were to strengthen court communication, achieve a more even workload and increase staff satisfaction.

## 2.9. Cooperation agreements

In 2018 courts both maintained and broadened their relations of cooperation.

Cooperation can serve a number of important goals such as expanding teaching and training opportunities, organising traineeship programs, and teaching basic law to secondary school students within the Open Court Program. To this end, a number of new agreements were made between:

- the Debrecen Regional Court, the Hajdú-Bihar County Prosecutor General's Office, the Hajdú-Bihar County Police Department, and the Department of Communication of the Faculty of Humanities of the University of Debrecen to train media students,
- the Budapest Metropolitan Appellate Court, the Faculty of Law and Political Science of ELTE, and the Faculty of Law and Political Science of Pázmány Péter Catholic University,
- the Budapest Metropolitan Regional Court, Budapest Business School, and Pázmány Péter Catholic University,
- the Pécs Regional Court and the University of Pécs,
- the Szeged Regional Court, the Csongrád County Prosecutor General's Office and ten secondary schools,
- the Szolnok Regional Court and several secondary schools,
- the Tatabánya Regional Court and the Tatabánya Vocational Training Centrum Balassa Bálint Vocational Grammar and Secondary School of Economics.



The Kecskemét Regional Court signed a cooperation agreement on victim protection with the Bács-Kiskun County Police Department and the Bács-Kiskun County Government Office to make sure victim's rights are enforced.

Courts expanded their international relations by virtue of a partnership agreement signed between the Budapest Metropolitan Regional Court and the North Rhine-Westphalia Administrative High Court to exchange experiences of administrative justice.

The NOJ signed cooperation agreements in areas affecting the entire judiciary. At the end of 2018, a total of 33 agreements were in effect, including eight signed during the year. The NOJ established formal cooperation with administrative, higher education and professional organisations in data sharing and electronic communication, HR policy, general administration, knowledge sharing and training, use of facilities, and development & operation.

### 3. CONTROL OF THE JUDICIARY AND COURT PRESIDENTS

In line with the principle of separation of powers enshrined in the Fundamental Law, and by virtue of Act CLXI of 2011 on the organisation and administration of courts and of Act CLXII of 2011 on the legal status and remuneration of judges, Hungary has an autonomous and independent judiciary. The adoption of the relevant cardinal Acts on 1 January 2012 created a clear management model with the highest possible degree of separation between the professional control of justice and central administration. The Curia's President is responsible for ensuring uniformity and high professional standards in making rulings while the NOJ's President is responsible for the central administration of courts. Consequently, the executive power is not authorised or able to influence the administration of justice. Hungary is unique with this type of self-administration in the judiciary.

This gives special importance to the external and internal transparency of control. This is served by a strategic objective of the NOJ's President (judicial integrity, transparent justice and administration, predictable and monitored administration), by which the NOJ seeks to make the operation of court administration clear and transparent for both court employees and citizens.

#### 3.1. The NOJ's President

The entry into force of the Act on the organisation and administration of courts (OACA) and the Act on the legal status and remuneration of judges (LSRJA) on 1 January 2012 created a clear management model with a strict separation of the professional supervision of justice and central administration. Responsibility for ensuring uniform and high-quality justice was allocated to the Curia's President while responsibility for the central administration of courts was assigned to the President of the National Office for the Judiciary (NOJ). This change made the operation of both the central administration of courts and their professional management more efficient and transparent than ever before.

The wide range of powers assigned to the NOJ's President are detailed by the law. In order to achieve efficient and operative administration, the powers of the NOJ's President cover nearly all areas of court operation, such as:

- general central administration, especially issuing regulations, decisions and recommendations as usually done by the executives of agencies of national competence and the right to make proposals to the authorised agencies to make court-related laws,
- administering the NOJ,
- managing the Courts Heading of the Budget Act,
- statistical data gathering, case allocation, workload measuring,
- HR responsibilities,



- supervising the administrative activities of appellate and regional court presidents, training tasks,
- responsibilities of providing information,
- any other responsibilities assigned to her by law.

In exercising such powers, the NOJ's President has personal liability for central administration and its efficiency and for performing her responsibilities by respecting the constitutional principle of judicial independence as enshrined in the relevant law.

However, the legal provisions that specify the rights and obligations of the NOJ's President only provide a framework for performing her responsibilities. In order to set a direction for daily work and to make tasks predictable, the NOJ's President identified a set of strategic objectives for her term in office.

To make central administration transparent, the NOJ's President exercises her powers with respect to both citizens and the judiciary under strict control. Specifically,

- in doing her work, she is required to make sure that both administration and the related decision-making are public;
- she is required to disclose and communicate her decisions, regulations, recommendations and guides;
- her regulations on the entire judiciary are normative instructions by virtue of the Legislation Act and hence subject to a constitutional review explicitly laid down in OACA Section 77/A (1);
- she is required to justify her decisions taken in her administrative capacity as necessary. The right to seek redress against certain decisions and employer's measures concerning legal status that directly affect judges is granted by the provisions of LSRJA. Pursuant to OACA Section 77/A (2), judges may apply to an administrative and labour court against any decision of the NOJ's President in her HR manager's capacity that affect their service status, unless the Act requires the service status dispute to be adjudged by the service court;
- the rules of terminating her office are also subject to joint control. Her removal from office may be initiated by the NJC at Parliament by a decision of two-thirds of its members;
- she is also subject to general control applicable to the executives of government agencies and the manager of the budget Heading (e.g. an audit by the State Audit Office);
- she is required to empower unions to exercise their rights.

Pursuant to OACA Section 76 (8) c), the NOJ's President shall submit an annual report to Parliament on the general situation and administrative activities of courts, and another one to Parliament's Justice Committee between two annual reports. On 18 February 2019, the NOJ's President met her reporting obligation to Parliament for the year 2017. Parliament approved the report.

The NOJ's President makes her administrative activities public and hence transparent by meeting her statutory obligation to disclose her regulations, recommendations, decisions, reports, and all executive job applications with the related records. The NOJ's President discloses her instructions (regulations) in the Hungarian Government Gazette's Official Bulletin, on the one hand, and on the central website of courts and the Courts Bulletin together with her recommendations and decisions, on the other hand. The annual and semi-annual reports of the NOJ's President are available on the central website of courts.

In harmony with her strategic objectives, the NOJ's President has set a number of key goals, including publicity, transparency, equality of opportunities, uniformity, predictability, consistency



and objectivity. In addition to the obligatory elements defined by law, the NOJ's President ensures publicity by disclosing and publishing other information materials and summaries (e.g. guides on judges' and court presidents' job applications, the reform of remuneration, guide on the practice of evaluating judges' and court presidents' job applications). The general public is informed about a wide range of topics on the up-to-date and informative central website, while court employees are informed on the central intranet and through judges' forums.

### **3.2. Court presidents**

Court presidents are responsible for managing their respective courts and judiciary units and for the efficient operation of their courts and judiciary units in compliance with laws and the regulations and decisions of the NOJ's President. Court presidents are the presidents of appellate courts, regional courts, administrative and labour courts, and district courts.

In addition, court presidents include the Deputy Presidents of the Curia, appellate courts, regional courts, administrative and labour courts, and district courts, Heads of Division, Deputy Heads of Division, Heads of Unit, Deputy Heads of Unit, Presidents of Panels, and the Curia's General Secretary and Deputy General Secretary.

Court presidents are responsible, *inter alia*, for creating all personal and physical conditions for court operation, managing courts' financial and economic activities, managing and monitoring the administrative activities of court presidents reporting to them, creating the operative conditions for judges' bodies, convening meetings of judges, and making sure unions can exercise their rights of representation.

An efficient way to achieve internal and external transparency in their activities is information provided annually by the NOJ's President to the meetings of judges and other court employees on:

- court operation and situation in terms of caseload and financial management,
- goals set for the next calendar year for the efficient and timely operation of courts and the administrative measures serving their achievement,
- the implementation of plans described in project plans attached to tender bids for the given period,
- the implementation and results of goals and measures set in the previous calendar year.

Pursuant to NOJ Instruction 6/2015 (30 November) on the regulation of court administration (Administrative Regulation), in performing their administrative responsibilities, court presidents shall have the right and duty to use all means of efficient management, especially planning and meeting the information, accounting and reporting obligation, and other forms of inspection laid down in the regulation.

### **3.3. Bodies of judges**

#### **3.3.1. General Meetings of Judges**

The bodies of judges contributing to court administration are the meetings of judges of appellate and regional courts (hereinafter collectively: General Meetings of Judges). The participants of General Meetings of Judges are judges serving at appellate courts, regional courts and the district courts in their jurisdictions and at administrative and labour courts. The presidents of appellate and regional courts hold a General Meeting of Judges at least once a year. General Meetings of Judges comment on court presidents' job applications, may propose audits of court presidents, and also have other rights of inspection, such as electing Judges' Councils subject to a report on their operation at least once a year, deciding to remove any council member from duty and proposing to remove from office any court president appointed by the NOJ's President. In



addition, General Meetings of Judges are responsible for electing delegates for the election of NJC members and proposing the NJC to include on its agenda and discuss any matter for which it is responsible.

In 2018, in compliance with their statutory obligation, the presidents of regional and appellate courts also informed the NOJ's President and the General Meetings of Judges on the operation, caseload and other statutory responsibilities of their respective courts. The NOJ's President personally attended all General Meetings of Judges except when represented by the NOJ's Deputy President. The NOJ's President approved the reports. Court administration also receives contributions from the Curia's Plenary Meeting, whose responsibilities are laid down in OACA Section 144 just like the General Meetings of Judges of other courts.

### **3.3.2. Judges' Councils**

Judges at the Curia, appellate and regional court have councils (hereinafter collectively: Judges' Councils) with full members (5–15) and substitute members (3–13) elected by the Meeting of Judges for six years. Their operation, responsibilities and election are laid down in OACA Sections 147–153. Judges' Councils at the Curia, appellate and regional courts have a statutory right to make comments and proposals. Specifically, they:

- make comments on judges' appointment and, unless done with the given judge's consent, positions, transfers and secondments,
- may propose an audit of the president, deputy president, head of unit, or deputy head of unit of district courts, administrative and labour courts, and their removal from office,
- make comments on the court's annual budget plan and approved budget utilisation, and
- make comments on the court's Bylaws and case allocation plan.

A key right of Judges' Councils is to interview applicants for judge's positions and to rank them as such rank is the basis for the proposal of regional court presidents and the NOJ's President and for their decision of transfer.

In 2018 Judges' Councils reported on their work at the General Meeting of Judges.

### **3.3.3. Divisions**

Others bodies contributing to court administration are the divisions of the Curia, appellate and regional courts (hereinafter collectively: divisions), consisting of judges from each branch.

Divisions make comments on statutory job applications for judges and court presidents, may propose an audit of court presidents or their removal from office, and perform other statutory tasks. In addition, divisions contribute to the evaluation of judges' professional activities and make comments on case allocation plans.

The regional division of administrative and labour cases is a special professional body of administrative and labour judges of regional courts laid down in a separate law and of the judges of administrative and labour courts specified in a separate law. Regional divisions make comments on job applications for the positions of head and deputy head of division for administrative and labour cases and may propose an audit of court presidents or their removal from office, and perform other statutory responsibilities.

The composition and competences of divisions and administrative and regional divisions are laid down in OACA Sections 154–156.



### 3.3.4. National Judicial Council

By the amendment of the Fundamental Law and the adoption of new cardinal Acts regulating the operation of the judiciary as of 1 January 2012, Parliament introduced a new administrative model for the operation of the judiciary.

In the new tripartite model of court administration the Judges' Council survived, although with powers that are different from the powers of the previous National Judicial Council (NJC). By virtue of the Fundamental Law, the NJC is a supervisory and contributing body without autonomy as a legal person under the OACA and without powers of instruction and control over the NOJ and its President. Its regulatory power is limited to the approval of its own Bylaws and Code of Ethics, and has no authorisation for the external representation of the entire judiciary.

The NJC's meetings are attended with a right of consultation but not voting, by the Minister of Justice, the Supreme Prosecutor, the President of the Hungarian Bar Association, the President of the Hungarian National Chamber of Notaries Public, and the NOJ's President.

The NJC has 15 members including the President of the Curia and 14 judges, elected by the Delegates Meeting from themselves by secret ballot and a majority of votes. The Delegates Meeting elects one appellate judge, five regional judges, seven district judges and one administrative and labour judge to serve as members of the NJC. At the same time as electing full members, the Delegates Meeting elects 14 judges to serve as substitute members, determining a list in the order of votes and excluding a tie vote, as described above.

The OACA defines the NJC's powers of supervision and contribution as powers of notification, commenting, proposal and inspection in a variety of topics, granting to the NJC powers of consent, accord and decision-making in certain personal decisions.

The NJC was established in 2012 with full and substitute members elected for six years. The new members were elected by the Delegates Meeting on 15 January 2018. As 17 of the 28 full and substitute members elected between January and April 2018 resigned, the number of members dropped to 11 including the President of the Curia as an ex officio member. However, the Delegates Meeting convened to elect substitute members was inconclusive.

The NOJ's President takes the view that the lack of representation for administrative and labour courts together with the reduced headcount raises concerns about the legitimacy of the NJC's operation. In 2018 the NOJ's President notified the Parliamentary Commissioner for Fundamental Rights, who later filed an action with the Constitutional Court.

Despite the above opinion, the NOJ's President continued to provide the NJC's members with the required infrastructure and financial conditions for their operation in 2018. The NOJ's President disclosed and made summaries and guides in the statutory topics, responding to their questions and suggestions in hundreds of letters and guides.

The NJC usually ignored all information, questions and suggestions received from the NOJ's President in drafting its reports and decisions. These often included comments and questions that challenged not only content but also the legitimacy of their procedure (reports approved also by members directly affected, disregarding facts that disproved their claims, etc.). In certain matters of legal interpretation by a consensus, the NJC adopted a position contrary to its previous six-year practices, and sometimes even changed its own opinion (e.g. whether or not its draft or



effective regulations should be subject to comments; whether or not it may undertake to join any working group; whether or not individual members should be subject to collective decision-making).

The judiciary holds approving and disapproving views about the NJC's operation, some of which found their way to the media and sometimes even gave rise to political debates and opinions. The nature of the NJC's operation was reflected by its self-identification as a "revolutionary NJC" upon its inception. This came true in their first report, which called the practices of the NOJ's President in evaluating job applications "illegitimate", first for the domestic and international media, then for international organisations, disregarding the NOJ's data supply and the contents of the relevant documents, and only looking at a small fraction of job applications. At the same time, some of the people that approved their report should not have contributed to decision-making in a fair procedure for personal reasons. As early as May 2018, within three months of their first session, the NJC's members were taking steps to launch a procedure against the NOJ's President. Yet, the NOJ's President considered the suggestions of the NJC's members to improve administrative practices in every possible case and adopted the necessary and possible measures accordingly.

The fact alone that the application of laws gives rise to debates of interpretation is natural. Another inherent feature of written law is the need to revise laws from time to time due to changes in legal practices and to resolve debates of interpretation. The debates between the NJC and the NOJ raise the need for a response by legislators, to designate a forum for reducing differences between the NOJ and the NJC in terms of legal interpretation, to decide on the composition and election of the NJC, to clarify the powers of the NJC and the NOJ's President and even to discuss the legal status of judges.

### **3.3.5. Court associations**

The operation and administrative responsibilities of the NOJ and courts are supplemented by work in professional organisations and unions, often in unique ways. The importance of such organisations is reflected by the statutory requirement of the NOJ's President to negotiate with judges and court employees for the protection of their interests [*LSRJA Section 189 (3), Court employees Service Status Act Section 123, OACA Section 76 (3) f-g, OACA Section 76 (9) c*].

The NOJ performed its obligation of consultation within the Judicial Career Expert Body (JCEB), established in 2015 and including representatives of the Hungarian Judges' Association (HJA) and the Court Employees Union (CEU), until the spring of 2018. The JCEB gathered proposals for the reform of the judicial career and the remuneration system of judges and court employees, laying the foundations for the Retention Program created by the NOJ's President. In order to determine the amount and conditions of other benefits granted within the Retention Program and to discuss proposals for the reform of the remuneration system of judges, the NOJ launched direct negotiations with the representatives of the two largest unions from the spring of 2018. Also, the NOJ sent its representatives to the HJA's Board Meeting and the CEU's Generally Assembly upon invitation.

As the previous years, the NOJ supported unions by tenders in 2018. The program received applications from a total of seven organisations. After the application period finished, five associations (Court Employees' Union, National Association of Companies Judges and Financial Judges, Hungarian Association of Administrative Judges, National Association of Labour Judges, Vox Iustis Association) received a total of 2,631,066 forints of support. The organisations are



going to spend the amounts, inter alia, on professional conferences, cultural events and secretaries' meetings.

### **3.4. Other opportunities of administrative participation for members of the judiciary**

The 2012 court administration reform greatly extended the opportunities of making contributions to self-administration. Court employees never had as many possibilities to have a say in the organisation's operation and to shape its future with their personal contributions and involvement as they do today. A key management method in the current model, an option laid down in the relevant laws, is the enforcement of the principle of immediacy, by which only people competent in the given matter play a key role in decision-making. Also, there is ample opportunity to give feedback.

## **4. ORGANISATIONAL INTEGRITY**

### **4.1. Audits by external agencies**

In 2018 a total of 82 external audits were conducted by 15 agencies and their local bodies in the institutions of the Courts Heading. Some of the audits did not involve any finding that required action or the deficiencies found were eliminated by the time the audit was closed. The external audits included 77 findings and proposals that resulted in an action plan.

External audit agencies and typical scope of audits:

- The State Audit Office checks the Courts Heading every year together with the corresponding institutions and Heading level appropriations during the Final Accounts within the audit of the implementation of Hungary's Central Budget.
- The Hungarian State Treasury checked the documents uploaded in its electronic data supply system.
- The NOJ's Audit Department as a management body checked the genuineness of the reports in all institutions of the Heading and two institutions' budget management.
- The Government Offices' Health Insurance/Social Security Departments checked compliance with the security rules during the audits of payment points and the use of the TakarNet system.
- The Disaster Relief Directorates checked compliance with the fire prevention rules.
- The National Tax and Customs Administration's County Directorates checked the lawfulness of management of procedural duties.
- The Hungarian National Archives checked the lawfulness of filing.

### **4.2. Litigious procedures against courts**

Pursuant to Section 86 (3) b) of Act CLXI of 2011 on the organisation and administration of courts (hereinafter: OACA), the NOJ shall act on courts' behalf in all actions. Representation is provided by the Legal Representation Department (hereinafter: LRD) as the unit designated by the NOJ's Bylaws.

Pursuant to NOJ Instruction 6/2014 (30 April) on the representation of courts in actions (hereinafter: Regulation), effective as of 1 May 2014, representation in litigation is provided involving the respondent courts represented by the NOJ. This calls for continuous cooperation between the NOJ and the represented respondent court and permanent consultation on all essential procedural actions.



The Regulation attaches considerable significance to the summary of litigious experiences as actions against courts reveal some recurring defects of substantive and procedural law and of administration by which certain courts are found against. These experiences help the NOJ's President to efficiently perform her responsibilities laid down in the OACA when making a proposal for legislation or a legal amendment, administering central training or exercising her right of notification whenever the need arises for a legal uniformity procedure.

Gathering experiences from litigious cases, gaining and sharing knowledge may help improve judicial integrity and uniform legal practices. Exploring the defects of justice may make sure that courts administer high-quality and timely justice, and that central administration is effective.

#### **4.2.1. Subject of actions against courts**

The vast majority of actions against courts include cases where the plaintiff as a person involved in a previous one challenges what happened during a litigious or non-litigious procedure. The petition may refer to any previous action in any branch or area of law (civil, criminal, labour, administrative, enforcement, liquidation, etc.). In their petitions, plaintiffs usually claim that the original action involving them violated some procedural or substantive law.

Plaintiffs launched a litigious procedure for

1. compensation of damage caused by the judiciary or by the exercise of public power,
2. determination of the violation of personality rights and for the payment of compensation/ grievance fee,
3. determination of the violation of the right to fair trial and for the payment of compensation/ grievance fee due to a protracted procedure.

Several actions are filed upon a petition stating all three grounds. Alternatively, the plaintiff changes his petition during the litigious procedure by enforcing his claim on multiple grounds.

Legal practices are uniform in that courts may only be required to compensate for any damage caused in their judicial capacity in the case of an extremely serious legal infringement or extremely illogical consideration.

A common feature of actions about personality rights is that the violation of a personality right can only be determined if the legal infringement is committed by violating an essential quality of the party's personality. A petition submitted on the grounds of the misinterpretation of a law cannot motivate the determination of the violation of personality rights. On the other hand, courts may only be required to pay a grievance fee subject to evidence that the party has suffered a disadvantage as a consequence of the violation of his personality right.

As far as basic procedural rights are concerned, the affected parties mostly seek justice claiming the violation of their right to the completion of the procedure within a reasonable time. Judicial practices had become largely established by 2018 in that the violation of the right to the completion of the procedure within a reasonable time as a basic procedural right and hence the obligation to pay a grievance fee may only arise from an unjustifiable inactive period.

In actions launched under Act CXII of 2011 on the right to informational self-determination (Info Act) the legal dispute usually revolves around the public interest status of data requested to be



disclosed. Personal data or information related to the party affected by the given litigious procedure may never be disclosed as data of public interest and procedural laws only authorise the affected party to have access to such data.

There is a lower number of pending service status actions filed by judges or court employees due to their employer's measure affecting their legal status or remuneration.

#### 4.2.2. Litigious procedures in numbers

In 2018 a total of 539 litigious procedures were launched against courts. In 380 actions (70%) courts had representatives from their own employees. These actions were typically less significant, such as cases terminated by dismissal of the petition without issuing an order, actions pending with the court's obligatory involvement (e.g. actions for the termination of joint title to properties subject to a court's right of enforcement).

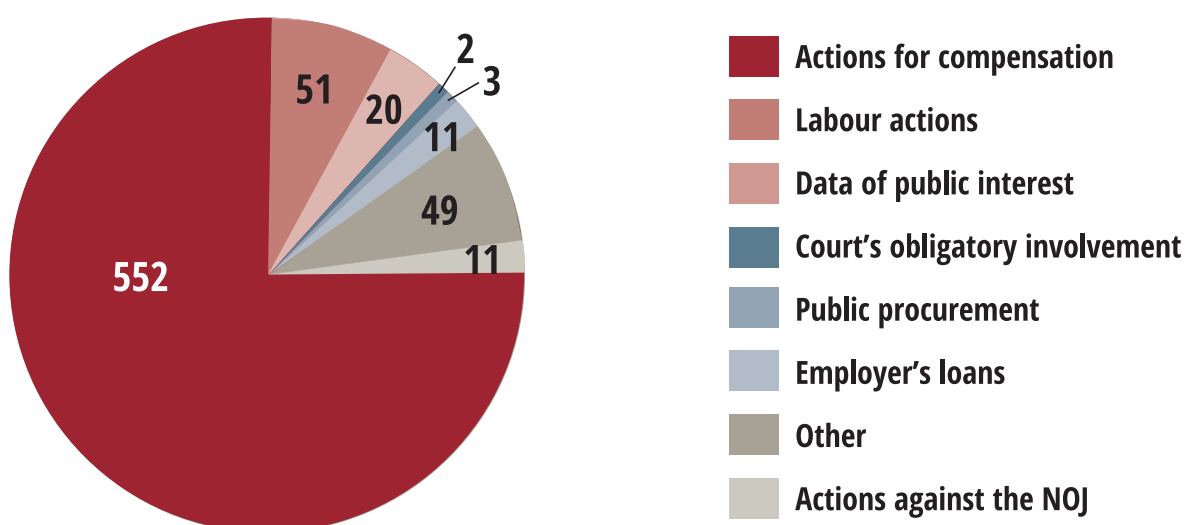
In 159 cases (30%) the NOJ was given a power of attorney. The majority of these cases were actions against courts for the compensation of damage caused within a court's competence, for personality rights and protracted procedures. There was a lower number of litigious procedures launched by judges and court employees over their service status.

At the end of the reporting period, there were 669 cases pending against courts. This is an aggregate number of cases with representation by the affected court's own staff and by the NOJ. In 227 cases courts had representatives from their own employees without giving a power of attorney to the NOJ.

2018 brought a steady increase in the number of actions where courts were represented by the NOJ. Compared to 418 litigious cases on 30 June 2018, this number (including newly filed actions) had grown to 442 by 31 December 2018. In parallel, the number of litigious cases with representation by the court's own employees had dropped from 253 to 227. In other words, courts increasingly gave powers of attorney to the NOJ.

The following diagram shows pending cases broken down to types.

*Actions against courts broken down to types in 2018*





The 694 cases terminated by a final decision included only eight where courts were found against. In other words, 99% of the petitions were ungrounded.

In the reporting period, respondent courts were ordered to pay 4,456,127 forints. This is a fairly low amount, less than 1% of the claims enforced in actions launched in 2018 (a total of 4,801,961,700 forints).

### **4.3. Internal audits**

The statutory framework for internal audits was created by Government Decree 370/2011 (31 December) on the internal control system and internal audit of budget authorities. Internal auditors work according to international audit standards, the internal audit standards and guides published by the Minister of Public Finances, and the internal audit manuals designed by the given budget authority and approved by its executive officer. To achieve the required level of organisational and functional independence, internal auditors directly report to the budget authority's executive officer and directly submit their reports to them.

The internal audit system of courts continued to operate as part of the monitoring system in 2018. Its design and operation followed the effective regulations as well as Hungarian and international standards. The NOJ's Audit Department (AD) worked according to the rules of procedure laid down in the Internal Audit Manual approved by the NOJ's President. Internal auditors at the Curia, appellate and regional courts work in their respective institutions according to the Internal Audit Manual approved by their president.

In line with the strategic objectives of the NOJ's President, the AD created a strategic audit plan for the 2015–2018 period, with the aim of auditing the use of public funds and subsidies at the highest possible level, bearing in mind the criteria of economy, efficiency, saving, rationality and use for purpose, so that the audit proposals promote transparent, corruption free and reliable financial management and the internal control system be fully built.

The audit strategy has two basic pillars:

- Internal court auditors should use standard audit methodologies for auditing financial areas, and the findings should be used at the Heading level with permanent feedback.
- Auditors should also support court presidents as assessors in their decision-making.

In 2018 the NOJ offered professional training to internal court auditors again. The Hungarian Academy of Justice hosted conferences on 30–31 May and 8–9 October.

In 2018 there were a total of 33 internal court auditors (including one full-timer), all of them with the statutory qualifications, practice and obligatory entry in the register of internal auditors kept by the Ministry of National Economy. Six of them worked for the NOJ's Audit Department, two for the Budapest Metropolitan Regional Court, and one for several regional and appellate courts at the Curia each.

In 2018 the AD performed a total of six audits. The entire judiciary was subject to one audit, performed by internal auditors according to the standard audit methodology designed by the AD. Afterwards, the AD performed the overall audit and summary.

The compliance audit of vehicle operation was performed by the internal auditors of appellate and regional courts according to the standard audit methodology designed by the AD. The AD prepared its summary report on the judiciary as part of another activity.



Audits of the entire judiciary and of appellate and regional courts:

- Financial audit covering the genuineness of the report, including the balance sheet as supported by the inventory, operation of the accounting system (conformity of ledger and analytic records, locking up surplus).
- Heading level systematic audit of the Szolnok Regional Court's budget management including 15 proposals.
- Heading level systematic audit of the Budapest Environs Regional Court's budget management. The final deadline for action in response to the 34 audit proposals was 30 June 2019.

Audits affecting the NOJ:

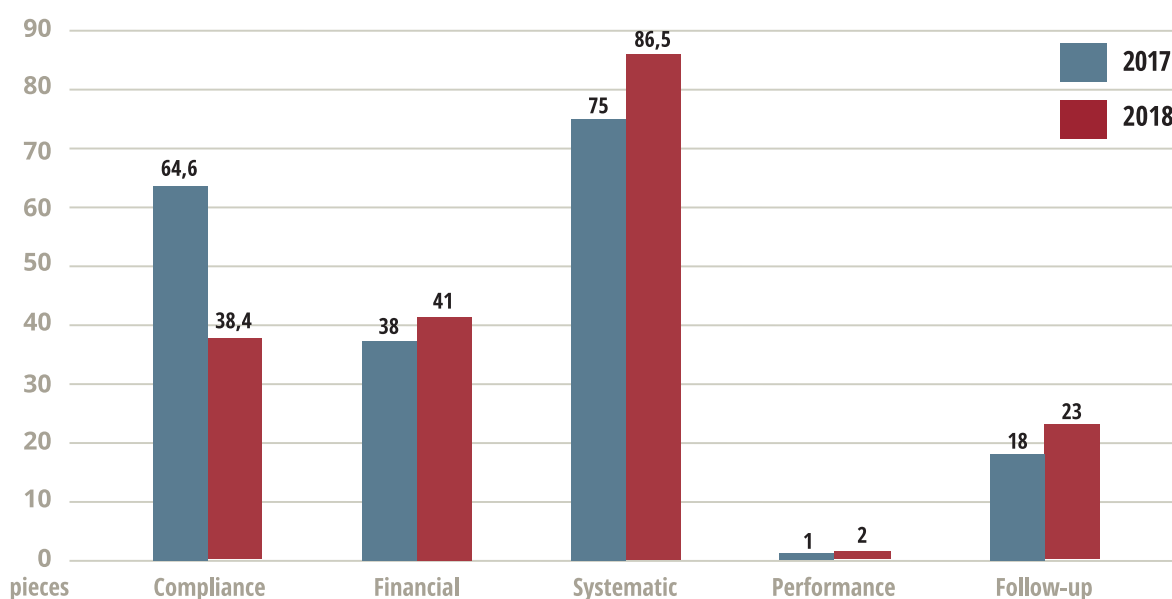
- Financial audit covering the genuineness of the report, including the balance sheet as supported by the inventory, operation of the accounting system (conformity of ledger and analytic records, locking up surplus). The audit made two proposals.
- Operation of the NOJ's IT warehouse. The audit made four proposals.
- Compliance audit of the NOJ's vehicle operation activities. The final deadline for action in response to the seven audit proposals was 28 February 2019.

By summarising Heading level experiences in the audit reports, performing analyses, drawing conclusions and exploring defects, the AD contributed to the improvement of process transparency and to enhanced discipline in financial management and control by the management body.

In 2018 the AD's audits did not reveal any fact giving grounds for establishing criminal or civil infraction liability.

In 2018 there were 190.9 Heading level audits, 17.8 more than planned.

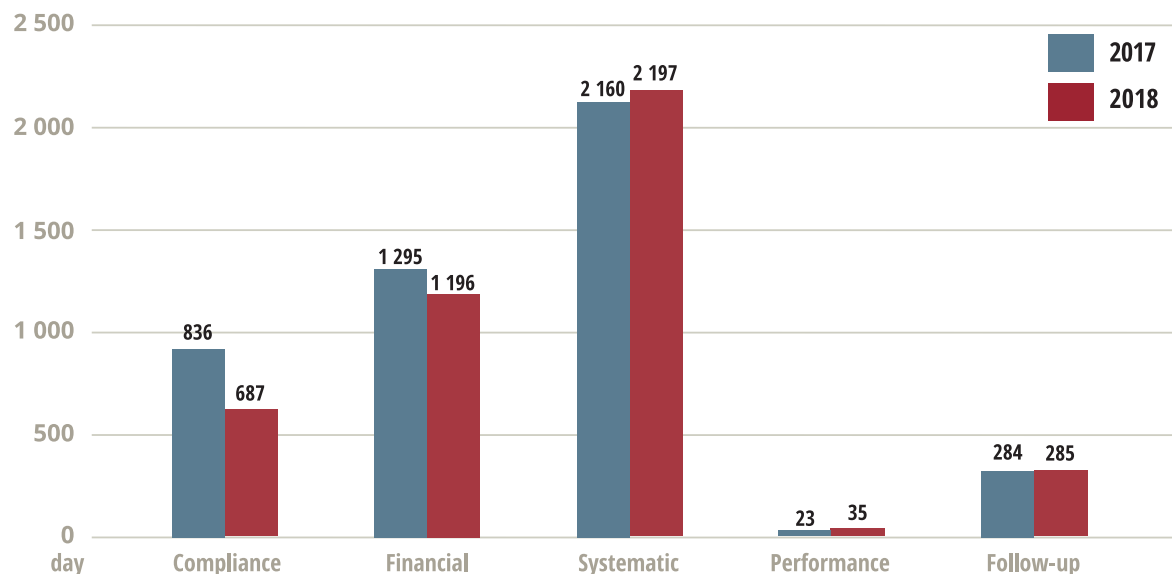
*Number of audits actually performed in the Courts Heading  
in 2017 and 2018*





In 2018 auditors spent a total of 4,380 days on audits.

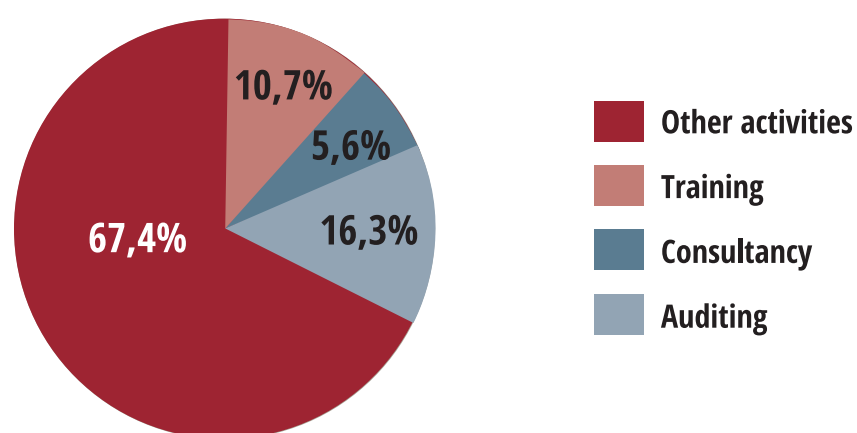
*Number of auditor days spent on audits in the Courts Heading in 2017 and 2018*



Distribution of auditor capacities in 2018:

- The number of days spent on audits was 67.4% of all auditor days. This rate was 4.7% lower than in 2017 due to the reduction of the number of auditors by one and to the permanent absence of one auditor.
- The number of days spent on consultancy had increased by 1.3% while those spent on training by 5.8%.

*Distribution of auditor days in the Courts Heading in 2018*



#### 4.4. Physical security

In 2018 courts reported a total of 93 extraordinary events to the NOJ, 30% less than 132 in 2017. It should be noted that 43 reports, nearly half of all, were submitted by the Budapest Metropolitan Regional Court.

As in 2017, a number of demonstrations were staged both in and outside court facilities, which were either suitable for disturbing the normal course of business or aimed at intimidating judges and court employees. In 2018 the number of such demonstrations dropped by more than half to 11 from 24 reported in 2017.



As a new phenomenon in 2018, the representatives of an NGO delivered a petition to seven regional courts. The event was professionally managed by the presidents of the regional courts.

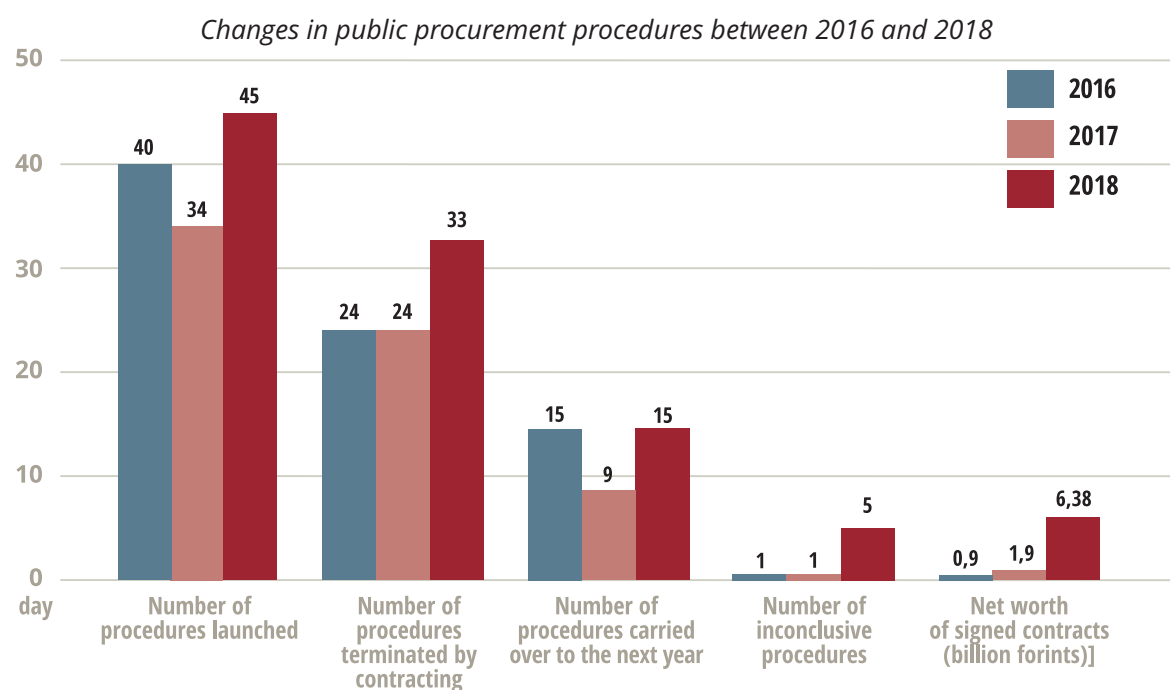
The decrease in the number of extraordinary events shows that the security of judges, court employees and clients in court facilities considerably improved in 2018.

Full compliance with and the professional enforcement of the rules of entry and conduct in courts and the NOJ meant that no event involved a high security risk at courts or the NOJ in 2018.

#### 4.5. Public procurement

In 2018 the NOJ as a classical contracting agency under Public Procurement Act Section 5(1)c) launched a total of 45 public procurement procedures for an estimated total of 14,833,878,798 forints net.

The next diagram shows changes in public procurement procedures:



The number of public procurement procedures launched grew by nearly 28.5% from 35 in 2017 to 45 in 2018. A contract worth a total of 6,384,344,752 forints net was awarded in 33 procedures, five procedures were inconclusive, and 15 procedures are expected to involve a contract in 2019, worth an estimated total of 7,907,673,580 forints net.

The NOJ's Public Procurements and Contractual Relations Department performed all public procurement procedures in full compliance with the effective laws and regulations. In the procedures it made sure the competition was transparent, clear and public. This is supported by the fact that the Public Procurement Arbitration Panel did not impose any fine in a legal redress procedure over public procurement procedures launched in 2018.

In the follow-up audits built in the process of public procurement procedures using European Union funds, the auditing agencies did not reveal any defect or deficiency and did not initiate any procedure for non-compliance.



In response to practical experiences and the revision of the relevant statutory provisions, the NOJ revised Internal Regulation 17/2018 (23 July) on public procurements and acquisitions, which became effective on 23 July 2018.

The NOJ arranges for permanent and up-to-date information to the public and for the transparency of public procurement not only by performing its statutory obligations but also by disclosure on its website. Specifically, it disclosed its 2018 Public Procurement Plan and its revisions and a monthly statement of contracts awarded in public procurement procedures.

## 5. THE INTEGRITY OF JUDGES AND COURT EMPLOYEES

### 5.1. Management of complaints and whistle-blowing reports

The management of complaints and whistle-blowing reports also has an impact on the administrative activities of the judiciary as client reports help the NOJ's President and court presidents to take administrative measures for timely and high-quality justice within their competence.

In order to simplify access to justice and to make client service faster and more efficient, the NOJ allows court clients to submit their complaints without personal appearance by filling in an electronic form via the Client Gate around the clock.

The complaints received and courts' proposals raised the need to review the effective complaint regulation. To this end, the NOJ prepared NOJ Instruction 7/2018 (11 July) on the rules of procedure for whistle-blowing reports and complaints by the second half of 2018.

In 2018 the NOJ launched 548 new complaint cases, an increase as opposed to 2016 but a decrease as opposed to 2017.

YEAR	2012	2013	2014	2015	2016	2017	2018
Number of complaint cases	569	478	557	416	401	605	548

Several clients tend to submit multiple complaints, often with the same content, even if the previous ones have been examined or if they are outside the scope of complaint management in terms of content and those clients have previously been notified thereof. This resulted in a total of 1,231 complaints submitted to the NOJ in 2018.

The distribution of complaints to appellate courts changed as opposed to 2017 in that the number of complaints to the Debrecen and Szeged Appellate Courts had dropped while the number of complaints to the Győr and Pécs Appellate Courts had risen. In 2018 the Budapest Metropolitan Appellate Court received roughly the same amount of complaints as in 2017. The percentage of complaints to regional courts and other courts in their jurisdiction continued to stagnate without a significance change in 2018 as opposed to 2017.

It should be noted that the NOJ did not receive any complaint about a number of courts in 2018, including:

- Salgótarján District Court in the jurisdiction of the Balassagyarmat Regional Court,
- Nagykőrös District Court and Budapest Environs Administrative and Labour Court in the jurisdiction of the Budapest Environs Regional Court,
- Hajdúböszörmény, Hajdúszoboszló, Püspökladány District Courts, and the Debrecen Administrative and Labour Court in the jurisdiction of the Debrecen Regional Court,



- Hatvan and Heves District Courts in the jurisdiction of the Eger Regional Court,
- Sopron District Court in the jurisdiction of the Győr Regional Court,
- Battonya, Gyula, Orosháza, Szarvas and Szeghalom District Courts in the jurisdiction of the Gyula Regional Court,
- Barcs, Fonyód and Marcal District Courts in the jurisdiction of the Kaposvár Regional Court,
- Kecskemét Administrative and Labour Court in the jurisdiction of the Kecskemét Regional Court,
- Ózd, Szerencs, Szikszó and Tiszaújváros District Courts in the jurisdiction of the Miskolc Regional Court,
- Fehérgyarmat and Vásárosnamény District Courts in the jurisdiction of the Nyíregyháza Regional Court,
- Mohács District Court and Pécs Administrative and Labour Court in the jurisdiction of the Pécs Regional Court,
- Makó District Court and Szeged Administrative and Labour Court in the jurisdiction of the Szeged Regional Court,
- Bicske, Dunaújváros and Sárbogárd District Courts in the jurisdiction of the Székesfehérvár Regional Court,
- Bonyhád District Court in the jurisdiction of the Szekszárd Regional Court,
- Tiszafüred District Court and Szolnok Administrative and Labour Court in the jurisdiction of the Szolnok Regional Court,
- Sárvár and Szombathely District Courts and Szombathely Administrative and Labour Court in the jurisdiction of the Szombathely Regional Court,
- Komárom District Court in the jurisdiction of the Tatabánya Regional Court,
- Tapolca and Zirc District Courts in the jurisdiction of the Veszprém Regional Court,
- Zalaegerszeg Administrative and Labour Court in the jurisdiction of the Zalaegerszeg Regional Court.

Most client complaints to the different courts challenge

- the judge's failure to take action,
- the protraction of the case,
- administrative deficiencies.

An essential change as opposed to the results in 2017 is a sharp decline in the number of complaints of substantive law by 2018. Several complaints applied for a review of complaint management and included requests within the competence of the court acting in the matter. In some cases, clients applied to the NOJ's President to designate a different judge or court but their number had been low in previous years and remained such in 2018. In a few instances, clients requested the NOJ for information about their actions, options to enforce claims or the provisions of a law.

The NOJ's President manages complaints and whistle-blowing reports as a priority because they can reveal systemic deficiencies. Accordingly, a client's complaint may give grounds for ordering a review. To this end, the NOJ often monitors the management of complaints submitted to it but subject to evaluation by another court, ordering a review or target review as necessary.

In 2018 the NOJ requested information about complaint management in nearly 2.5% of the complaints forwarded and found out about the stage of processing by requesting a copy of the response letter to the complainant in 7.1% of the cases. These rates show a decline in information and a slight increase in response letters as opposed to 2017 (5.3% and 6.4% respectively), which also suggests that complaints concern fewer and fewer topics that anticipate



a major defect or deficiency subject to administrative remedy. In 2018, the majority of complaints challenged a protracted case or some procedural or administrative delay. Feedback from the affected courts showed that they had adopted the measures that were administratively possible and necessary in every case.

Also, court feedback on complaint management shows that action was taken in 20 cases, partly to adopt an otherwise required measure, partly to eliminate the causes of an explored defect.

In the first half of 2018, there were four cases and in the second half of 2018 there were two cases where the NOJ ordered courts to adopt the measures necessary for efficiency in complaint management and for timeliness in justice.

As mentioned in subparagraph 7.2.2.2 of chapter “I. – The Efficiency of Justice”, no target review was launched upon any complaint or whistle-blowing report in 2018.

## **5.2. Judges’ disciplinary status**

In 2018 a total of six judges (one deputy president of a regional court, one regional judge, four district judges) received a written warning. The persons exercising the rights of employment and appointment initiated a disciplinary action against 20 judges. In one case, the judge who received a written warning applied for a disciplinary action himself.

In 2018 the President of the Republic suspended the immunity of six judges. He gave his consent to four criminal cases pending since 2017, one criminal action launched in 2018 and to one civil infraction action launched in 2018.

A written warning was given to five judges due to breach of service (delay in drafting a decision; administrative delay; non-compliance with procedural and administrative rules) and to one judge due to a behaviour damaging the reputation of the judicial profession.

Persons exercising the rights of employment and appointment initiated a disciplinary action against six court presidents (one president of a regional court, one head of unit of a regional court, one president of panel of a regional court, one president of a district court, two heads of unit of a district court), one appellate judge, three regional judges, nine district judges, and one administrative and labour judge.

Disciplinary actions were initiated on the following grounds:

- *11 due to breach of service* (three delays in drafting a decision administrative delays; three non-compliances with procedural and administrative rules; two delays in drafting a decision and administrative delays and non-compliance with procedural rules; one delay in drafting a decision and drinking alcohol at work; one case of drinking alcohol at work; one non-compliance with rules of work),
- *6 due to a behaviour damaging the reputation of the judicial profession* (one owing to a criminal action for the misdemeanour of negligent road accident; one owing to a criminal action on the well-grounded suspicion of the felony of public document forgery; one owing to drinking alcohol at work; one owing to an aggressive behaviour at work against a co-worker; one owing to a threatening conduct against court employees; one owing to a misconduct under the Code of Ethics)
- *4 due to a behaviour damaging the reputation of the judicial profession and constituting a breach of service* (one delay in drafting a decision and non-compliance with procedural and



administrative rules; one delay in drafting a decision and administrative delay, non-compliance with procedural rules, inappropriate conduct against fellow professionals; one non-compliance with procedural rules, rules of work and a President's measure; one case of regular intoxication preventing work, also noticed by court employees and people at the trial).

In 2018 the first instance service court attached to the Budapest Metropolitan Appellate Court conducted 25 disciplinary actions (21 initiated in 2018, one in December 2017, two initiated in 2018 and resumed after suspension, one reopened upon the order of the second instance service court.) The second instance service court attached to the Curia conducted ten disciplinary actions in 2018, including two initiated in 2017.

Of the 21 disciplinary actions launched in 2018, the first instance service court completed six and the second instance service court completed two by a final decision until 31 December 2018. The second instance service court completed another case by a final decision and the first instance service court refused to launch one disciplinary action until 31 January 2019. Of all cases completed by a final decision, the first instance service court terminated three actions, issued one reprimand, imposed one minor reprimand and one salary reduction by two categories. The second instance service court upheld one first instance decision, overturned two first instance decisions, imposed a salary reduction by two categories instead of removal from office as imposed by the first instance service court, and imposed one salary reduction by one category instead of removal.

In 2018 service courts made a ruling in eight cases (four at first and another four at second instance) where the disciplinary action had been launched before 2018. In actions completed by a final decision, the first instance service court terminated one disciplinary action and imposed one minor reprimand and two salary reductions by one category. The second instance service court upheld three first instance decisions (imposing the disciplinary punishment of removal from office on a court president, one salary reduction by one category, and one minor reprimand) and terminated a second instance disciplinary action overturning the first instance service court's decision of refusal to launch a disciplinary action.

In 2018 six district judges had their immunity suspended and the President of the Republic gave his consent to five criminal actions and one civil infraction action due to the violation of the rules of right of way and overtaking. The criminal actions related to four offences committed in 2018 (two felonies of public document forgery, one felony of public document forgery committed by an official, one misdemeanour of negligent road accident) and one offence committed in 2017 (felony of public document forgery). Of these actions the one filed due to negligent road accident was terminated and the others have remained in progress.

In 2018 a total of 11 criminal actions were initiated upon the report of the same private accuser. These included one against a district judge due to another misconduct and the remaining ten against one regional judge and 35 district judges due to the misdemeanour of defamation. Of the 11 actions six (one for another misconduct and five for the misdemeanour of defamation) were terminated out of court (for another reason). A private accuser reported four district judges due to the felonies of abuse of a minor, abuse of office and abuse of personal data, and the misdemeanour of harbouring a criminal. The action was terminated out of court and the documents were submitted to the Prosecutor's Office as the report raised the suspicion of an offence indictable by a prosecutor.



In 2018 a civil infraction action was launched against six judges (two appellate judges, one administrative and labour judge, three district judges), including four minor infringements of road traffic rules, one case of speeding, and one violation of the rules of right of way and overtaking. The only civil infraction action pending (due to the violation of the rules of right of way and overtaking) is the one where the judge will have his immunity suspended. Of the five actions completed, three involved a fine, one involved an on-the-spot fine, and one involved a warning.

Of all criminal and civil infraction actions launched before 2018, 11 and three were completed in 2018 respectively. The criminal action for the misdemeanour of light battery was terminated as the private accusers withdrew their charges, the criminal action for negligent road accident was terminated after mediation on account of active repentance, and another eight criminal actions were terminated on other grounds. An action upon a private accuser's report of another misconduct was terminated and the documents were submitted to the Prosecutor's Office as the report suggested an offence indictable by the prosecutor. One civil infraction action involved a fine, one involved a warning, and another one was terminated by lack of evidence.

As in previous years, the number of written warnings and disciplinary and criminal actions against judges was fairly low as opposed to their actual headcount (2,933) as of 31 December 2018.

The NOJ's President set a number of strategic objectives including high-quality and timely justice, judicial integrity, transparent justice and administration, and predictable and monitored administration. These strategic objectives are served by NOJ Instruction 6/2016 (31 May) on the regulation of integrity. By virtue of Section 14 (2), revised as of 1 July 2018, a person authorised to take administrative measures who learns about any conduct subject to a disciplinary action shall seriously violate integrity if they fail to propose or initiate a disciplinary action against a judge or court employee without a legitimate reason, or fail to order one or inform the leader authorised to initiate a disciplinary action about any conduct underlying a potential action.

### **5.3. Court employees' disciplinary status**

In 2018 a written warning was issued to 22 court employees members (one assistant judge, 12 clerks, seven scribes, two blue-collar workers).

The grounds for issuing such written warnings included: violation of procedural and administrative rules; missing a deadline; non-performance, inappropriate or late performance of a judge's instruction; violation of filing rules; criminal action for the misdemeanour of driving while intoxicated; taking up a remunerated occupation without the employer's prior authorisation; adopting a conduct at work that is inappropriate for the judicial body and the position; unauthorised disclosure of a service secret to the office staff; providing information to clients without authorisation; violation of the rules of approving holidays; unexcused absenteeism; failure to return to work after completion of a course; violation of the obligation of cooperation with other court employees, adopting an off-work conduct that is inappropriate for the judicial body and the position.

The employer ordered a disciplinary action against 11 court employees (two assistant judges, four clerks, three scribes, two blue-collar workers). Of the 11 actions two were ordered upon the application of court employees issued with a written warning.



The grounds for ordering a disciplinary action included: reporting for work while intoxicated and hence incapable of work; leaving the place of service without permission; failure to perform the obligation of reporting at the place of service; non-performance or late performance of the obligations of drafting, correcting records, submitting documents to a higher instance, and following a judge's instruction; failure to report lost documents as lost; filing cases entrusted to them without completion; failure to report the delay of completion; wilful non-performance of job responsibilities; performance of a task without a written authorisation despite the judge's order to the contrary and failure to perform a judge's order; adopting an off-work conduct that is inappropriate for the judicial body and the position; criminal action against court employees.

The number of written warnings issued to court employees dropped from 31 in 2017 to 22 in 2018, while the number of disciplinary actions against them dropped from 17 to 11 respectively. Of the disciplinary actions ordered in 2018, the disciplinary panel imposed one reprimand, two salary reductions by one category in the promotion system, one salary reduction by one category in the promotion system, suspended on parole for one year, and one extension of the waiting time by one year in the promotion system, suspended on parole for one year, suspended three disciplinary actions until the termination of the criminal action by a final decision, and terminated another disciplinary action by determining that a disciplinary misdemeanour had been committed on account of the termination of employment.

Of the disciplinary actions ordered upon the application of court employees, the disciplinary panel terminated one by a warning and another one by lack of evidence that a disciplinary misdemeanour had been committed.

Of the disciplinary actions ordered prior to 2018, four were completed in 2018, including one by termination and a warning, one by a reprimand, and the remaining two by termination by the employer on account of the court employees' acquittal and the termination of the investigation against them.

#### **5.4. Declarations of property**

Judges and appointed secretaries are required to submit a declaration of property every three years by virtue of LSRJA Chapter XIII and NOJ Instruction 22/2012 (23 November) on the delivery, management and auditing of judges' declarations of property and the protection of data in the same.

In 2018 declarations of property were submitted by 632 judges and 325 appointed secretaries. No scrutiny of enrichment was launched.

#### **5.5. Verbal and physical aggression against judges and court employees**

Verbal, written and electronic aggression meant to discredit courts, judges and court employees showed an upward trend as opposed to 2017.

According to reports submitted by regional courts in 2018,

- one case launched in 2017 was completed by a final decision and
- two cases remained pending

for **offences against judges in relation to their service.**



A total of

- one case was launched and terminated by a final decision

for **the violation of a judge's personality rights or compensation claim in relation to their service.**

As opposed to 2017, in 2018 no regional court reported to the NOJ any action related to assistant judges, whether launched in the previous year or completed by a final decision.

### **5.6 Integrity Survey among judges**

In 2018 the National Office for the Judiciary distributed again its integrity questionnaire to explore all processes and circumstances affecting judicial integrity. This time, judges received a shorter and more focused questionnaire to share their opinions on a voluntary and anonymous basis as in previous years.

The survey findings reflect that judges recognise and consciously avoid any situation compromising integrity and corruption risks, and administer justice independently and without any undue influence.

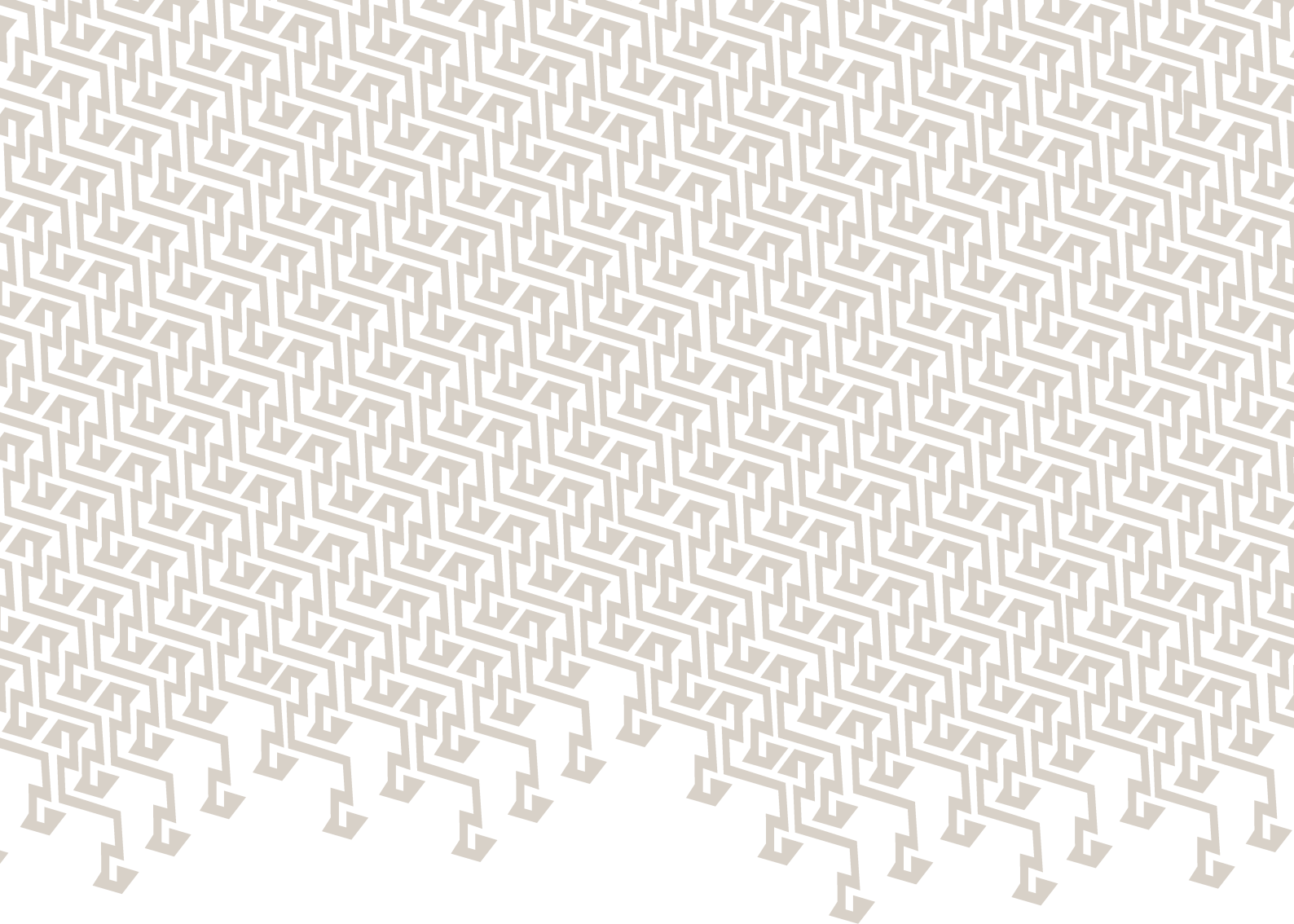
The comparison of data from the annual survey's first and 2017 editions shows that judges have increased their awareness of integrity as a result of measures in the recent period.

Another benefit of the questionnaire is that it highlights the importance of certain areas such as internal communication and thereby helps administrative court presidents at work.

### **FUTURE GOALS AND TASKS:**

- to continue the ongoing pilot programs and develop new ones for preparing nationwide introduction and identifying the potential defects, deficiencies and further development needs
- to reissue the judges' integrity questionnaire
- to take further action for enhanced judicial integrity
- to sign further cooperation agreements with educational and training institutions
- to conduct further Heading level audits, develop standard audit methodologies, and organise and continuously improve the operation of internal court audit systems







## V.

# ACCESS TO JUSTICE

In line with the strategic objective of simplified access to justice, the NOJ achieved the following main results in 2018:

- Client centres satisfying all 21<sup>st</sup> century needs were inaugurated at the Eger Regional Court and the Szigetszentmiklós District Court.
- The option of overall electronic administration became available at courts.
- The central website of courts came to include the menu E-ACTION 2018, a complex repository of information with a structured presentation of information materials and guides about electronic communication with courts, process descriptions for different types of cases, electronic forms, the required IT information and FAQs.
- In November 2018, the NOJ's website was redesigned to combine existing contents with a client centred and user-friendly platform.
- In 2018 all regional courts created a network of internal E-ACTION Contact Persons.
- More than 2,000 Open Court Programs were launched with active and creative contributions from courts and they attracted approximately 60,000 participants.
- In early 2018 the central website of courts launched "Legitimate Questions", a highly popular column about everyday legal matters of general interest with the help of experienced judges.



## 1. DEVELOPMENTS CONCERNING ELECTRONIC ACTIONS

### 1.1. E-ACTION

In order to speed up actions, the legislator decided to phase in digitisation more than ten years ago. By now overall electronic administration has become ubiquitous in courts.

The NOJ and courts as agencies engaged in electronic administration are required to communicate with clients electronically in all cases within their jurisdiction and competence.

From 1 January 2018, all agencies and individuals listed in Section 9 (1) of Act CCXXII of 2015 on the general rules of electronic administration and fiduciary services (E-Administration Act) are required to maintain electronic communication with courts in all cases in addition to those previously subject to electronic communication as required:

- in non-litigious enforcement actions,
- in non-litigious civil, financial, administrative and labour actions,
- in criminal actions,
- in civil infraction actions, and
- in the President's administrative actions.

From 1 January 2018, individuals acting in person remain free to opt for electronic communication in litigious and non-litigious cases and in the President's administrative actions. In response to the introduction of overall electronic administration and the new procedure codes (CPC, APC, CrPC), a number of IT developments were carried out in the Court Register Program.

#### 1.1.1. Civil actions

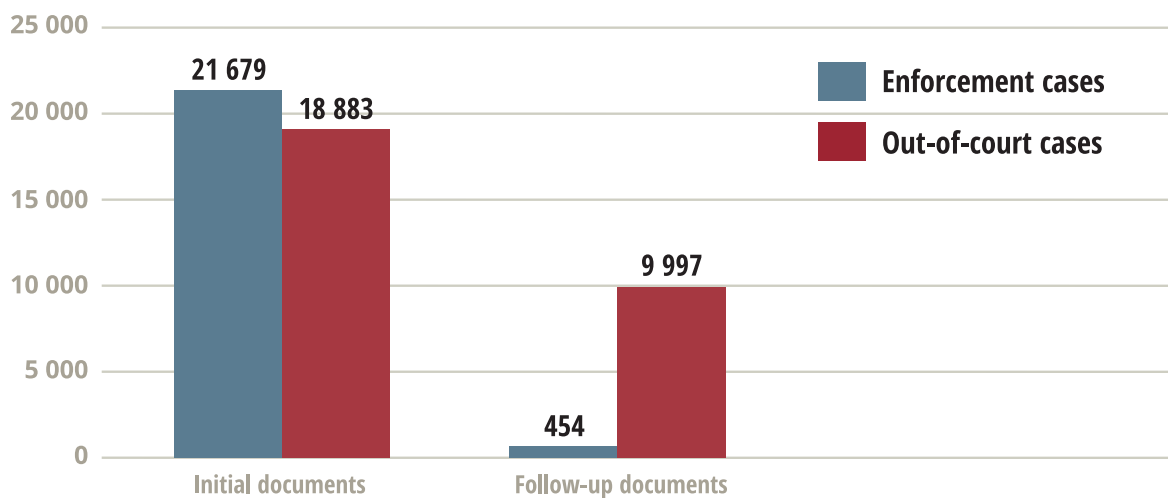
The introduction of overall electronic administration dynamically increased the number of e-filings in litigious and non-litigious civil actions (enforcement and out-of-court cases) in the reporting period. Court experiences show that even parties not obliged to e-communication often prefer this faster and cost-efficient form to paper-based communication, as confirmed by the following tables:

Changes in the number of e-filings (initial documents + follow-up documents) in civil actions between 2013 and 2018		Changes in the number of electronic initial documents in civil actions between 2013 and 2018	
Period	Number of filings	Period	Number of filings
2013	306	2013	92
2014	597	2014	108
2015	1,600	2015	244
2016	102,232	2016	33,582
2017	490,508	2017	91,080
2018	680,433	2018	100,295



The number of electronic filings in non-litigious civil actions (enforcement, out-of-court actions) has also been on the rise from year to year. In 2018 it exceeded 50,000 (initial and follow-up documents) as shown in the following diagram:

*Distribution of electronic filings in non-litigious civil actions in 2018*

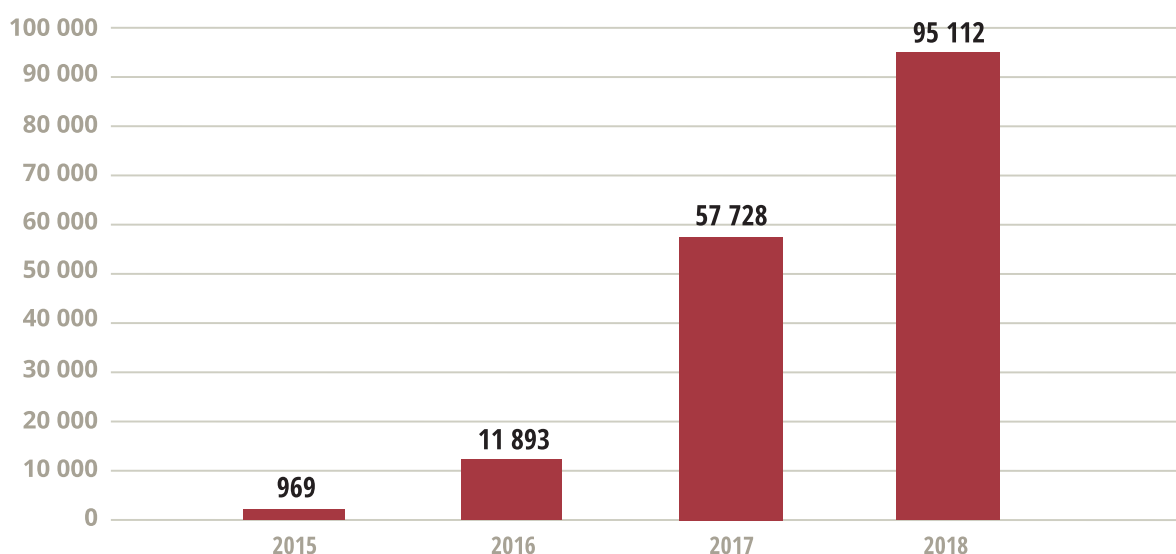


### 1.1.2. Bankruptcy and liquidation actions

As of 1 January 2015, debtors have been obliged to electronic communication in bankruptcy actions. Electronic communication was optional in liquidation actions from 1 January 2015 and became obligatory on 1 July 2016. The same applies to actions of objection related to basic cases and those aimed at the evaluation of disputed creditor claims.

By 2018 managing electronic forms (downloading, filling in data fields, e-signature, AVDH-authentication, annexing enclosures) and electronic delivery had become a daily routine for parties while processing and recording e-files had become a daily routine for court registries. Number of e-filings in bankruptcy and liquidation actions between 2015 and 2018:

*Changes in the number of e-filings in bankruptcy and liquidation actions between 2015 and 2018*





Pursuant to Article 24 of Regulation 2015/848 of the European Parliament and of the Council on insolvency proceedings ("Regulation") and Section 6/N of the Bankruptcy Act as amended, Hungary is required to create a Member State Insolvency Register. The electronic insolvency register ("InsReg") contains data of bankruptcy and liquidation actions launched in Hungary on 26 June 2018 and afterwards. The scope of data that courts must enter into the Insolvency Register electronically is detailed by the above laws. The Ministry of Justice and the NOJ held successive rounds of negotiations on the legal and IT details of creating the Insolvency Register. The IT solution is fully automatic for the bankruptcy and liquidation actions of companies. Courts supply data at the same time as the disclosed orders are submitted to the Companies Bulletin so the judges and clerks involved in the action need not do any extra work. The NOJ and the Ministry of Justice discussed the practical experiences of the new IT system in the second half of 2018 and both parties implemented the necessary corrections.

In the second half of 2018, NGOs started to supply their insolvency data electronically and the orders disclosed in the bankruptcy and liquidation actions of NGOs were integrated in the BIR-O program. The proposed IT development for NGOs will not only allow for generating orders in BIR-O and their disclosure from there but will also automatically perform a real-time collation of the entries in the civil register with the register data of BIR-O. As a result, the National Civil Register's internet platform will only feature bankruptcy and liquidation orders that contain correct data and are checked.

### **1.1.3. Criminal and civil infraction actions**

Since 1 July 2015, applications for simultaneous and ex-post inclusion in the aggregate punishment may be submitted and revoked electronically in criminal actions. From 1 January 2018, investigation authorities, prosecutor's offices, courts, correctional facilities and other government agencies are required to maintain electronic communication in criminal and civil infraction actions. Likewise, electronic communication applies to counsels and attorneys acting on behalf of any party to the action. By contrast, this is only an option for individuals.

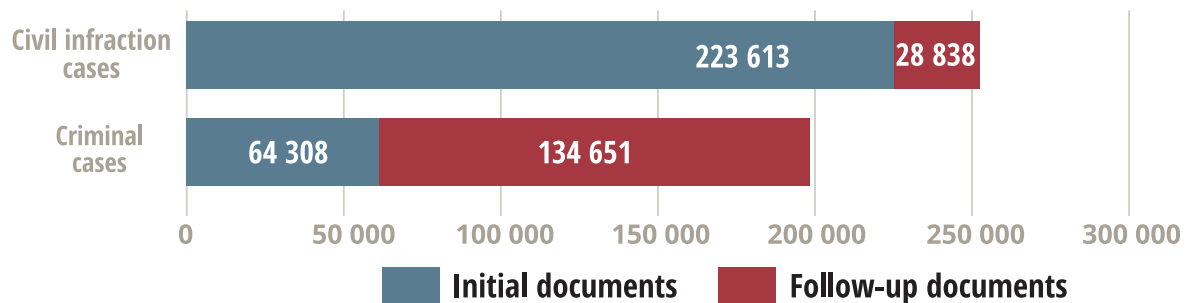
Act C of 2017 on criminal procedure, which came into force on 1 July 2018, introduced, inter alia, the use of telecommunications as a fast and cost-effective means of criminal procedure to make sure the affected parties are present. Before the entry into force, the NOJ used the experiences of VIKI, a previous project that started and finished successfully, for the national introduction of remote hearings and audiovisual courtroom recording. To this end, it launched its own VIA VIDEO project, starting to coordinate the construction of another 112 courtrooms suitable for remote hearings and audiovisual recording. In addition, in preparation for the new procedure code, the NOJ thoroughly tested the General Form Filling Program forms to be used in criminal actions for offering optional and obligatory electronic communication, activated them for clients and authorities, and gathered the experiences of use for their continuous maintenance, improvement and updating. The new procedure code incorporates the provisions of the E-administration Act for all rules of procedure. The NOJ processed all needs and practical problems identified during electronic communication and submitted multiple legal amendments for the lawmaker in the deregulation period.

In 2018 courts received

- 198,959 electronic documents in criminal cases, including 64,308 initial and 134,651 follow-up documents,
- 252,451 electronic documents in civil infraction cases, including 223,613 initial and 28,838 follow-up documents.



*Changes in the number of electronic documents filed in criminal and civil infraction cases in 2018*



The year 2018 required close cooperation and efficient communication with partner agencies, chambers and clients in terms of electronic communication. In order to maintain a daily working relationship with court registry staff, members of the competent judicial chambers, and IT professionals at regional courts, an efficient and rapid response HelpDesk ([helpdesk.justice.hu](mailto:helpdesk.justice.hu)) enabled courts to manage electronic documents received as part of electronic communication in a professional and timely fashion. After the entry into force of the new procedure code, the NOJ continuously liaised with criminal E-ACTION contact persons and managed courses and discussions to promote efficient and successful administration of justice, and planned and managed nationwide courses for criminal and civil infraction judges, assistant judges and other staff in procedural law, case management, BIIR user skills, giving them professional support.

#### 1.1.4. E-ACTION 2018 menu

In preparation for the introduction of overall electronic administration on 1 January 2018, the E-ACTION 2018 menu was created in late 2017. A subpage available from the central website of courts ([www.birosag.hu](http://www.birosag.hu)), E-ACTION 2018 is a complex repository of information with structured contents including details, guides, process descriptions, electronic forms and Frequently Asked Questions about electronic communication with courts. It seeks to facilitate and simplify access to justice.

The NOJ's website was redesigned in November 2018, giving a new form to the platform of electronic communication and administration, combining the existing contents with client-centred and user-friendly platform.

#### 1.1.5. E-ACTION Helpdesk

Designed for examining client queries and complaints, Helpdesk ([e-ugyintezes@birosag.hu](mailto:e-ugyintezes@birosag.hu)) continued to operate smoothly in 2018. In the reporting period, Helpdesk received 1,177 queries. The queries affected the following topics in e-communication: general information about the relevant legal background and IT conditions; duty payment; electronic signature, AVDH; submitting and filling in forms; error reporting; lost filings; notifications; IT matters.

The platform makes sure queries about electronic communication are responded in a professional and timely manner. The average response time was two business days in reporting period.

#### 1.1.6. Electronic forms

In 2017, in preparation for overall electronic administration as of 1 January 2018, the entry into force of the GDPR and the new procedure codes, the NOJ started to improve client forms, develop further forms and prepare the related case descriptions and fill-in guides.



In the first half of 2018, the NOJ introduced forms for non-litigious enforcement, non-litigious civil financial, administrative and labour, criminal and civil infraction actions, and the President's administrative cases. In the second half of the year, the NOJ continuously altered the existing forms in compliance with legal amendments, incorporating all changes related to the Central Identification Number (KASZ) and the Bar Association's legal advisor.

Keeping pace with digital development, the NOJ started preparations in 2018 for the switchover required for using the (online) iForm form filling software.

#### **1.1.7. Network of E-ACTION Contact Persons**

The NOJ established its Network of Civil and Criminal E-ACTION Contact Persons back in 2016. Its members are judges serving in the given branch with profound theoretical and practical knowledge in electronic communication.

The Network of Civil and Criminal E-ACTION Contact Persons held bimonthly meetings. The professional days aimed to deepen members' knowledge about electronic communication in terms of procedural law, administration, IT and system use, to share their skills and local best practices, and to adopt a standard position. Communication and exchange of knowledge between members of the Network of E-ACTION Contact Persons are made more efficient by the working team platform developed as part of the Novell Vibe platform.

The operation of networks is particularly important because their members contribute efficiently on the premises in responding to questions, channelling proposals and comments, providing information, performing any development and bill assessment task and all training tasks associated with electronic communication. In other words, E-ACTION contact persons are mainly responsible for helping judges and court employees efficiently in professional and even technological terms in their daily work.

In 2018 each regional court established its network of E-ACTION Contact Persons so that every unit in its area of competence should have at least one professional intimately familiar with electronic communication to provide help, contribute to answering local questions, manage local courses, and channel proposals and comments.

#### **1.1.8. E-ACTION courses**

In response to the introduction of overall electronic administration as of 1 January 2018, a number of central, regional and local courses were held.

These aimed to promote the deepening of theoretical and system use skills about e-communication.

Key central courses:

- Civil E-ACTION Contact Persons' Days
- Criminal E-ACTION Contact Persons' Days
- National Civil E-ACTION Day
- National Criminal E-ACTION Day
- Electronic administration in civil actions, topical issues of e-actions (key users' training for registry staff)
- Electronic administration in criminal actions, topical issues if e-actions (key users' training for registry staff)
- Use of telecommunications devices, audiovisual recording at criminal trials

E-ACTION contact judges cooperate with the participants of key users' courses organised by the NOJ to manage local training and hence make sure that the judiciary is well-prepared and has deep and up-to-date knowledge about electronic communication.



### 1.1.9. Cooperation and presentations associated with electronic actions

**On 29 March 2018**, the NOJ E-ACTION gave a presentation to the Minister, Minister's Commissioner, Deputy Secretary of State, senior officers and staff of the Ministry of Justice. The audience gained insight into electronic actions, the changes in and effects of electronic actions, and the IT background of electronic litigious and non-litigious actions. Also, the presentation discussed practical problems and proposed solutions.

**On 14 May 2018**, the NOJ gave a presentation to the staff of the Ministry of the Interior on the speech recognition software at the Hungarian Academy of Justice. In cooperation with the Zalaegerszeg Regional Court, the presentation demonstrated the operative mechanism of speech recognition software used at courts together with the practical skills required for their use.

The NOJ presented the electronic developments introduced at courts in recent years to a number of international delegations:

- **28 February 2018**: judges from Thailand
- **04 April 2018**: judges from Algeria and the staff of the Algerian Ministry of Justice
- **26 June 2018**: judges and IT professionals of the Vietnam Supreme People's Court

**On 5 July 2018**, the NOJ hosted the **inaugural event** of the EU funded project "Further Digitisation of Court Administration (Digital Court)" No. KÖFOP 1.0.0-VEKOP-15-2017-00052 and the Digital Open Day. The full-day event brought together all appellate and regional courts of Hungary and the other legal professions. A set of exhibition stands presented the past, present and future of IT at courts, including the trial length calculator, text and email services, speech recognition software and remote hearing equipment.

**From 07 November 2018**, courts held **Digital Court Open Days** to present their electronic developments and electronic administration services introduced in recent years and the electronic developments of partner agencies, to popularise the Digital Court project, and to distribute IT devices for efficient e-administration.

In 2018 courts held **27** Digital Open Days on the following **locations** and dates:

- 07 November 2018 – Szekszárd Regional Court
- 12 November 2018 – Budapest 18<sup>th</sup> and 19<sup>th</sup> District Court
- 14 November 2018 – Budapest 20<sup>th</sup>, 21<sup>st</sup> and 23<sup>rd</sup> District Court
- 19 November 2018 – Pest Central District Court, Pécs Regional Court, Pécs Appellate Court
- 21 November 2018 – Budapest 2<sup>nd</sup> and 3<sup>rd</sup> District Court
- 22 November 2018 – Kaposvár Regional Court
- 23 November 2018 – Szeged Regional Court
- 23 November 2018 – Tatabánya Regional Court
- 23 November 2018 – Miskolc Regional Court
- 23 November 2018 – Székesfehérvár Regional Court
- 23 November 2018 – Veszprém Regional Court
- 23 November 2018 – Szolnok Regional Court
- 23 November 2018 – Kecskemét Regional Court
- 26 November 2018 – Budapest Administrative and Labour Court, Regional Administrative and Labour Division



- 26 November 2018 – Eger Regional Court
- 28 November 2018 – Budapest 4th and 15th District Court
- 28 November 2018 – Balassagyarmat Regional Court
- 28 November 2018 – Zalaegerszeg Regional Court
- 30 November 2018 – Győr Regional Court, Győr Appellate Court
- 30 November 2018 – Nyíregyháza Regional Court
- 30 November 2018 – Szombathely Regional Court
- 03 December 2018 – Gyula Regional Court
- 03 December 2018 – Budapest Metropolitan Regional Court (Civil, Financial and Criminal Divisions), Budapest Metropolitan Appellate Court
- 05 December 2018 – Debrecen Regional Court, Debrecen Appellate Court
- 05 December 2018 – Buda Central District Court
- 10 December 2018 – Curia

The event also enabled all judges, court employees, partner agencies and media professionals to find out about the results of judicial modernisation and the expected outcomes.

On 10 April 2018, the NOJ and **National Infocommunications and Service Ltd.** signed a **cooperation agreement** to establish court endpoints suitable for video communication. As a result, 72 remote hearing systems had been put in place by mid-September. The first such courtroom was built at the Eger Regional Court in April 2018. The development has enabled all 20 regional courts and the district courts in their jurisdictions to operate remote hearing equipment for a continuous, controlled and real-time audiovisual connection with any other endpoint.

At the end of 2018, NISZ National Infocommunications Service Ltd. delivered the award “The Infocommunications Project of the Year in Public Administration” to the National Office for the Judiciary, the Hungarian Prison Service, the National Police Department, the Supreme Prosecutor’s Office, and the National Tax and Customs Administration in recognition of their work to build remote hearing systems.

## 1.2. Electronic payments

In 2018 clients continued to pay statutory duties in most electronic court procedures via the Electronic Payment and Clearing System (ADER) and by transfer to the duty revenue accounts of courts kept with the Hungarian State Treasury.

In the reporting period

- 1,142,664,060 forints of duties were paid via the ADER and
- 4,176,118,529 forints of duties were paid by Hungarian State Treasury transfer.

On 1 March 2018, work started to develop the Court Payment Portal. Testing and the project were completed in October 2018. Court users received training on 19 October. The Portal makes the payment of duties and judicial claims, and the monitoring of payments easier for both clients and court employees. The Portal is expected go live in 2019.



### **1.3. E-register of NGOs**

#### **1.3.1. E-communication in the registration procedure of NGOs**

Introduced on 1 January 2015, the Civil Integrated Information System (CIIR) allows for electronic communication between courts, clients and prosecutors in civil registration procedures. In addition to the cases of obligatory electronic communication, clients choose to submit their applications to courts electronically more and more often.

The number of applications received does not show any dramatic change compared to previous years.

A look at national data shows that in 2018 a total of 107,117 documents (both initial and follow-up) were submitted in civil registration actions, including 29,441 electronically. In other words, 27% of all documents received were electronic.

Compared to 2017, the number of documents received electronically (29,982) had grown by a few percent (25%) with respect to all documents received.

#### **1.3.2. New scope of data and developments**

The E-Register has been continuously developed since 1 January 2015.

The improvement of the Civil Integrated Information System (CIIR) used for the registration of NGOs and other non-corporate organisations reached its next stage.

In the first half of 2018, a number of developments were completed for a new order generation feature in the CIIR from July 2018, designed to make procedures of registration and registration of change more efficient and faster. The order generation feature allows for automatic data extraction from the forms filled in and submitted electronically by clients and for feeding such data in the CIIR without human intervention. The software uses the extracted data that are requested to be registered to generate a sample order that greatly facilitates and speeds up the work of the professionals in charge.

The introduction of the new application will mean a breakthrough for professionals in the civil branch as it greatly contributes to work by significantly speeding up the entry of data in addition to the registration procedure and by reducing the number of potential errors caused by slips of the pen.

The five-day national course presenting the use of the new feature was successfully completed by 125 participants. The new version of the CIIR was put into operation on 25 June 2018 based on proposals by the participants.

### **1.4. Companies branch**

Act V of 2006 on public corporate data, courts' companies procedure and voluntary dissolution was greatly amended as of 1 July 2018, greatly incorporating the NOJ's proposals. In essence, the change uses the options offered by IT, by which some of the data and facts to be registered are incorporated in the companies register by virtue of an automatic order (enforcement, filing an action, declaration of termination, etc.). The program and sample orders were made with the NOJ's contribution.



As the final deadline for limited liability companies' capital increase expired on 15 March 2017, the number of the related applications for registration of change dramatically dropped. While limited liability companies submitted 133,757 applications in 2017, this number had dropped to 91,911 by 2018.

At the same time, ex-officio review proceedings against limited liability companies that had failed to increase their capital raised the number of forced strike-off actions by approximately 48% in 2018 compared to the previous year. In the reporting period, a total of 24,535 actions were launched against limited liability companies.

Also, the number of applications for the registration of new companies has been rising from year to year. This is not only caused by the economic boom but also by the fact that applications for the registration of individual companies, general partnerships, limited partnerships and limited liability companies may be submitted free of charge.

## 2. CLIENT RELATIONS

A strategic objective of the NOJ's President is to simplify access to justice and to facilitate citizens' acquisition of information. This objective is served, inter alia, by electronic administration services.

### 2.1. Client centres

In the 21<sup>st</sup> century the requirement that clients are received by duly qualified professionals in an environment that is appropriate for the relevance of their cases is natural in both the private and the public sectors. The same applies to courts visited by thousands of people every year for administration.

The faces of open court as a service provider, client centres are designed to create a new culture of administration. The idea is that court clients should be able to resolve their cases more simply and faster under modern and comfortable conditions.

The NOJ has always viewed the matter of setting up client centres as a complex issue including the development of a unique design for rooms where clients are received, the standardisation of administrative processes, proper training for the staff in charge, and the publication of plain information guides.

The first client centre was inaugurated at the Eger Regional Court in April 2018, followed by the client centre of the Szigetszentmiklós District Court in October 2018. In October 2018, in order to coordinate the building of further client centres, the President of the National Office for the Judiciary set up a working group supporting the uniform design of client centres, aimed at preparing a manual with a complex summary of the method of building and operating client centres, providing courts with efficient help and guidance for building their respective client centres.

The following client centre of a uniform design providing complex and professional services will be inaugurated in the new building of the Budapest 2<sup>nd</sup> and 3<sup>rd</sup> District Court. Work is underway to assess further potential venues and building development projects also envisage client centres.



## 2.2. Electronic administration services

The electronic administration services introduced in 2015 continued to operate smoothly in 2018.

- **Judicial Electronic Information and Warning System (JEIWS):**

- provides registered clients and attorneys with access to the basic data of cases and with text and email notifications of important procedural acts:
  - in 2018
    - number of newly registered users: 1,252;
    - number of new cases affected by registration: 786;
    - number of new users subscribed for text and email notifications: 818;
    - number of text and email messages to users: 1,058.

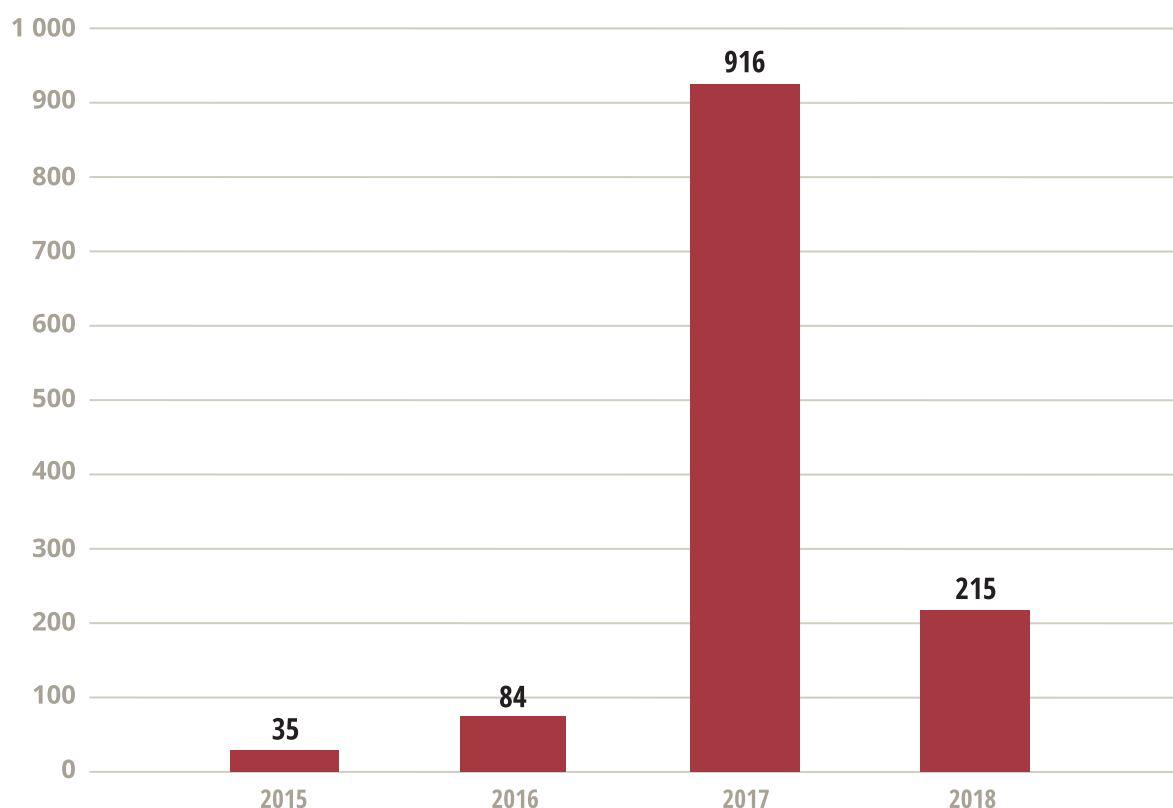
- **Trial Length Calculator application:**

- An online service that helps citizens to check the average time of individual case types at the given court.
- In the reporting period, the app was used for 1,873 calculations.

- **E-complaint management:**

- Clients may submit their administrative complaints electronically on a 24/7 basis.
- In the reporting period, clients used this option 215 times.

*Changes in the number of e-complaints between 2015 and 2018*





### 2.3. Client satisfaction assessment

To meet 21<sup>st</sup> century expectations, the judiciary also increasingly lays emphasis on the extension of client relations and the function of courts as service providers, specifically assessing and improving client satisfaction.

For the continuous development of the function of courts as service providers and hence for improved client satisfaction, it is vital for courts to receive client feedback, whether positive or negative, on court services and procedures, staff's work and the entire judiciary.

Client satisfaction questionnaires provide courts with relevant client responses to inform further improvements. The idea is to use all, mostly positive, feedback received so far to make the administration of justice as client-friendly as possible.

The results of client satisfaction assessment of a nationally uniform design may promote the definition of central developments of court services in the future.

In 2018 work started to review NOJ President's Recommendation 2/2015 (13 April) on the rules of communication forms applicable between courts and clients during court administration and to develop an NOJ Instruction on the client relations of courts, to be finalised by the working group supporting the uniform design of client centres. The draft instruction has a separate subheading on client satisfaction assessment, which developed a client satisfaction questionnaire of a nationally uniform design. The draft contains provisions, inter alia, on the conduct of client satisfaction assessment and the use of its results, determining the NOJ's tasks in the client satisfaction assessment process. The rules are based on court experiences gathered at the NOJ's best practices workshop held on 8–9 November 2017.

### 2.4. Digital Court Project

The main aim of the Digital Court Project is to make court administration faster and more efficient.

As a result of such developments, clients are able to administer their cases faster and for lower costs, whereas courts reduce their administrative burdens and hence achieve a more efficient working order.

The developments of Digital Court take place in the following areas:

- improving the disclosure and anonymization of court decisions,
- digitisation of case files (creating e-files) and allowing electronic access to case files,
- establishing an online connection between electronically available public registers and court information technology systems.

These improvements are expected to

- make court decisions searches easier and faster,
- allow 24/7 online access to case files independently from time and space,
- enable courts to request data from public registers (e.g. land register) to minimise the scope of data to be requested from clients and to conclude court procedures faster.

The project is implemented with support from the European Union within the Széchenyi 2020 Program.



### 3. COMMUNICATION

#### 3.1. Communication strategy: state-of-the-art client information

A key objective of 21<sup>st</sup> century modern courts is clear communication, which greatly contributes to the simplification of access to justice. 2017 was the year of clarity at courts. This remained a key idea in 2018. The NOJ worked hard to help clients seeking justice and the general public to know and understand the operation of the judiciary, increasing their trust in courts and integrity.

In 2018 the judiciary shifted its focus to clients. The developments aimed at digital court, the building of client centres, informative publications and videos, the continuously updated social media, and the improvement of the central website were all meant to offer clients access to the necessary information using modern technology.

In 2018 providing timely and appropriate information to clients about the new CPC and APC with effect from January and the new CrPC with effect from 1 July was a key communication task for the judiciary. The central website and courts released short infographics and guides, and the press spokespersons' network launched coordinated communication via multiple media outlets across Hungary to present the most important changes to citizens seeking justice.

Another key change in terms of communication was the introduction of the new [birosag.hu](http://birosag.hu) website in 2018. From late November 2018, the central website of courts offers visitors a client-friendly design, a new structure, up-to-date information and a number of new contents.

##### 3.1.1. Network of Press Spokespersons and Press Secretaries

The Network of Press Spokespersons and Press Secretaries assists the judiciary in its uniform communication. The Curia as well as each appellate and regional court has its press spokesperson and press secretary. Their contact data are available on the central website of courts.

The Network coordinates national and local communication to convey the judiciary's messages to clients and citizens on both levels. Press spokespersons and press secretaries play a key role in both external and internal communication. They ensure the flow of information inside the organisation, update the contents of local websites, monitor high-profile cases, liaise with the local media and the national media as necessary, and provide information.

The NOJ holds a course to press spokespersons and press secretaries twice a year. In the first half of 2018, the Hungarian Academy of Justice hosted a two-day course for press secretaries in February and another one for press spokespersons in May. The main topic was plain language. Press secretaries were explained the main characteristics of plain language and were offered workshops with communication experts to learn techniques of plain language. Press spokespersons also completed a television and radio practice, and attended a presentation technique course. The program was designed to help press spokespersons prepare more efficiently for responding courts received by courts fast and in plain language.



In the autumn of 2018, the courses focused on the communication experiences of the new procedure codes. In addition, press spokespersons and press secretaries listened to marketing presentations and found out about each other's communication best practices.

### **3.1.2. Plain Language About Courts Working Group**

In 2014 the members of the Network of Press Spokespersons and Press Secretaries established the Press Spokespersons' Working Group, primarily tasked with promoting uniform court communication. In November 2017 the working group was transformed, had its responsibilities and headcount extended, and continued to operate with the name Plain Language About Courts Working Group. Its aim is to develop the external and internal communication activities of courts, to promote plain information, and to enhance the efficient communication of the Network of Press Spokespersons and Press Secretaries.

In 2018 the working group helped to standardise communication at General Meetings of Judges and contributed to the organisation and management of courses for press spokespersons and press secretaries, with informative professional presentations by its members.

In addition, they participated in the edition of the book "The judiciary's press releases in the light of media suitability", coproduced by the NOJ and the University of National Public Service. The book looks at court press releases from recent years and teaches readers how to write good press releases through a number of examples. It explains the importance of choosing a good and eye-catching title and using plain language. It explains with methodological examples why it matters for a press release to cover a particular judgement briefly and concisely and to explain the legal terms that are relevant for understanding the case. Citizens primarily learn about court decisions, key events and results from the media, so press releases issued by press spokespersons and press secretaries may add to people's legal knowledge and may increase public trust in courts.

## **3.2. Online platforms**

### **3.2.1. Central website**

In 2018, the NOJ worked hard to develop online communication and to upgrade online platforms, especially its central website and social media presence. The judiciary should keep abreast of 21<sup>st</sup> century communication trends and bear in mind the different communication habits and needs of various target groups. Revamping the central website was a key task for 2018.

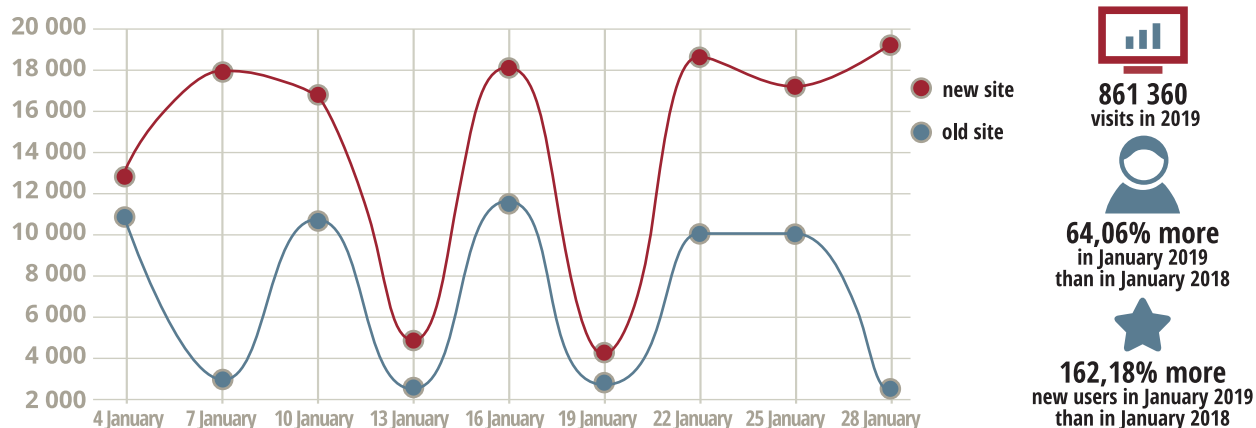
#### **3.2.1.1. Revamping the central website of courts**

From November 2018, visitors are offered a new modern platform at [birosag.hu](http://birosag.hu). Redesigned in a client-centred approach, the website "Hungary's Courts" offers a number of novelties, interviews and professional recommendations. Its user-friendly and clear structure helps clients to find information and its colourful and informative contents provide plain information on the most important news and events of the judiciary. The clear platform and thematic contents make the website easier to understand, and the search engine offers fast and simple access to information.

In January 2019, the [birosag.hu](http://birosag.hu) website received more than 366,700 visits, 164.06% more than in January 2018.



### *User statistics of birosag.hu in January 2019*



#### **3.2.1.2. News and press releases**

The central website of courts features current news, interviews and press releases concerning the judiciary. In 2018 it disclosed 582 news items and 1,509 press releases. The website is also available in English. From October 2018, the most important contents and news are also available in English.

The NOJ uses interactive and spectacular infographics for its news to promote comprehension, particularly when providing comprehensive and informative materials about statistical data, projects or a remote hearing.

In early 2018 it launched "Legitimate Questions", a highly popular column which seeks to answer common legal questions that affect everyday life with the help of experienced judges.

Also from 2018, the NOJ produces multiple videos every week. The videos are available on the NOJ's YouTube channel (NOJ Media), birosag.hu and the NOJ's Facebook page. In 2018 it disclosed a total of 107 videos. Most people watched the video introducing Dr. Sándor Vajas, the NOJ's new Deputy President (3,014), the animated short film "Judicial Compass – Going to Trial" (2,436) and Client Assistance Instead Of Complaints Day (1,672).

In cooperation with the Moholy-Nagy University of Art and Design, the NOJ launched "Judicial Compass", a series of animation films with clear explanations of key information about courts and actions. So far, the NOJ has released two episodes. "Going to Trial" explains citizens what to do if summoned to a trial while "Testifying in Court" presents the tasks, rights and obligations of witnesses. The films and information leaflets are also available for clients seeking justice in client centres. The NOJ is planning to produce further animation small films in 2019.

#### **3.2.1.3. Central online newsletter**

The news and press releases of birosag.hu are offered to media professionals, press spokespersons and the press representatives of partner agencies in a newsletter every Thursday. The newsletter is sent out to over 200 addressees every week to draw their attention to all events and news of the given week.



### 3.2.2. Social media, Facebook

As a result of the information revolution of the 21<sup>st</sup> century, classical communication channels (such as TV, radio, and print press) have dramatically lost their significance while the role of social media has become much more important by today.

This prompted the judiciary to be actively present in social media. In 2018 the NOJ strove to maintain daily communication on Facebook. The platform features news, interviews, information materials, events and photographic or video contents of public interest.

In 2018 the site's popularity rose dynamically in terms of both likes and followers. Users were increasingly active throughout the year and analyses show that they specifically looked for the NOJ's Facebook page. On 31 December 2018, as many as 3,558 people liked the page, 25% more than on 1 January.

In 2018 the NOJ appeared on Instagram, too. It doubled the number of its followers and its film contents are the most popular. From 2019, the NOJ will lay great emphasis on developing its presence on this platform, too.



### 3.2.3. Central intranet

Internal communication aims to provide court employees with current news and information. The central website of courts is one of the most important platforms of internal communication that allows for the flow of information, continuous liaison between courts, and the exchange of best practices. Also, each regional and appellate court already has its own internal intranet site as an important channel for communicating local news and information.

The central intranet is continuously expanding and developing in line with users' needs. We made a separate video playing platform for direct access to motion picture contents.

In 2018 the NOJ assigned a separate menu to each of its big projects so users can find specific information on anything they are interested in.

### 3.2.4. Central intranet newsletter

Court employees can find out about news and events every week from the central intranet newsletter every Thursday, already published with a new design and a structured form. The newsletter is sent out to all staff so the most important news of every week reach approximately 11,000 addressees.



### 3.3. Media relations

External communication channels provide contact with citizens seeking justice, other legal professions, external agencies and the media. They are designed to present the judiciary's operation, results, successes, objectives and plans. The NOJ and the members of the press spokespersons' network keep in touch with the media on a daily basis.

In 2018 courts responded to more than 1,200 media inquiries whereas the NOJ received 76 media inquiries.

One of the most efficient forms of communication with the press is to hold press conferences for the efficient communication of current topics and for clarifying journalists' comments. In the reporting period, appellate and regional courts held a total of 57 press conferences and 13 press breakfasts.

Events open to the press, which are most important for the media, include court trials, of which courts summarise those relevant for the media and the NOJ discloses these every week on the central website of courts.



### 3.4. Publications

Publications are one of the most common means of visual information. In 2018 the judiciary continued to lay great emphasis on this form of communication. Appellate and regional courts released a high number of publication in 2018, too, both within the György Ráth Court History and Tradition Competition and for the press conference before the spring edition of the General Meeting of Judges.

Publications by the National Office for the Judiciary include:

- Reports by the NOJ's President:
  - First semi-annual report 2017
  - First semi-annual report 2017 in English
  - Annual report 2017
  - Annual report 2017 in English



- Client information publications:
  - Organisation Guide
  - Going to Trial
  - Client Helper
  - Testifying in Court
  - Petition
  - Dialogue Instead of Pleadings
  - Flyers introducing the new procedure codes
- Administrative publications:
  - Judges' job applications
  - Court Presidents' job applications
  - Court history publications
  - 6<sup>th</sup> Courts and Communication in Hungarian and English
  - Client centres
  - Via Video publication in Hungarian and English
  - Further digitisation of court administration (Digital Court) project
  - Justice scoreboard in Hungarian and English
  - New generation flyers
  - THEMIS competition publication
- Creative publications:
  - Courts in Focus photo book
  - Gallery

### 3.5. Events

#### 3.5.1. Events open to the media

Courts and the NOJ held a number of events open to the media in 2018, too. In spring every appellate and regional court held a press conference before the General Meeting of Judges but court history was also given great emphasis in autumn. The Hungarian Academy of Justice hosted a number of domestic and international conferences and the overall rebuilding of the Eger Regional Court was another high-profile media event.

In 2018 the National Office for the Judiciary organised professional conferences, historical commemorations, building project events and others for the information of judges and citizens, especially:

Press conferences before the General Meeting of Judges at each appellate and regional court in Hungary (March–May):

- Training for the E-code CrPC trainers (22–26 January)
- Inauguration of the Eger Regional Court's new building (3 April)
- Courts in Focus book presentation (26 April)
- NOJ press talk (5 June)
- Court history exhibition in Edelény (7 June)
- Mathias I and Justice – a conference of court history (18–19 June)
- Digital Court Open Day (5 July)
- Court History Week (17–21 September) – Andor Juhász Memorial Day (20 September)
- Court History Day in Nagyatád (21 September)



- Court History Day in Kaposvár (21 September)
- Court History Conference in Debrecen (27 September)
- Inauguration ceremony of the Szigetszentmiklós Client Centre (3 October)
- NOJ-MOME strategic partnership agreement (3 October)
- Inauguration of the Veszprém Administrative and Labour Court (19 October)
- Court Mediation International Conference – Social embeddedness/aspects of court mediation (17–18 October)
- Inauguration of the Pécs Administrative and Labour Court (16 November)
- Announcement of results at the Dunakeszi District Court building tender (26 October)
- 3<sup>rd</sup> Alternative Dispute Resolution Conference – Alternative Dispute Resolution in the Gate of Digital Challenges (3–4 December)
- Courts in Focus photo competition – award ceremony (5 December)
- Consilium Peritorum (6–7 December)
- Anti-corruption cooperation agreement – Professional round table discussion and statement open to the media (Integrity Round Table) (10 December)

### **3.5.2. General Meetings of Judges**

In the first half of 2018, each appellate and regional court held a press conference before the General Meeting of Judges where court presidents reported on their results in 2017. Each venue exhibited the winning pictures of the Courts in Focus Photo Competition. As in 2017, a national report of a uniform design was prepared for the press to disclose the main results and successes of the year.

### **3.5.3. 6<sup>th</sup> Court and Communication International Conference**

On 11–12 October 2018, the NOJ held the 6<sup>th</sup> Court and Communication international conference with 100 participants from 16 countries. The central topic was modern client information. The two-day event brought together renowned foreign and domestic professionals with presentations on how to build a court brand, a look at the judiciary's opportunities in the online world and why permanent presence in social media matters. Also, they discussed the importance of client satisfaction assessment and the way it may help courts' work.

Foreign and domestic judges and communication professionals shared their best practices and experiences in court communication. The invited speakers explained that Hungarian courts are in Europe's forefront in terms of court communication.

The highly successful conference series, which has brought together nearly 500 participants from various European countries in the past five years, is closely associated with the intention of the NOJ's President to make access to justice easier.

## **3.6. Courts in Focus Photo Competition**

The Courts in Focus Photo Competition aims at a creative presentation of the buildings, work and daily life of courts. Over the past four years, more than 230 applicants have submitted 1,200 photos, an average of 300 per year. On 26 April 2018, the National Office for the Judiciary presented the book Courts in Focus at the Robert Capa Contemporary Photography Centre. This exclusive book contains the most outstanding photos of each edition of the annual competition since 2014, over 150 by a total of 75 photographers.



In 2018 photographers were invited to submit pictures in four categories (Court work, daily life in courts; Facades and internal spaces of court facilities; The environment of court facilities, emotions and moods inspired by court facilities; Courtroom pictures). The jury evaluated mobile phone photos separately. The announcement received a total of 471 photos from 49 contestants. The award ceremony took place in the NOJ's vestibule on 5 December. The four-member jury selected one winning work in each category. A special prize was awarded to the contestant who received the most audience votes on the competition's online platform. In addition, the jury, the NOJ's President and the Curia's President awarded a special prize each.

### 3.7. Open Court Program

More than 2,000 Open Court Programs were implemented with the active and creative contribution of courts, attracting an estimated total of 60,000 people. The 2,043 court programs were attended by 937 schools and 58,325 students. Most programs were run by the Szeged Appellate Court (554) while most classes (268) and most participants (7,543) were reached by the Pécs Regional Court.

#### MOST PROGRAMS: MAY

**406** | **20%**  
One-fifth of all programs

#### MOST CLASSES: MAY

**296** | **42 times more**  
programs than in the weakest month

#### MOST PARTICIPANTS: NOVEMBER

**8045** | **14%**  
of all participants

#### SECOND MOST PARTICIPANTS: MAY

**8002** | **5.3 times more**  
than in the weakest month

#### MOST ACTIVE MONTH: MAY

The NOJ continuously discloses Open Court news on its central website and the central intranet. Upon the redesign of the central website (birosag.hu) a key consideration was to help interested people find national programs including Open Court easily. Now clients can select the menu About Courts and go on to National Programs, a spectacular page with tiles in the background, to learn about the program's outcomes and the contact information of contact persons.

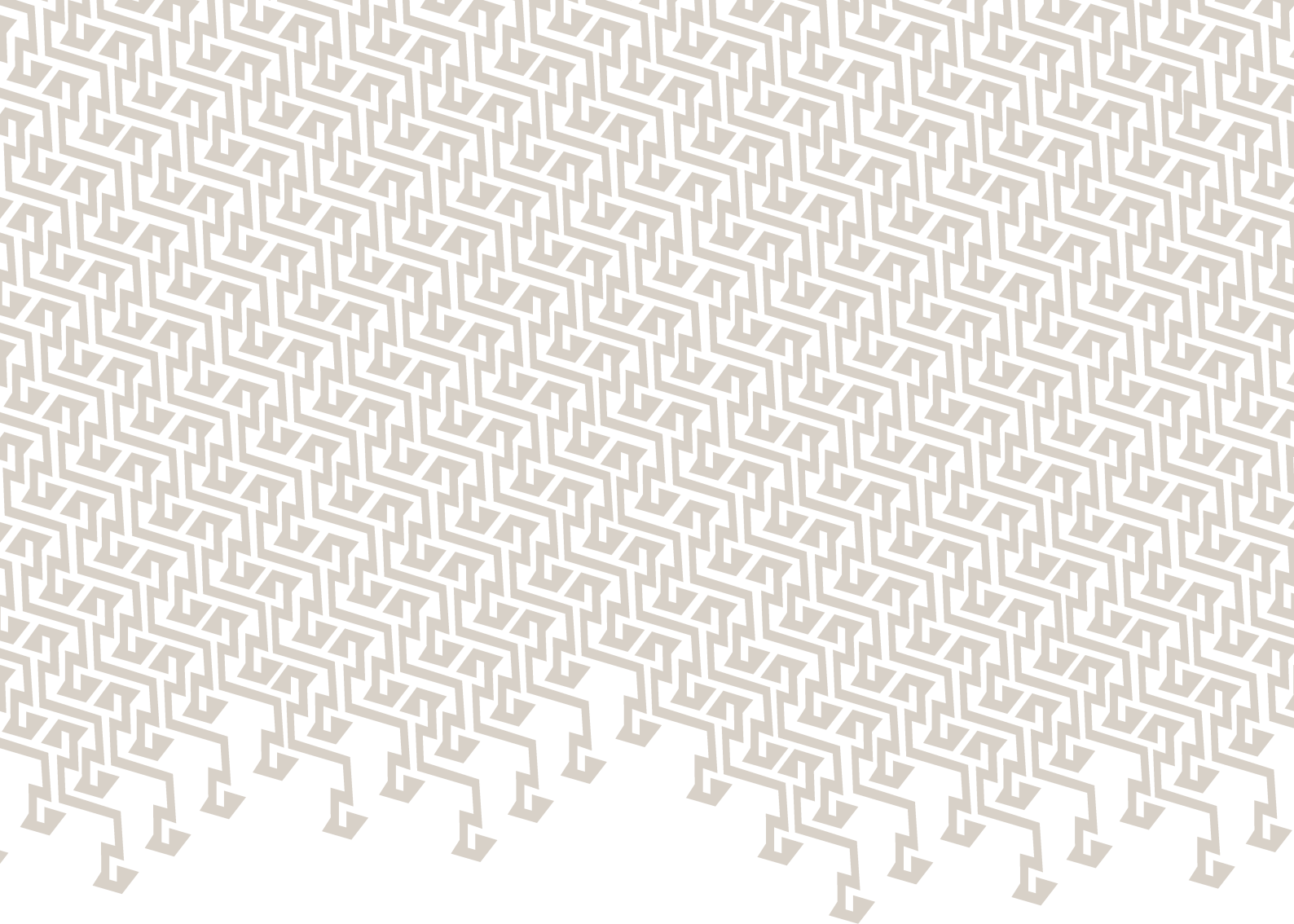
It was in 2013 that the NOJ launched the Open Court National Program in the spirit of social responsibility, to help young people become legally conscious citizens and choose the judicial profession. The events primarily target high school students, 7<sup>th</sup> and 8<sup>th</sup> graders in primary school, and university students. In 2018 courts made an appearance at different festivals such as the Chocolate Festival in Szerencs or the Street Music Festival in Veszprém, and offered diverse activities at the Night of Museums and European Justice Day.



## FUTURE GOALS AND TASKS:

- to install the Court Payment Portal in 2019
- to extend the via video system by building further courtrooms suitable for remote hearings and au-diovisual recording
- to issue information guides and hold presentations on digital court developments
- to enhance marketing and PR activities
- to extend the scope of audiovisual and visual contents
- to develop the Press Spokespersons' Network
- to improve the English language website







## VI.

# TRAINING

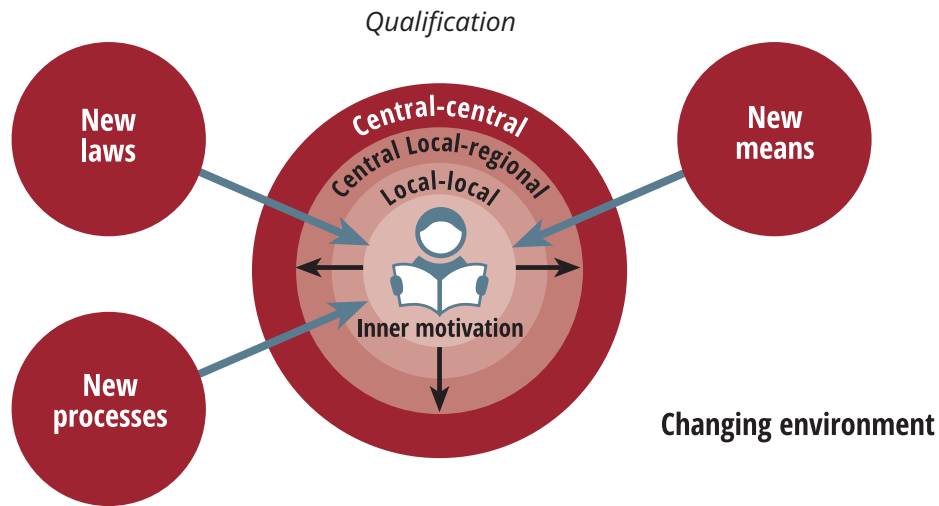
In harmony with the strategic objectives of its President, in 2018 the NOJ achieved the following key results:

- Comprehensive national courses in the new procedure codes, including e-learning and contact hours.
- The iCorso training management software was tailored to a court environment and introduced for national use.
- The user platform of the National Court Library Catalogue was upgraded.
- The NOJ hosted the scientific court history conference Mathias I and Justice in Visegrád.
- The NOJ supported several courts in applying for the EJTN bilateral exchange program.
- The first issue of the quarterly European Legal Consultants' Network Newsletter came out.
- In July 2018 the Cyber Crime Court Network was set up.



## 1. DEVELOPMENTS IN THE TRAINING SYSTEM

### 1.1. Structure of the training system



Since its inception the NOJ has worked for its strategic objective to develop its training system. Such development is only successful if it supports all courts in facing the challenges of their changing environment, which keeps generating new knowledge to be learnt. Lawmakers not only fine-tuned the existing laws but also reconsidered the big codes to reform the legal system. This meant for courts that the new foundations had to be learnt not only by new entrants but also by everybody. As shown in the diagram, qualification is greatly influenced by a set of external factors as new laws generate new processes to which we give efficient responses with new means but this must be learnt by all.

Comprised of both central and local/regional courses, the central training system is designed to prepare judges and court employees for whatever they must learn and to support the satisfaction of professional needs across the judiciary. This is achieved with the involvement of the training managers' network as they know each local area of court employees that requires development and promote the establishment of courses designed for such purposes.

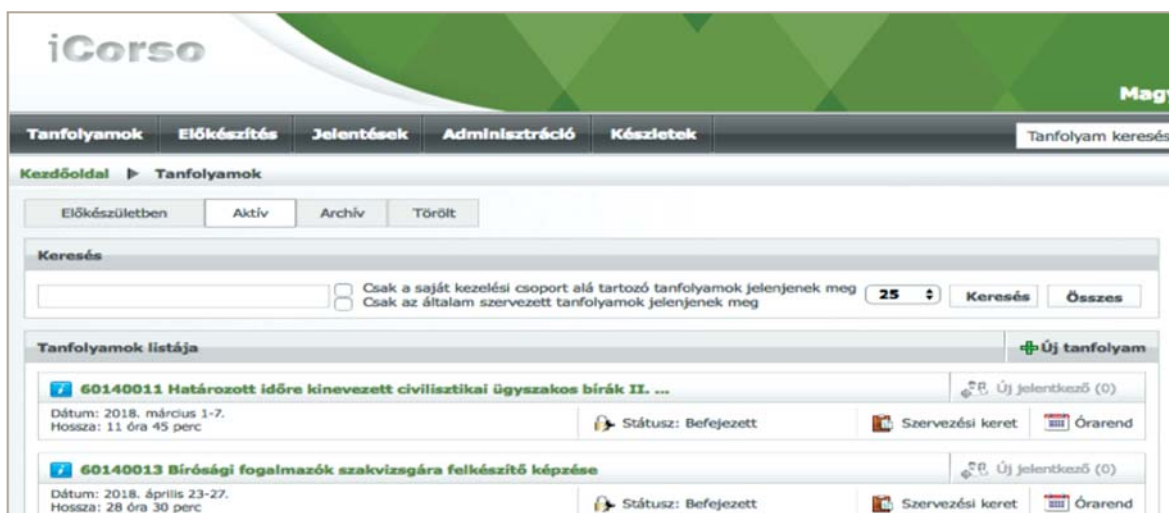
However, qualification not only takes what we must learn in a changing environment, i.e. what we can use as knowledge via the central training system, but also local training and self-study. These two areas are powered by inner motivation, individual or local interest and the quest for knowledge. Local courses are administered by courts while self-study is the individual's sole responsibility. The NOJ also supports these initiatives, bringing in external knowledge via postgraduate law degrees or PhDs and via conferences, international trips and scholarships.

### 1.2. Development of the training registration system

The enhanced interest in training logically involved a sharp rise in the number of courses and graduates. In 2018 this quantity remained approximately six times as high as it used to be upon the NOJ's inception and we closely cooperated with the training managers and assistants of regional and appellate courts and the Curia. This sharp rise motivated the introduction of an electronic system to support course administration and registration. Back in 2017 the HAJ started to develop its training registration system of national and local/regional courses held on multiple locations, partly following up and partly independent from each other. The system went live in late March 2018.



The program's adoption was followed by testing and multiple rounds of repetitive training supported by a course material. The HAJ will use the program for all central courses across Hungary from September 2018 and for local/regional courses from January 2019. This program is capable of generating the necessary documents with one-time data entry and of archiving them with 100% accuracy to serve future statistical and individual data requests.



### 1.3. The spread of e-learning courses

On 13 July 2017, we started to use the Coospace e-learning platform with the course material on the new Civil Procedure Code. Since then we have uploaded course materials for nearly all target groups as the CPC was followed by the APC and, in March 2018, the new CrPC. An indicator of the e-learning site's efficiency is that we created as many as 26 training sites in the year after its introduction with a total of 8,657 visitors who spent 4,611 hours reading and downloading course materials.

## 2. CENTRAL TRAINING PLAN AND PROGRAMS

In 2018 we continued to raise the level of individual and organisational knowledge in terms of training, in line with the idea of lifelong learning. In 2018 we planned central courses according to the following basic principles:

- identifying focus topics and focus groups,
- creating organisational interests and strategic points of connection and
- compliance with laws and regulations.

### 2.1. Key target groups for central courses

In 2018 the central training plan still served two purposes: to offer all judges and court employees an opportunity for general training and to identify focus groups and focus topics for finding all areas which should receive special attention to achieve major progress.

In 2018 court presidents as a target group of central courses continued to be a priority as their management activities pervade the entire judiciary. The training series started in 2016 for district court presidents, continued in 2017 for heads of division and went on in 2018 for regional and appellate court presidents. Also, we preserved our competence development program to support future court presidents.



As in previous years, we kept the new generation as a focus group in need of continuous special development including judges with less than six years of experience, assistant judges and trainee judges.

Network members and coordinators performing nationwide activities play a key role in the successful operation of the strategic programs of the NOJ's President and courts. They should be especially trained while performing their responsibilities to achieve standard quality across the country.

For the purposes of professional courses, senior and assistant judge and court clerks engaged in certain types of cases subject to designation and in special cases form a separate focus group. They should receive special treatment given their low number or their specialty areas where training is only possible at a national level.

In order to continue the flow of knowledge in and outside Hungary and to maintain our relationships with universities, other professionals and international partners, people participating at scientific and international events are a key focus group.

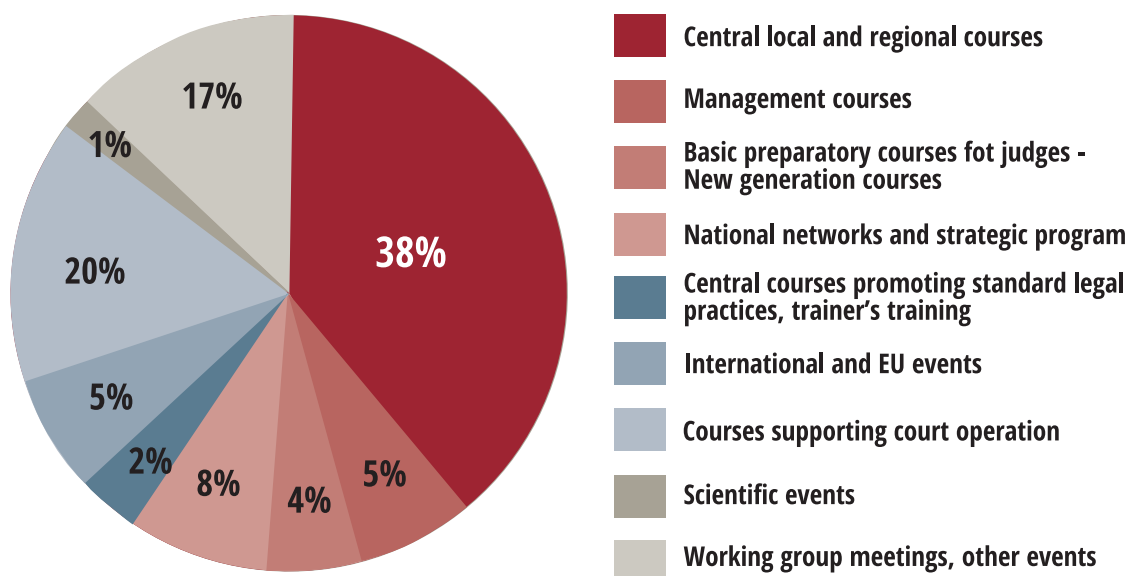
## 2.2. Key focus topics of central courses

The focus topics offered in 2018 were closely associated with the focus groups. Specifically:

- **Professional courses.** In 2018 the training topics revolved around the practical application of the new criminal, civil and administrative procedure codes. Another key area was the use of electronic apps by court employees.
- **Management competence development.** This training covered administrative, technological and competence based skills, incorporating experiences from the previous two years. Special emphasis was laid on the court employees' performance assessment.
- **New generation.** regular multi-week courses for trainee judges, assistant judges and judges appointed for a fixed term, preparing them for the profession, including course methodology, aimed at brushing up and updating their knowledge of procedural and substantial law, and at laying the foundations for and reinforcing the learning of special rules in ethics, integrity and the judicial profession.
- **Development of national networks.** This includes, but is not limited to, the networks of court mediators, EU advisors, press spokespersons, E-ACTION contact persons and training managers, usually in support of the national strategic programs of the NOJ's President. In 2018 courses on the operation of client centres received special attention.
- **Courses on types of cases subject to designation and special cases.** This training primarily concentrated on juvenile criminal cases, cybercrime, the rights of the disabled (during supported decision-making and guardianship actions), and fundamental rights (informational self-determination and freedom of information).
- **Scientific and international events.** These received special emphasis to boost scientific life and an external-internal knowledge transfer, communication with universities, other legal professions and international partners, and to raise the number of high-level scientific conferences hosted by the HAJ.



Central courses in 2018 by topics



## 2.3. Central, local and regional courses

### 2.3.1. Obligatory courses

As a follow up on our practices in 2017, the obligatory courses focused on preparation for the new procedure codes. At the same time, we not only provided classical legal training but also responded to the requirements for electronic actions and efficient justice. We increasingly administered our courses using the workshop method, which both teaches theory and offers an opportunity for discussing all practical problems arising from the revision of the given law.

In 2018 we offered a total of nine obligatory courses:

1. E-code CrPC preparation for the application of Act XC of 2017 on criminal procedure
2. PILOT modules 2, 3, 4 – Basic training for criminal judges hearing minors' matters
3. Regional training on the new International Private Law Act
4. New CPC in Practice workshop
5. Mental disability, communication, supported decision-making – Preparation for senior and assistant judges hearing guardianship actions
6. The new CPC for companies court clerks (bankruptcy and liquidation)
7. Practical matters of the Corvina National Integrated Court Library System (for base librarians)
8. Regional Action Management Competition
9. The new Data Protection Decree and the related main novelties

We held a total of 101 obligatory courses across Hungary for a total of 5,307 participants (judges, assistant judges, trainee judges and court employees). Most people attended the E-code CrPC preparation for the application of Act XC of 2017 on criminal procedure (1,577) and the new CPC in Practice workshop (1,984).



At the central course supporting the introduction of the new CrPC, we also made a professional audiovisual recording of the presentations to produce unprecedented electronic course materials and podcasts that are now available offline.

### **2.3.2. Recommended courses**

As a follow-up on our practices in previous years, we involved the training managers and heads of divisions of appellate and regional courts to offer a total of 25 recommended courses (12 civil, five administrative and labour, and eight criminal) with a free choice offered to judges, assistant judges and court employees.

1. Uniform practices of imposing punishments
2. Judicial practices of traffic crimes
3. Practices of evaluating civil claims and confiscating assets
4. Recent Constitutional Court decisions with respect to the new CrPC
5. Accessory measures (exhibits, civil claims, confiscation, confiscation of assets, criminal costs) – Decision drafting workshop
6. Qualification of financial crimes
7. Management of stress and unexpected courtroom situations for criminal judges
8. Supporting the practical application of the new CrPC
9. Problems of interpretation of grievance fee disputes in terms of substantial and procedural law in judicial practices
10. Inheritance rules revised in the wake of the new Civil Code
11. Practical matters of land registration and real right actions
12. Condominium actions
13. Professional training supporting electronic procedure – Computer room training for civil judges and secretaries
14. Basic preparatory training for judges
15. Course of burnout management techniques for family judges
16. Practical application of the new CPC
17. Practical changes in liquidation and bankruptcy actions in the wake of the successive revisions of the Family Act 2017 for civil judges and secretaries
18. Training for court employees supporting the President's administration
19. Supporting the practical application of the new CPC for clerks
20. Supporting the practical application of the new CPC for court officers
21. Business secrets, classified information, and service secrets in the practices of labour and administrative actions
22. Delivering tax law judgements
23. Current issues of social insurance and collective labour law
24. Current issues of administrative justice
25. Current issues of labour law

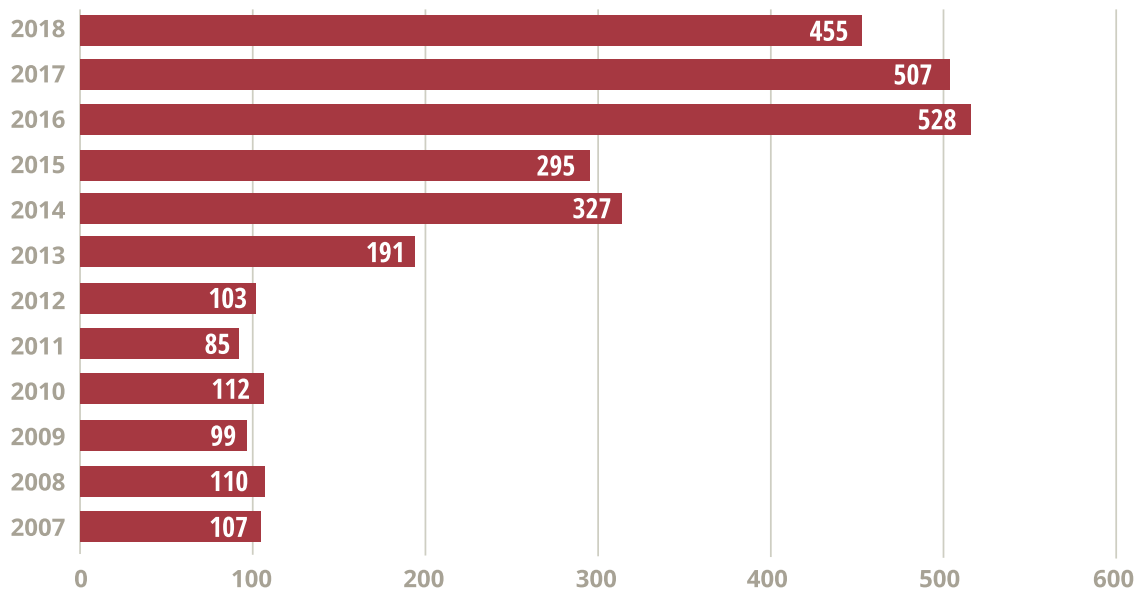
The 71 recommended courses were attended by a total of 3,509 judges, assistant judges and court employees. The most popular was the course Supporting the practical application of the new CrPC with a total of 373 participants.

### **2.4. Central courses at the HAJ**

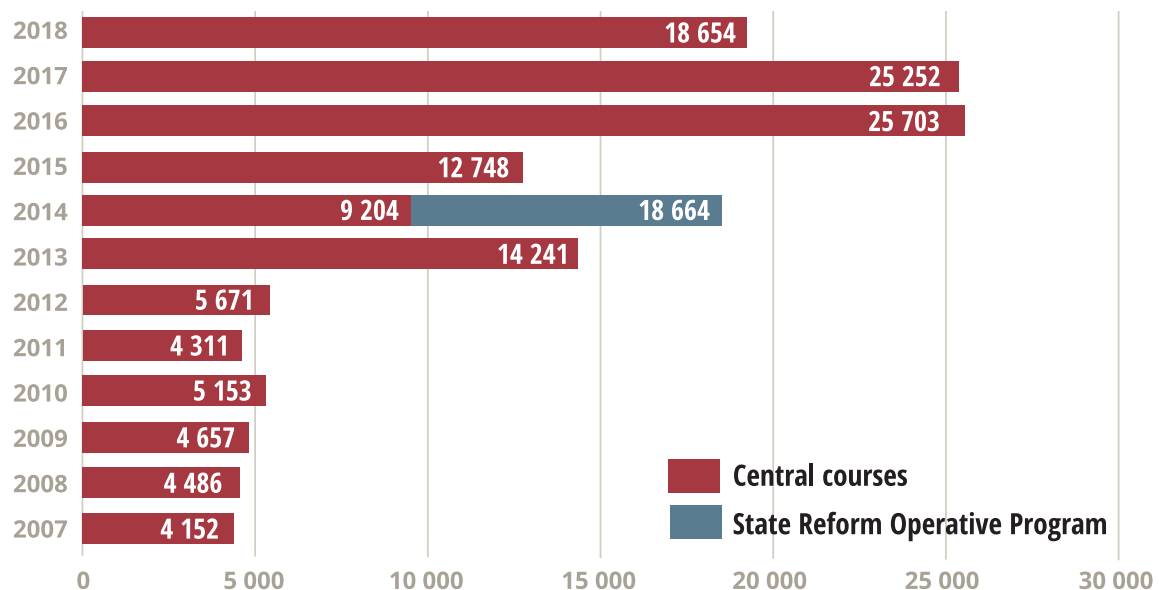
In 2018 central training was provided at 455 events to a total of 18,654 people, including 9,838 attending 282 central events at the HAJ. Court employees have access to an intranet training calendar to monitor and join central courses with continuously updated topics.



*Changes in the number of central courses across Hungary 2007–2018*



*Number of participants at central courses 2007–2018*



#### 2.4.1. National programs and networks

In 2018 the HAJ continued to support the NOJ's networks and working groups, hosted meetings, enabling networks to present their work to the judiciary at national conferences. In 2018 the HAJ hosted, among others, the following events:

- inaugural meeting of the new cybercrime court network,
- section meetings of the Network of European Union Legal Advisors,
- working group meetings (press spokespersons, CPC, APC and CrPC training and administrative working group meetings), conferences presenting national programs (managing the topics of Open Court, Witness Care and Victim Protection, and Child Centred Justice as priorities).



### 2.4.2. Courses supporting court operation related to electronic actions

The NOJ's new IT environment also posed challenges for training as the different types of software can only be used appropriately if court employees regularly using them become familiar with their operation and user interfaces. To this end, the HAJ administered courses supporting the use of the newly introduced electronic systems as it had done in previous years as a contribution to modernisation. This involved a number of courses for the following user groups:

- civil E-ACTION contact persons,
- users of the EIR v.3 and Secret Case Management software, and
- deposit managers.

Special mention must be made of the methodological courses aimed at the introduction of the iCorso training registration system, held for training managers and training manager assistants on a total of 14 training days.

### 2.4.3. Management training and New Generation courses

In 2018 court presidents remained a key focus group at the HAJ's central courses receiving most attention. Their training program continued to focus on courses developing complex management competences and collaboration.

*Competence* is a term denoting all knowledge, skills and attitudes that make individuals competent, suitable and reliable in terms of holding their position and performing their professional responsibilities. A competence based attitude means that the setting of tasks not only helps to identify the theoretical and practical knowledge required for their performance but also to develop and measure them specifically.

The following table summarises the competence development courses for court presidents in 2018.

Competence development courses for management training in 2018		
Name of course	Date of course	Number of participants
Management training – complex competence development course, Module 1	10–12. 01. 2018	13
Management training – complex competence development course, Module 1	05–07. 02. 2018	11
Management training – complex competence development course, Module 1	05–07. 03. 2018	13
Management training – complex competence development course, Module 1	12–14. 03. 2018	12
Management training – complex competence development course, Module 2	19–21. 02. 2018	13
Management training – complex competence development course, Module 2	26–28. 02. 2018	10
Management training – complex competence development course, Module 2	09–11. 04. 2018	12
Management training – complex competence development course, Module 2	23–25. 05. 2018	12

Focus topics also included the new generation's preparation for the judicial profession, covering judges with less than six years of experience, assistant judges and trainee judges.



This target group was offered the following set of courses:

- preparation of trainee judges for their entrance examination (in three modules),
- preparation of assistant judges for the judicial profession (theory and trial management practice in four modules for each branch),
- training of judges appointed for a fixed term (two modules for the civil and criminal branches, and the administrative and labour branch each).

### 3. COMPETITIONS, SCIENTIFIC RESEARCH PROJECTS AND LIBRARIES

#### 3.1. György Mailáth Scientific Competition

The NOJ sets great store by supporting and encouraging scientific activities, and channelling scientific results in judicial activities.

This is closely associated with the NOJ's strategic objective that judges should deliver judgements at a high professional level and in a timely fashion.

On 28 February 2018, the HAJ hosted a symposium to conclude the 2017 György Mailáth Scientific Competition. The event included a plenary meeting and ceremony to deliver memorial certificates to the jury in recognition of their work and to enable winners to briefly present their papers at section meetings. The NOJ's President offered six winners an opportunity for internship at the NOJ's Departments.

In order to preserve traditions, on 21 June 2018 we announced the fifth edition of the György Mailáth Scientific Competition with the motto *Change and Stability in Court – 21<sup>st</sup> Century Challenges*.

As in previous years, legal students and court employees were welcome to submit their papers in the civil, criminal, administrative, labour, EU and general administrative sections. The 2018 edition of the competition received a total of 66 papers, 25 from legal students and 41 from court employees. Some competitors submitted multiple papers at the same time.

The jury unanimously found that this year's papers also represented a high level and tackled real matters of legal application, and it delivered a total of 20 awards.

The winners received their awards and the recognition of the jury's section heads at the event Consilium Peritorum on 6 December 2018.

#### 3.2. György Ráth Court History and Tradition Competition

In 2018 the National Office for the Judiciary announced the fifth edition of the György Ráth Court History and Tradition Competition in an attempt to support any activity related to the judiciary's past and traditions.

The 2018 edition received a total of 17 papers, four from appellate courts and 13 from regional courts.

The papers were evaluated by the NOJ's jury consisting of court presidents and renowned legal historian professors who found all papers eligible for support.



Winning competitors:

Competitor court	Title of paper
Debrecen Regional Court	A History of Jurisdiction in Hajdúszoboszló
Budapest Environs Regional Court	Episodes from the Past of the Pest Environs Royal
Szeged Regional Court	A History of the Szeged Regional Court
Budapest Metropolitan Regional Court	"Cherishing Values" – The Regional Court in Retrospect
Kaposvár Regional Court	A History of the Csurgó, Tab, Igal and Lengyeltóti District Courts Győr Appellate Court Justice at the
Győr Royal Appellate Court	Gyula Regional Court Details of the History of Judicial Activities with Special Regard to the County of Békés
Miskolc Regional Court	Future in the Past – Milestones of Court History in the County of Borsod from 1869 to the Present
Budapest Metropolitan Appellate Court	Tradition and Innovation – A History of the Budapest Royal Appellate Court
Nyíregyháza Regional Court	The Furniture of the Kisvárda District Court
Eger Regional Court	A Court History of the County of Heves 1871–1945
Zalaegerszeg Regional Court	"Memory makes sense of what we have done and gives continuity to the road that our successors will take"
Veszprém Regional Court	A History of the Veszprém Regional Court between 1945 and 1990
Debrecen Appellate Court	15 Years of the Debrecen Appellate Court
Szolnok Regional Court	A History of the Szolnok Regional Court 1919
Szeged Appellate Court	A History of the Szeged Royal Appellate Court between 1938 and 1950
Szekszárd Regional Court	Memorial Plaques at the Courts of the County of Tolna

As a result of the winning papers and in the spirit of court history and tradition, the NOJ provided funding for the following activities.

#### Books:

- 15 Years of the Debrecen Appellate Court
- A History of the Administration of Justice in Hajdúszoboszló
- "Future in the Past – Milestones in the Court History of the County of Borsod from 1869 to the Present" – An Analysis of the Judiciary's Past
- A History of the Veszprém Regional Court between 1945 and 1990
- A History of the Szeged Royal Appellate Court between 1938 and 1950
- The Past of the Pest Environs Royal Regional Court
- A History of the Győr Royal Appellate Court
- A History of the Szeged Regional Court
- A History of the Szolnok Regional Court
- A History of the Csurgó, Tab, Igal and Lengyeltóti District Courts
- A Court History of the County of Heves



### **Conferences and exhibitions**

- The Budapest Metropolitan Regional Court announced a competition to host a modern, interactive and permanent exhibition of the past of the Budapest Royal Regional Court presenting the story of its renowned judges and the institution based on archival research.
- The Gyula Regional Court's conference featured presentations by Hungarian Faculties of Law and their legal historians and practicing judges about the circumstances in which Act IV of 1869 was passed, the traditions of judge's robes and the past of courts in the County of Békés.

### **Theatre show**

- The Zalaegerszeg Regional Court aimed to present a 25-minute theatre adaptation of the stories in the previously published book *Court Stories*, an event accompanying the tour of court history exhibitions and conferences.

### **Restoration of objects, unveiling a memorial plaque**

- The Kisvárda District Court had its highly valuable furniture restored.
- Memorial plaques were placed on district court facilities within the jurisdiction of the Szekszárd Regional Court.

## **3.3. Scientific research projects of the judiciary**

In 2018 the NOJ received 67 research applications. In the research projects we cooperated with both individuals and multiple domestic research institutes, such as the National Forensic Institute, Eötvös Loránd University, and the Miskolc University's Faculty of Law and Political Science.

The research collaborations were aimed at making the research findings useful for the judiciary, channelling them to the administration of justice, and making them comply with the requirement of judicial integrity.

In addition to the Miskolc University's Faculty of Law and Political Science, the NOJ participated as a cooperating partner in the 2016 edition of the European Commission's HERCULE III (2014–2020) international competition entitled "Legal Training and Studies Program", which the European Commission declared eligible for support in 2017.

The program's general objective is to protect the European Union's financial interests and hence to increase the EU's economic competitiveness and to protect taxpayers' money. The program's specific objective is to prevent and fight against fraud, corruption and other unlawful activities violating the EU's financial interests. The program allowed for in-depth research, reinforcing cooperation between practitioners and theoreticians (through conferences, seminars and workshops) and launching a program to raise a legal awareness at courts and other legal professions to protect the EU's financial interests.

The project "Criminal protection for the European Union's financial interest, with special regard to the fight against money laundering, tax fraud and corruption, and the related compliance activities" submitted by the Miskolc University's Faculty of Law and Political Science and the NOJ with the European Commission's support was implemented in 2018.

Also, special mention must be made of the EU funded research by the ELTE Faculty of Law and Political Science, Department of Civil Law and the NOJ, implemented as an international research and training project focusing on Hungarian legal experiences about Regulation 650/2012/EU of the European Parliament and of the Council (Succession Regulation).



The cooperation agreement between the Debrecen Regional Court and the Debrecen University's Faculty of Law and Political Science, coordinated and financed by the NOJ, offered an opportunity for a key research project related to the "Debrecen Model" developed and operated by the Debrecen Regional Court for the sake of efficient and timely justice, and hence for setting up a number of working groups. A summary study of the research was published in 2018.

### **3.3.1. Mathias I and Justice Conference**

The NOJ held the court history conference *Mathias I and Justice* in Visegrád on 18–19 June 2018.

The two-day event was motivated by the declaration of 2018 as a memorial year, being both the 575<sup>th</sup> birth anniversary of Mathias Hunyadi and the 560<sup>th</sup> anniversary of his coronation. The conference presented the historical role of Mathias I, offering the participants a wealth of interesting and detailed information based on recent research findings. The intriguing papers discussed Mathias I's *Decretum maius*, general and financial legislation from the 15<sup>th</sup> century, Hungary's administration, chronicles, Mathias' royal palace in Visegrád, documents and letters.

### **3.3.2. Court history exhibition and conference tour 2018–2019**

The NOJ lays great emphasis on exploring and preserving the historical memories of courts, doing research into court history, and presenting the social role of the administration of justice.

To this end, we launched a national court history exhibition and conference tour to promote further research, raise interest in court history and present the results at the conferences and exhibitions.

The 2018 edition of the program took place in Szeged, Miskolc, and Debrecen as regional centres covering the appellate, regional and district courts in their jurisdictions, and at the university faculties of law and political science. Courts introduced themselves at exhibitions at each venue, disseminating the history and physical memories of local administration of justice.

The showcases displayed highly valuable pieces of legal literature, original trial records and court files, personal belongings, photos, but also building ornaments, mock-ups, and a number of IT devices.

### **3.3.3. Andor Juhász Memorial Day 2018**

As part of the HAJ's responsibility for science management and bearing in mind that we organised the seven court history events to establish a tradition, we organise an annual court history event every September at the HAJ.

This year's edition called Andor Juhász Memorial Day 2018 was held on 20 September 2018. The event was closely linked to the oeuvre of Dr. Andor Juhász and included the placing of a wreath on his memorial plaque.

### **3.3.4. Joint scientific conference of the Hungarian Chamber of Forensic Experts and the NOJ HAJ**

One of the ways in which the HAJ cooperates with partner agencies is by organising conferences. This collaboration gave rise to the scientific conference "The special features of forensic experts'



activities in criminal, civil and administrative, especially in environmental protection, nature conservation and water management actions" jointly organised with the Hungarian Chamber of Forensic Experts.

### 3.4. Library

In 2016 the NOJ established the National Court Library Expert Coordinators' Network to support the operation of court libraries so they can satisfy the judiciary's information needs at the highest possible level.

The network prepared methodological aids and guides to help the work of 27 basic court libraries and their respective deposit libraries, and held presentations as a contribution to the NOJ's complex management competence courses. In 2018 two central professional courses and five regional courses were held.

The user interface of the National Court Library Catalogue was improved with a new design and a user-friendly search platform.

The judiciary considerably enriched its intranet and internet based contents by joining the Hungarian Academy of Sciences Electronic Information Service National Program in 2017, which has made a number of domestic and foreign sources of literature and databases (Academy Publisher Journal Package, Academy Publisher Hungarian Electronic Reference Works Service, Academy Publisher's Dictionaries, Arcanum Digital Repository of Science, EBSCO – Legal Source, Oxford University Press – Journals Law Collection) available to courts.

The regularly published internal information materials were improved including library reviews and literature offers with the latest acquisitions of court libraries in Hungarian and foreign languages, and recent articles, so they provide a broader perspective of the latest news and events of law and legal library and information science.

On 10 September 2018, the professional conference "The New National Court Library System: Collaboration with the Domestic Research Library Network II" presented the results of the initiative to Hungarian librarians. Also, the conference offered an opportunity to start an exchange of ideas between research library management and other legal professions and to develop collaborations.

## 4. ENTRANCE EXAMINATION FOR TRAINEE JUDGES

In 2018 there were two calls for applications for trainee judges again. The applicants had to take an entrance examination based on competence evaluation, introduced in 2016, to give testimony of their knowledge and suitability.

In the first half of 2018, the 36 trainee judge positions received a total of 75 applications including 66 candidates that registered for the examination and 53 who successfully passed it. One person withdrew his valid application after the successful examination and another one requested transfer (taking the examination as a trainee judge) whereas eight people already held a valid examination certificate. Another person requested transfer without taking the examination. As a result, 36 of the 61 eligible applicants were appointed as trainee judges across Hungary.

In the second half of 2018, the 31 trainee judge positions received a total of 74 applications. 64 people registered for the examination and one person withdrew their application in the



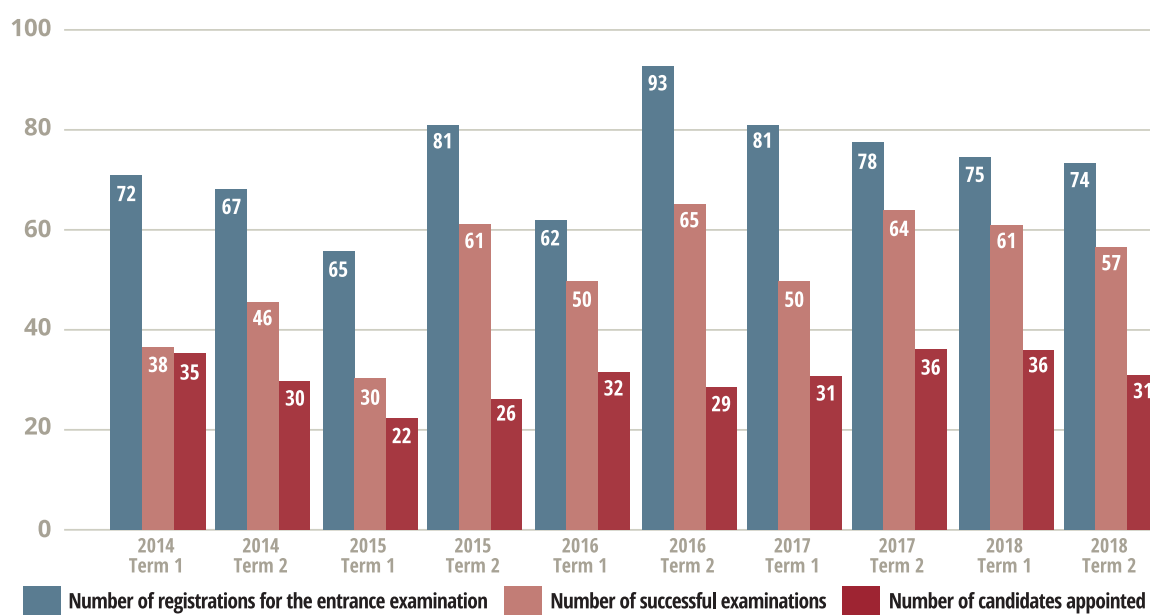
meantime. A total of 48 people successfully passed the examination and there were nine on the waiting list. As a result, 31 of the 57 eligible applicants were appointed as trainee judges across Hungary.

Of the 118 successful applicants 11 achieved a result of 90% or a higher percentage. The 118 applicants were allocated to the 67 announced positions.

The clear wording of the call for applications prevented the submission of any invalid application in 2018.

The anonymous questionnaires filled in by the applicants and the findings made at the workshops evaluating the examinations showed that the new type of entrance examinations were widely appreciated by both applicants and board members engaged in the examination.

*Data of the entrance examination of trainee judges*



## 5. INTERNATIONAL RELATIONS



























### 5.1. Network of international relations

The NOJ and courts have maintained a wide range of permanent professional relations with international organisations and foreign courts for a number of years. These collaborations offer judges and assistant judges an opportunity to become familiar with international trends and exchange their skills.

#### 5.1.1. International relations of courts

In 2018 a high number of appellate and regional courts maintained international relations with courts in other countries. The majority of these have been around for a long time, often multiple decades, and promote the professional development of both parties. Most of the partners remained German courts. In addition, there is an outstanding intensive partnership with courts near the border in neighbouring countries, which greatly promotes joint work in international matters. Collaboration can take many forms from protocol visits to joint professional conferences. The following table shows the international relations maintained by individual courts in 2018.



Bilateral relations of appellate and regional courts in 2018		
Court	Partner country	Partner court
<b>Appellate courts</b>		
Budapest Metropolitan Appellate Court		Vienna Higher Regional Court
Pécs Appellate Court		Bamberg County Court
<b>Regional Courts</b>		
Balassagyarmat Regional Court		Krosno Regional Court
Debrecen Regional Court		Trebišov District Court
Budapest Metropolitan Regional Court		Budapest Metropolitan Administrative and Labour Court – Dresden Social Court Landgericht Bonn Higher Administrative Court for North Rhine-Westphalia Berlin Federal Labour Court
		Krakov Administrative Court
		Vienna Regional Criminal Court
		Wiener Neustadt Regional Court
Győr Regional Court		Meiningen Regional Court
		Bratislava 5 <sup>th</sup> District Court
Gyula Regional Court		Arad Regional Court
Kaposvár Regional Court		Traunsten Regional Court
		Krakov Regional Court
Kecskemét Regional Court		Courts of Subotica
Miskolc Regional Court		Oradea Appellate Court
Nyíregyháza Regional Court		Rzeszow Regional Court
		Satu Mare Regional Court
		People's Republic of China Harbin Appellate Court
		Hagen Regional Court Iserlohn District Court
Szeged Regional Court		Baltchik Regional Court
Szombathely Regional Court		Eisenstadt Regional Court
		Chemnitz Regional Court
Zalaegerszeg Regional Court		Eisenstadt Regional Court
		Čakovec County Court
		Lendava District Court
		Murska Sobota District Court



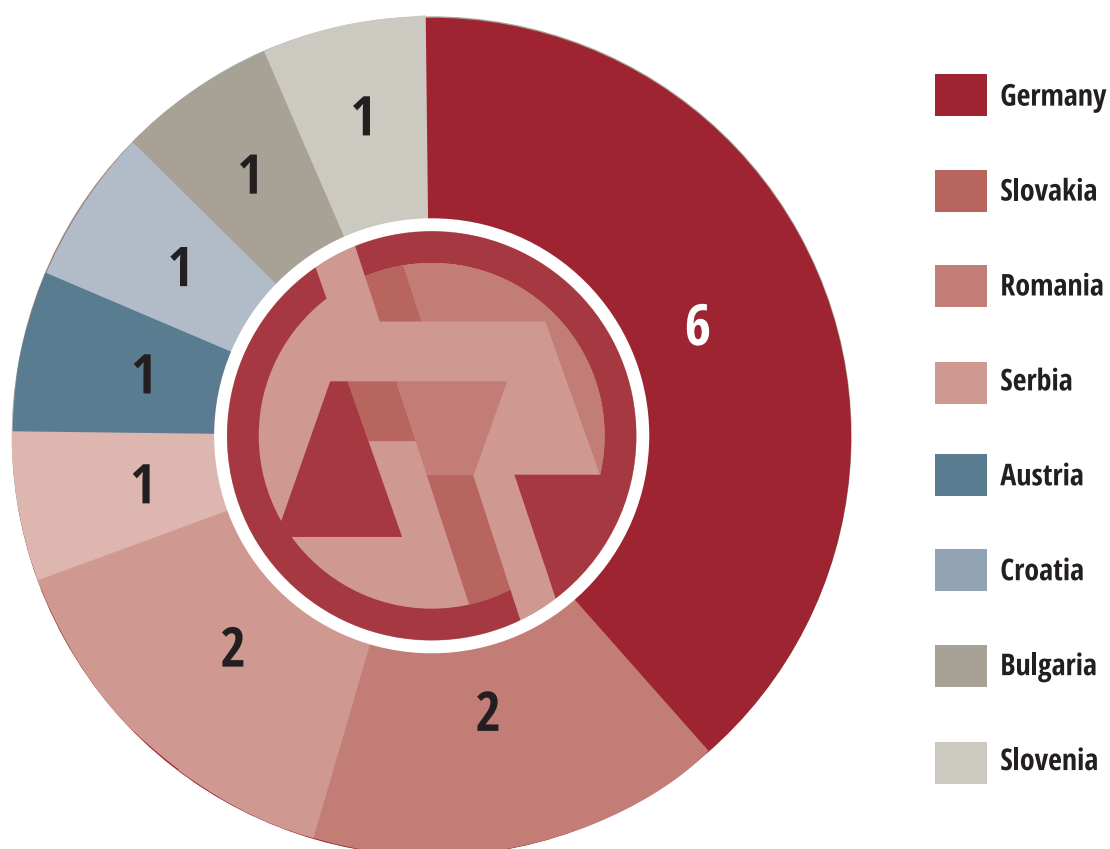
In 2018, of the 25 appellate and regional courts:

- three appellate and 12 regional courts maintained independent bilateral professional relations
- with 28 partner courts
- in ten different countries.

In 2018 eight new partnerships were established and a total of 31 visits were made (16 trips by Hungarian delegations and 15 receptions of a partner court's delegation).

With support from the NOJ, several courts (Szeged Regional Court – Bulgaria, Zalaegerszeg Regional Court – Slovenia, Budapest Metropolitan Appellate Court – Germany) successfully applied for the EJTN bilateral exchange program. Also, with support from the NOJ, the Budapest Metropolitan Regional Court signed an agreement with the Higher Administrative Court for North Rhine-Westphalia.

*Destinations of Hungarian court delegations  
in foreign partner countries and number of visits in 2018*



In addition to their bilateral relations, regional courts contributed to tasks within the NOJ's international activities. The Veszprém Regional Court has been a designated reference court for the Council of Europe's Commission for the Efficiency of Justice (CEPEJ) since 2015.



### 5.1.2. The NOJ's international relations

The NOJ is a member of the following international organisations:

- European Judicial Training Network (EJTN),
- Balkan and Euro-Mediterranean Network of Councils for the Judiciary (BEMNCJ).

The NOJ maintains regular relations with the following organisations:

- Hague Conference on Private International Law,
- European Judicial Network (EJN),
- Court of Justice of the European Union (CJEU),
- European Court of Human Rights (ECHR),
- Council of Europe,
- Academy of European Law (ERA),
- European Asylum Support Office Network of Court and Tribunal Members,
- Eurojust Joint Supervisory Body (JSB),
- Organization for Security and Co-operation in Europe (OSCE),
- Council of Europe's Commission for the Efficiency of Justice (CEPEJ).

In judicial courses, the HAJ closely cooperates with the following organisations:

- European Judicial Training Network (EJTN),
- Academy of European Law (ERA),
- German Foundation for International Legal Cooperation (IRZ),
- Council of Europe's European Programme for Human Rights Education for Legal Professionals (HELP),
- European Institute of Public Administration (EIPA),
- The Visegrad Four's Judicial Academies (V4),
- International Training Institute (IGO),
- Central and Eastern European Law Institute (CEELI).

The NOJ supports the work of international judges' associations, the membership and participation of judges and court associations in international organisations, including:

- European Association of Labour Court Judges (EALCJ),
- Association of European Administrative Judges (AEAJ),
- International Association of Refugee and Migration Judges (IARLJ),
- International Labour Organisation (ILO),
- Organisation of European Supreme Administrative Courts and Councils of State (ACA Europe),
- Association of European Competition Law Judges (AECLJ),
- European Union Forum of Judges for the Environment CEPEJ Network of Pilot Courts,
- Aarhus Convention Compliance Committee.



In 2018 the NOJ maintained the following international relations with the results below:

	Name of international relation	Result
	Balkan and Euro-Mediterranean Network of Councils for the Judiciary	Performing the Secretary's responsibilities: editing the network's website, preparing the Annual General Meeting, supporting the President's activities. In 2018 participation at the governing body's meeting in Tirana and at the Annual General Meeting in Budva, Montenegro.
C O U R S E S	European Judicial Training Network (EJTN)	200 professionals participating at courses (128 judges, 49 assistant judges and 23 court employees), 12 judges seconded and 12 received within a short-term exchange program, 3 judges participating in a long-term exchange program, 18 assistant judges' and trainee judges' trips and 14 professionals' reception within the AIAKOS program, 6 trainee judges' participation in semi-finals C and D of the Themis Trainee Judges' Competition, 3 trainee judges' participation in the final of Themis in Paris, 2 judges' trip within a special exchange program.
		1 professional's participation in the contact point meeting of the EJTN exchange programs, 1 professional's participation at the EJTN General Meeting.
	Visegrad Four (Hungary, Slovakia, Czech Republic, Poland)	2 professionals' participation at the Slovakian Academy of Justice's conference "Preliminary decision-making procedure. Dialogue based on mutual trust between CJEU and national courts". Another 6 professionals' participation at the legal terminology course in German and French.
		7 professionals' participation at the civil and family law course in English of the Polish Judge and Prosecutor Training Academy.
	Academy of European Law (ERA)	Delegation of two scholarship holders of the NOJ's President, joint project competition, participation of 20 senior judges, 11 assistant judges and 1 court employee at foreign ERA seminars.
		A 2 member NOJ delegation's visit to ERA.
	German Foundation for International Legal Cooperation (IRZ)	2 judges' participation at two different events.
EU INSTITUTIONS	Court of Justice of the European Union	Delegation of two scholarship holders of the NOJ's President. 10 professionals' visit to the Court as part of an EJTN study trip.
	European Judicial Network (EJN)	Participation at contact point meetings and working group sessions (seven times).



	Name of international relation	Result
EU INSTITUTIONS	EUROJUST	1 professional's participation at the EJTN's study trip to Eurojust.
		1 judge's participation at the plenary session of the Eurojust Independent Joint Supervisory Body
INTERNATIONAL ORGANISATIONS	Council of Europe	Participation at the 13 <sup>th</sup> plenary session of the CEPEJ "Pilot Courts" Network (1 judge)
	European Court of Human Rights	1 judge's participation at the EJTN's long-term exchange program, 6 professionals' visit to the Court as part of an EJTN study trip.
	Hague Conference on International Private Law	Designated contact judge's permanent activities in child abduction cases
OTHER PROJECTS	North Rhine-Westphalia and Hungary Joint Commission' collaboration	Cooperation agreement signed by the Higher Administrative Court for North Rhine-Westphalia and the Budapest Metropolitan Regional Court.

The NOJ delegated a representative to the meetings of the European Judicial Network's civil and criminal contact points on a total of seven occasions.

On behalf of the judiciary, a total of 40 judges (primarily members of the Network of European Union Legal Advisors) attended the following international conferences:

- University of Leuven's CoMinor program on the interrogation of children (Antwerp);
- "Criminal conference preparing the accession of the Bosnian Serb Republic to the European Union" by the Banja Luka State University's Think Tank Center (Banja Luka);
- European Commission conferences:
  - On tax practices (Bari);
  - On the evaluation of the European Union's judicial training strategy (Brussels);
  - On child-friendly justice (Brussels);
- The European Union Agency for Fundamental Rights' conference "National Life of the EU Charter of Fundamental Rights" (Vienna);
- Regional Round Table Challenging Data on Human Trafficking by the Institute for the Danube Region and Central Europe (Vienna);
- Conference on the 550<sup>th</sup> anniversary of the Berlin Higher Court (Berlin);
- Participation at the conference "Cross-border Electronic Data Supply in Criminal Matters" within the JUD-IT project (Florence);
- ENSZ Aarhus Convention Compliance Committee's meetings (Geneva);
- EALCJ's 22 Annual Congress (Copenhagen);
- Berlin Regional Labour Court's Villa Vigoni Conference on European Union Labour Law (Lovenno di Menaggio);
- Judges' Forum of the Court of Justice of the European Union (Luxembourg);
- ELCJM – 26<sup>th</sup> European Labour Court Judges' Meeting (Madrid);



- IATJ – International Taxation Conference (Ottawa);
- ERA conferences
  - EU Law Days (Prague);
  - Judges' independence in a judicial and social context (Paris);
- EUFJE – European Union Forum of Judges for the Environment
  - Board Meeting (Paris);
  - Annual Conference (Sofia);
- AEJ – Workshop on the Aarhus Convention (Salzburg);
- Croatian Judicial Organisation's international conference of judges (Zadar);
- Council of Europe's conference "Fight Against Hate Talk" (Zagreb);
- European University Institute's conference "Reinforcing the EU's electronic communication rules: Exchange of experiences and expected challenges" (Brussels);
- Organisation of Americas, UN Environment, IUCN conference "Judiciary and the Environment: Adjudicating Our Future" (Washington DC).

### **5.1.3. Participation in the work of international organisations**

#### **5.1.3.1. Balkan and Euro-Mediterranean Network of Councils for the Judiciary**

The Balkan and Euro-Mediterranean Network of Councils for the Judiciary is aimed at efficiently promoting judicial cooperation in the region. In practical terms, this means organising conferences, workshops, professional visits and research projects, and designing questionnaires. The judiciaries represented by the members indirectly help 300 million people to submit their cases to judges familiar with best practices by European standards. The Network takes its decisions at the General Assembly and is operated by its elected President, five-member Governing Body and Secretariat. The latter organ's responsibilities have been performed by the NOJ since 2015.

The Network held its annual conference and General Assembly in Budva, Montenegro, on 21–22 June 2018. The Governing Body held a preparatory meeting in Tirana on 18 April 2018. The Budapest Secretariat played a key role in preparing and holding both professional meetings. The Budva General Assembly re-elected the Hungarian members to host the Secretariat of the Balkan and Euro-Mediterranean Network of Councils for the Judiciary so the NOJ will continue this activity for another term of three years.

#### **5.1.3.2. Participation in intergovernmental regional collaborations**

##### **5.1.3.2.1. Hungary–North Rhine-Westphalia Intergovernmental Joint Committee**

Judicial cooperation with the Hungary–North Rhine-Westphalia Intergovernmental Joint Committee, established in 2008, started with the NOJ's contribution in 2012. After a proposal was made in 2016 for cooperation in administrative justice between the North Rhine-Westphalia Regional Administrative Court (Oberverwaltungsgericht) and a Hungarian court of the corresponding level, the NOJ's President sent a five-member delegation to Germany on 5 March 2017. The North Rhine-Westphalia Regional Administrative Court's delegation visited the Budapest Metropolitan Regional Court on 4–6 July 2018. The objective of the visit was to sign a cooperation agreement prepared in 2017 so that the two courts can exchange experiences and share best practices in the administrative and labour branch. Key professional areas of collaboration include the digitisation of files, the rationalisation and acceleration of court procedures, the right to information in court procedures, and the common perception of courts and the media.



#### **5.1.3.2.2. Bavaria-Hungary Intergovernmental Joint Committee**

The Bavaria-Hungary Intergovernmental Joint Committee's work plan enables Hungarian judges to attend courses at the Bavarian Academy of Justice.

#### **5.1.3.2.3. Visegrad Four cooperation**

Under an agreement signed in previous years, Hungarian judges attended language and professional courses organised by the Slovak Academy of Justice and the Polish Judge and Prosecutor Training Academy for the V4 countries.

As a follow-up on the successful cooperation, the NOJ will invite the V4 countries to its conference "Courts prospering in a digital world or the spread of digitisation in courts' daily life – Legal, technical and ethical questions and answers" to be held in Budapest in 2019.

#### **5.1.4. Sending and receiving delegations**

The NOJ uses its international relations to provide high-quality and detailed information to foreign partner agencies on the Hungarian judiciary and its administrative and professional management. In addition to maintaining such international relations and to creating and maintaining new collaborations with international partner agencies, the sending and reception of delegations provide an excellent opportunity for exchanging foreign best practices and experiences and for their adoption and application in Hungary. Also, foreign professionals visiting the country gain insight into the Hungarian judiciary and its administrative and professional management.

In this spirit, the NOJ's President and the NOJ received a number of guests and delegations in 2018:

- a delegation of trainee and assistant judges within the AIAKOS exchange program,
- a delegation of the Mongolian Ambassador,
- a delegation of the Thai Office for the Judiciary,
- a delegation of the Algerian Ministry of Justice,
- a delegation of the Vietnam Supreme People's Court,
- a delegation of IT and legal professionals from the Supreme People's Court of the Vietnam Socialist Republic,
- a delegation of the US Department of State,
- a delegation of the Romanian Supreme Cassation Court,
- a visit by the EU Commission's experts,
- a delegation of judges within the EJTN Short Term Exchange Program.

Of these, special mention must be made of the AIAKOS exchange program of the European Judicial Training Network (EJTN), including a visit to Hungary by 14 trainee and assistant judges between 14 and 18 May 2018 to learn about the Hungarian judiciary's operation.

The AIAKOS program invites trainee and assistant judges and prosecutors to find out about other judiciaries and courses, extend their knowledge about the European Union's laws and judicial cooperation and create personal relationships for their professional careers. At the five-day event they gain insight into the professional activities of the Supreme Prosecutor's Office, the Curia, the Budapest Metropolitan Regional Court and the NOJ.



### **5.1.5. Supporting the operation of the Coordinating Body for International Relations**

The Coordinating Body for International Relations was set up in 2014 to coordinate the international relations of the judiciary. For coordinated representation in terms of the judiciary's international relations, the Body's annual meetings include a report by the Curia, the NOJ's President and the NJC on their annual international activities, identifying and discussing future tasks and objectives in international commitments. The Body held its meeting to discuss current matters on 25 April 2018.

## **5.2. International courses and scholarship programs**

Acting within her remit laid down in OACA Section 76 (7), the NOJ's President coordinates Hungarian court employees' participation in international courses. The HAJ is responsible for organising international judicial courses, supporting participation in administrative and professional terms, and sharing all knowledge obtained at courses with all judges, in close cooperation with international training institutions. In 2018 a total of 184 judges, 71 assistant judges and 27 court employees attended a total of 282 foreign international events.

### **5.2.1. Collaboration with the European Judicial Training Network**

The NOJ's membership enables an increasing number of Hungarian senior, assistant and trainee judges to participate in the European Judicial Training Network's exchange programs and international courses every year. In 2018 a total of 148 professionals made 200 trips to attend 52 EJTN seminars, conferences, exchange programs and study trips. The participants included 91 judges, 38 assistant judges and 19 court employees.

#### **5.2.1.1. The EJTN's short and long-term exchange programs**

The EJTN offers an opportunity for participation in short and long-term exchange programs every year. In 2018 the two-week short-term exchange programs included foreign study trips by 12 Hungarian judges and a total of 12 visits to Hungary by foreign judges. The EJTN's long-term exchange program covered one judge staying at Eurojust for four months, one judge staying at the European Court of Human Rights, and another judge starting his 12-month internship until 2019 at the Court of Justice of the European Union.

In 2018 the new generation's EJTN AIKOS exchange program included foreign study trips by 18 judges appointed for a fixed term, assistant judges and trainee judges, while Hungarian courts received a total of 14 foreign visitors.

#### **5.2.1.2. The EJTN's special exchange programs**

In 2018 two Hungarian judges participated in the EJTN's special exchange program started in 2016, which essentially enables participants to focus on any selected specialty area to learn about the host country's regulatory and procedural systems. The Hungarian participants attended the programs focusing on organised crime and EU competition law.

#### **5.2.1.3. The EJTN's bilateral exchange program**

The EJTN provides special funds for Member State courts to prepare the ground for bilateral partnerships and obtaining experiences, supporting the implementation of one-week study trips to another Member State's court. In 2018 such contracts were awarded to the Budapest Metropolitan Appellate Court, the Szeged Regional Court and the Zalaegerszeg Regional Court.



### **Budapest Metropolitan Appellate Court**

Within the exchange program, the delegations of the Budapest Metropolitan Appellate Court and its partner court, the Munich Regional Court, visited each other. The Budapest Metropolitan Appellate Court sent a five-member delegation to Munich between 3 and 8 June 2018 then received the German court's delegation in Hungary between 3 and 5 December 2018. The German delegation also visited the HAJ to learn about court administration and the training system.

### **Szeged Regional Court**

The Szeged Regional Court sent a five-member delegation to the Balchik Regional Court in Bulgaria between 10 and 14 September 2018 to present Hungary's electronic actions, remote hearing equipment, the operational principles and use of the speech recognition software, and the Hungarian judges' ethical code.

### **Zalaegerszeg Regional Court**

The Zalaegerszeg Regional Court received a five-member delegation from the Slovenian Murska Sobota District Court between 17 and 21 September 2018 then sent its own five-member delegation for a professional visit to the Slovenian partner court between 12 and 16 November 2018.

#### **5.2.1.4. EJTN THEMIS Trainee Judges' Competition**

The THEMIS Trainee Judges' Competition of four semi-finals and one final is held every year with three member international teams that give testimony of their familiarity with the topic of the given semi-final by giving a presentation and answering questions by the jury and the opponents.

In the 13<sup>th</sup> edition of the competition, Hungary participated in semi-finals C and D. Semi-final C entitled European Cooperation in Civil Cases was held in Thessaloniki between 4 and 7 June 2018. The international jury awarded the special prize to the Hungarian team for the best oral presentation. Its successful preparation received contributions from professional mentor Dr. Bálint Kovács and the NOJ.

Semi-final D entitled *Judges' Ethics and Conduct* was hosted by the HAJ between 3 and 6 July 2018. The Hungarian team came in third and qualified for the final in Paris between 28 and 31 October 2018, where the teams had to prepare in the topic *Right to Fair Procedure*. The team's professional mentor was Dr. Dóra Virág Dudás.

#### **5.2.2. Cooperation with the Academy of European Law (ERA)**

In the context of its international courses, the NOJ closely cooperates with the Academy of European Law established in 1992.

##### **5.2.2.1. Training cooperation with ERA**

A key element of the NOJ's cooperation with ERA is training, which enables Hungarian judges and court employees to attend ERA's international seminars. Specifically, in 2018 the NOJ enabled 20 judges, 12 assistant judges and two court employees to participate at ERA's 19 international seminars and conferences abroad.

##### **5.2.2.2. Project cooperation with ERA**

The NOJ as a partner of ERA contributed to two training projects, completed in the autumn of 2018, with tender funding by the European Commission's Directorate General for Justice and Consumers. The projects included a series of seminars in competition law and digital competition



law. The courses primarily aimed to extend the knowledge of judges and promote closer cooperation between all legal professions, an exchange of experiences, the sharing of best practices and familiarity with national procedures.

Also as a cooperating partner, the NOJ joined the ERA's civil law and language training project for court employees, scheduled to start in December 2018. The HAJ is expected to host two seminars in 2020 and 2021. Another project of cartel law training will include a seminar for Hungarian judges, assistant and trainee judges in early 2019.

In October 2018 the NOJ as a partner of ERA joined further projects of criminal law and language training for court employees, and court coordinators' training. The bids are expected to be evaluated in the spring of 2019.

### **5.2.3. Project cooperation with other organisations**

Multiple training projects for judges and court employees are in progress with the NOJ's cooperation and funded by the European Commission's Directorate General for Justice and Consumers.

#### **5.2.3.1. Maastricht Project**

Launched by the Maastricht University within the cooperation of seven EU Member States, this project focuses on implementation practices concerning EU warrants of arrest and aims to improve the mutual recognition of court decisions. As a cooperating partner the NOJ joined this project funded by the European Commission in 2017. The project received contributions at the workshops from a Hungarian judge as an expert designated by the NOJ's President.

#### **5.2.3.2. Joint project with the Miskolc University**

The NOJ joined the Miskolc University's project aimed to protect the European Union's financial interests and to take action against and prevent fraud, corruption and other illegal activities violating the EU's financial interests and the related new practical challenges (e.g. cybercrime). This involved several conferences and workshops with experts from five countries.

### **5.2.4. Scholarship programs by the NOJ's President**

The NOJ's President has created a tradition by providing judges and assistant judges an opportunity for internship at the Academy of European Law and the Court of Justice of the European Union for several years. The knowledge and experiences obtained find their way to the judiciary through the exchange of knowledge by scholarship holders after their return. In the first half of 2018, the program covered two judges working for the Court of Justice of the European Union in Luxemburg and one assistant judge for the Academy of European Law in Trier.

In the spring of 2018, another call for scholarship applications was announced. As a result, one judge and one trainee judge started a five-month internship from October 2018.

In 2018 another group of assistant and trainee judges speaking English and German participated in the program *Use Your Language Skills and Creativity*. 28 people were selected and performed three types of responsibilities (focus topic, link monitoring, and revision of translations) for a language bonus.



### **Werbőczy Scholarship Program**

By reforming the existing scholarship programs and creating new opportunities, the NOJ's President established the Werbőczy Scholarship Program in 2018.

#### *Werbőczy Mundus*

In the Werbőczy Mundus Scholarship Program, the NOJ's President offers internships to senior and junior judges at the Court of Justice of the European Union in Luxembourg, to judges, assistant and trainee judges at the Academy of European Law in Trier, and to judges at the European Court of Human Rights in Strasbourg.

#### *Werbőczy Lingua*

This scholarship program aims to communicate international results to the domestic judiciary, to communicate the Hungarian judiciary's results on an international level and to continuously develop the required professional language skills.

#### *Werbőczy Universitas*

Established as a result of the extending cooperation between the NOJ and domestic law schools, this scholarship program supports judges to graduate in certain legal specialties.

#### *Werbőczy Schola*

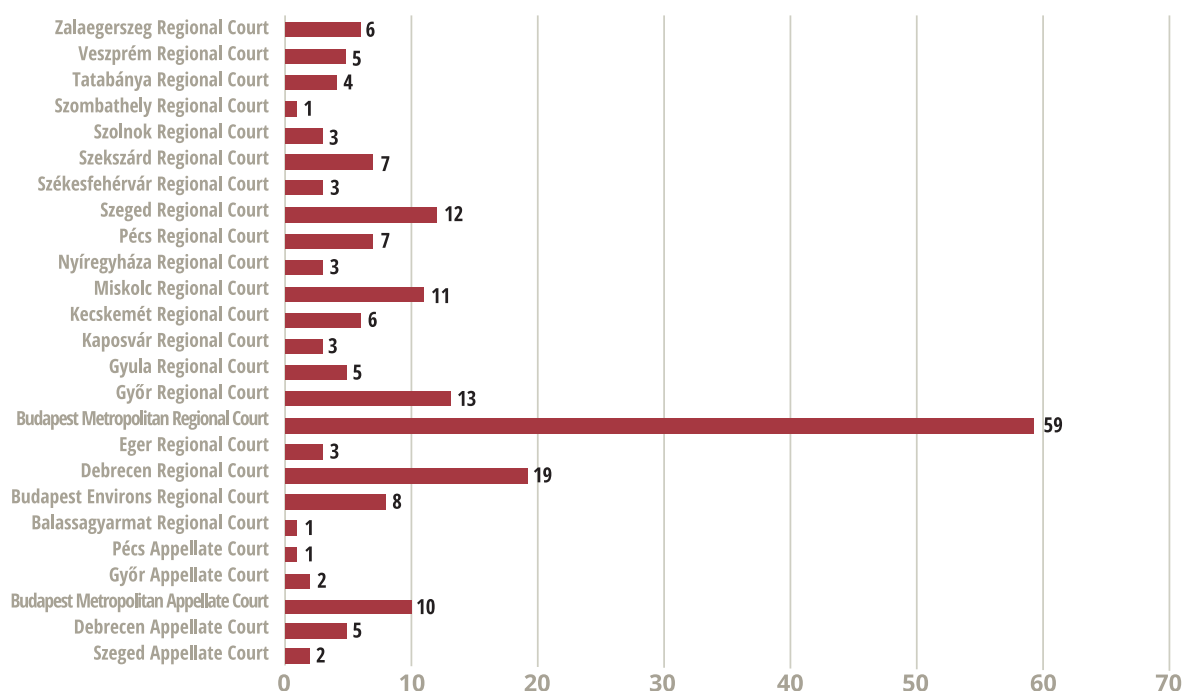
This cooperation between the NOJ and the lecturers and scientific workshops of domestic legal faculties covers matters related to the administration of justice, especially its organisation.

### **5.2.5. Study trips in 2018**

In 2018 a total of 323 foreign study trips were made. The international courses were attended by a total of 199 judges, assistant and trainee judges.

The following diagram shows the number of travellers in 2018 by place of service, irrespectively of the number of individual trips:

*Number of judges and court staff travelling to international courses in 2018*





### 5.3. International events hosted by the HAJ

#### 5.3.1. International courses at the HAJ (EJTN training)

ERA is a permanent partner of the NOJ in organising joint courses. In 2018 the ERA organised its digital competition law training at the HAJ on 4–5 June 2018 in partnership with the NOJ within a project funded by the European Union. The English and German language seminar was attended by 25 professionals from 12 different EU Member States (including Germany, Croatia, Spain, Portugal, Lithuania) and eight Hungarian judges and assistant judges. The two-day course aimed to enable competition law judges to define and analyse the digital market and to understand the behaviour of parties in the online world.

Between 4 and 5 September 2018, the HAJ hosted the ERA's EU antidiscrimination law seminar. The English and Hungarian language seminar was attended by 31 court professionals from 20 different EU Member States together with 22 Hungarian judges and assistant judges. Antidiscrimination law plays a key role in the program as ERA has held more than 95 antidiscrimination and gender equality seminars with over 2,000 participants since 2003. The antidiscrimination seminar aims to provide a comprehensive picture of the EU's laws and legal practices related to discrimination by origin, disability, age, sexual orientation and religion.

Within the EJTN's exchange program called AIAKOS, a group of 14 judges and assistant judges visited Hungary between 14 and 18 May 2018 to gain insight into the Hungarian judiciary's operation.

The AIAKOS program invited trainee and assistant judges and prosecutors to learn about other judiciaries and courses, extend their knowledge about the European Union's laws and judicial cooperation, and create personal relationships for their professional careers. The five-day event offered an insight into the professional activity of the Supreme Prosecutor's Office, the Curia, the Budapest Metropolitan Regional Court and the NOJ.

The HAJ hosted the EJTN's seminar *Judicial Training Methods – Methodology and Evaluation* for the first time on 12–13 September 2018. The seminar gathered 32 participants from 20 countries to share their experiences and best practices in judicial training methodology. The 1.5-day event focused on interactive training methods involving the participants.

#### 5.3.2. International conferences at the HAJ

##### 5.3.2.1. Court and Communication International Conference

Held on 11–12 October 2018, the sixth edition of the Court and Communication International Conference had client information at its focus.

The highly popular event, held at the HAJ as usual, brought together the participants well-versed in the topic from 16 countries. The two-day conference featured presentations and workshops on court brand, online court and client satisfaction by internationally renowned professionals, including Dániel Barcza, Deputy President of the Moholy-Nagy University of Art (MOME), Michael Korhonen, Communication Manager of the European Judicial Training Network (EJTN), William Valasidis, Director of Communications of the Court of Justice of the European Union, crisis communication expert Kornél Böhm, and judge Kaisa Teivaanmäki, of the Kainuu District Court, Finland. The event was attended by approximately 100 participants.



### 5.3.2.2. Court Mediation International Conference

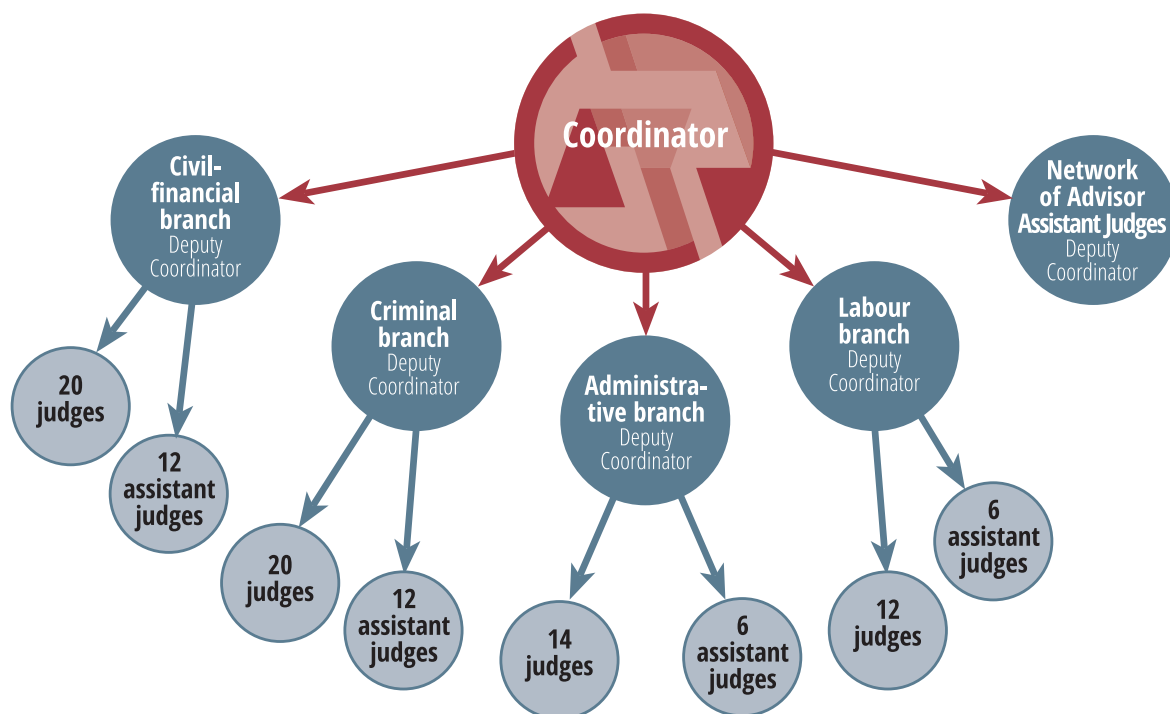
Held on 17–18 October 2018, the HAJ hosted the third edition of the Court Mediation International Conference. The two-day event focused on the social embeddedness of court mediation. The Hungarian and foreign professionals exchanged their experiences about the challenges of mediation, the possibilities of online mediation and the social effects of mediation. Topics on the second day of the conference included the role of court mediation in administrative matters and the strategies that may be adopted in mediation. In addition, the participants were shown an online family law case simulation. The successful conference was attended by more than 100 participants.

### 5.4. Network of European Union Legal Advisors

The Network of European Union Legal Advisors (NELA) has worked since 2013 under the regulation issued by the NOJ's President to assist the appropriate application of European law and to present the legal practices of the Court of Justice of the European Union and the European Court of Human Rights to Hungarian judges. A key goal of the network is to ensure a smooth flow of information about European legal matters between the Hungarian judiciary and the EU institutions and to offer judges fast and efficient professional assistance in applying the law.

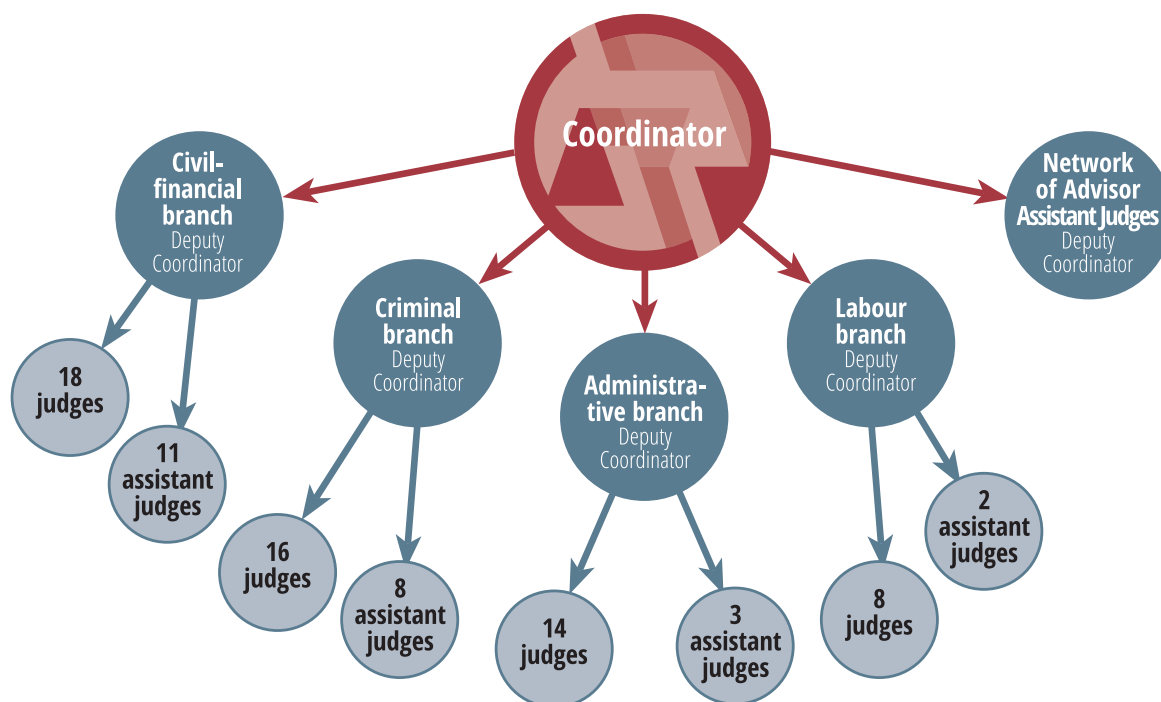
Both the coordinator and his deputies serve for three years upon appointment by the NOJ's President after an application-based multistage selection process. They perform their responsibilities in line with the areas of competence of appellate courts, except for the Curia and the Budapest Metropolitan Regional Court. They receive a reduction in trial days and supplementary and language allowances for their work. The advisors' work is directed and organised by one coordinator and by one deputy coordinator in each branch (civil, criminal, administrative, labour).

The NELA's network of secretaries directed by a special deputy coordinator in cooperation with the deputy coordinators of the given branch started to operate on 15 November 2017.





On 31 December 2018, the Network had 56 advisor judges and 24 advisor assistant judges.



The high quality of the Network's work is promoted by a performance assessment system. The NOJ's President receives a quarterly report from the members and an annual report from the Coordinator with scores assigned to their activities. The whole of reporting has been done on an online platform since 2017.

The advisors reach judges via different communication channels. They have their own websites on the central intranet of courts, give presentations at courses and division meetings and try to share their knowledge by creating personal relationships. Redesigned in 2016, the website features contact data, current tenders and the advisors' monthly blog entries (64 in 2018) and Law Working Papers (23 in 2018) in response to current European legal matters. Also, the number of available professional materials had considerably risen.

From 2018 the Coordinators' reports include questions to the advisors and their answers. These were used to create the professional materials "Cross-border Enforcement Law FAQs" and "Cross-border Family Law FAQs".

In 2018 the NELA launched its quarterly Newsletter aimed at informing judges and assistant judges about the advisors' new professional materials and at raising interest in foreign courses and the latest trends in EU legal practices.

In 2018 the NELA created a platform called Legal Practice Monitor. The advisor judges and assistant judges prepare biweekly summaries of the rulings of the Court of Justice of the European Union and the European Court of Human Rights. This innovative platform aims to help judges to deliver judgements in EU matters and fundamental rights, providing efficient assistance to other departments of the NOJ.

The advisor judges continuously extend their knowledge about European law. In 2018 they participated in two multiday obligatory courses at the HAJ. In addition, they held special meetings, and assistant judges extended their knowledge at another two obligatory courses designed for them. Of the Network's members, 67 attended a foreign conference and course a



total of 130 times whereas 48 attended a foreign language conference in Hungary on a total of 62 occasions. In addition, they gave foreign language presentations and contributed to expert meetings at the European Union's institutions. In performing these responsibilities, they not only acquired new knowledge but also shared it with all judges giving an account of their trips as a contribution to the high quality of judgements and preliminary requests for decision-making.

A key task of advisors is to give professional advice on European law. In 2018 this was the case a total of 985 times.

In addition, they perform a number of other activities, as shown in the following diagram.



## 5.5. Communication and sharing of knowledge

Permanent communication and providing information about the judiciary's results are priorities for the NOJ. Communication and information are aimed at both the affected international organisations and the general public and the judicial profession in Hungary. In the latter case, the primary means of sharing information is the central intranet of courts.

### 5.5.1. Websites

The central website of courts ([www.birosag.hu](http://www.birosag.hu)) is also available in English and the NOJ updates contents and news that may raise international interest on a monthly basis. Also, the NOJ operates the website of the Balkan and Euro-Mediterranean Network of Councils for the Judiciary ([www.bemncj.org](http://www.bemncj.org)) as part of its responsibilities as the Network's Secretary.

The central intranet of courts features international contents in a special submenu and calls for applications for international training.



### **5.5.2. Central intranet**

The central intranet of courts is the foremost platform for the flow of information within the judiciary including all essential information on international courses. In addition, it features a number of English language information materials that help professionals on study trips to efficiently present the Hungarian judiciary to their foreign partners.

The NOJ regularly publishes eye-catching news and interviews related to international training opportunities and the results of completed courses, encouraging judges to be more active worldwide and to improve their language skills.

### **5.5.3. Publications in English**

The NOJ prepares its own English language publications for the appropriate information of foreign partners and cooperating agencies, such as extracts of its semi-annual and annual reports in English, new generation publications, the 2018 findings of the EU Justice Scoreboard about Hungary, the NELA's publication in English, and digital court publications.

## **FUTURE OBJECTIVES AND TASKS:**

- to incorporate the entire domestic and international training process in an integrated electronic system and to improve the central intranet of courts accordingly
- to disseminate the results of the Hungarian judiciary in the widest possible range of domestic and international recipients
- to organise a jubilee conference on the 15th anniversary of Hungary's accession to the EU
- to increase the number of international conferences
- to cooperate with the V4 countries and enhance key relations with other countries
- to develop the content of the English website and increase the number of information materials in English
- to develop a new travel management plan for international courses including advance cost reim-bursements



## VII.

# OPERATION OF THE NATIONAL OFFICE FOR THE JUDICIARY

In line with the strategic objectives of its President, the NOJ achieved the following key results in 2018:

- As a result of competence based employment, the increase of court employees' level of qualifications and skills and continuous audits of court presidents, complex tasks were performed more efficiently.
- As part of the induction process, new entrants were offered presentations and personal consultations about professional conduct.
- An HR supply plan was made to prepare for and manage the risks of integrity involved in HR fluctuations.
- Pursuant to Act XLIII of 2017 on the Public Register of General Powers of Attorney for litigious and non-litigious procedures, the NOJ developed its own software called Register of General Powers of Attorney.



## 1. STATUTORY RESPONSIBILITIES

The NOJ is the central organisation of court administration which supports, directs, administers and monitors the main processes of courts. The NOJ's President exercises her powers and performs her duties through the NOJ's operation. These tasks are laid down in general terms by OACA Section 86. Among other things, the NOJ prepares the decisions of the NOJ's President and makes sure they are performed, represents the NOJ's President and courts in actions, keeps the Central Personal Register of Judges, manages the assets specified in judges' declarations of property, and performs other statutory responsibilities.

In certain matters the laws require registers to be kept in association with the judicial activities of courts. Other specific statutory responsibilities especially include:

- keeping the National Register of Persons Under Guardianship,
- keeping the National Register of NGOs, and
- operating the system of public notifications.

## 2. ORGANISATION

### 2.1. Organisational reform

The NOJ is a central administrative agency established with a unique organisation and set of tasks. A basic requirement laid down upon its inception was to use experiences gathered within a short time for exploring and overcoming deficiencies in the organisation. Also, it was tasked with continuously developing its operation to be adaptive to changes and to meet all requirements and expectations for the administration of justice in the 21<sup>st</sup> century. This is vital because the innovations introduced and the processes and achievements of its optimised operation affect the operation of all courts across Hungary and may serve as a model for them.

The NOJ is responsible for directing, organising, monitoring and coordinating the tasks stated in the report, specifically:

- central court administration,
- management of the judiciary's budget worth tens of billions of forints,
- central headcount management of the judiciary employing nearly 11,000 people,
- nearly 200 court facilities,
- ensuring the operability and operation of thousands of IT devices and networks,
- managing, implementing and maintaining EU tenders worth hundreds of millions of forints.

The NOJ's organisation slightly changed in the reporting period. NOJ Instruction 11/2013 (31 December) on the NOJ's Bylaws was revised as of 27 July 2018. Specifically, the International Relations Department, keeping and slightly extending its responsibilities, was transferred from the Communication and Liaison Department to the Hungarian Academy of Justice. The Department's responsibilities were extended in association with the NJC's work to include the organisation and coordination of its international relations, and the preparation of its members' official foreign trips and the events of its foreign visitors.



## The NOJ's units in 2018 after the reorganisation:

<ul style="list-style-type: none"> <li>• President's Cabinet</li> </ul>	<ul style="list-style-type: none"> <li>• IT Department <ul style="list-style-type: none"> <li>– National Infrastructure Division</li> <li>– Application Development Division</li> <li>– Application Operation Division</li> <li>– Office IT Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Administration Management Department <ul style="list-style-type: none"> <li>– Administrative Division</li> <li>– Coordination and Organisation Development Division</li> <li>– Statistical Analysis Division</li> <li>– Organisation Regulation Division</li> <li>– Central Bureau</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Communication and Liaison Department <ul style="list-style-type: none"> <li>– Communication Division</li> <li>– Event Management Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Legal Department <ul style="list-style-type: none"> <li>– Division of Bill Assessment</li> <li>– Legal Representation Division</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Public Procurement and Contractual Relations Department <ul style="list-style-type: none"> <li>– Public Procurement Division</li> <li>– Contractual Relations Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Electronic actions Department <ul style="list-style-type: none"> <li>– Electronic Regulation and Development Division</li> <li>– National Registration and Client Relations Division</li> <li>– National Registration Office</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Hungarian Academy of Justice <ul style="list-style-type: none"> <li>– International Relations Division</li> <li>– Training Division</li> <li>– Science Management and Documentation Division</li> <li>– Services Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Audit Department</li> </ul>	<ul style="list-style-type: none"> <li>• Engineering Department <ul style="list-style-type: none"> <li>– Building Development and Maintenance Division</li> <li>– Security Technology Division</li> <li>– Facility Management and Vehicle Operation Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Human Resources Management Department <ul style="list-style-type: none"> <li>– Court Division</li> <li>– Office Division</li> <li>– Headcount and Wage Management Division</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Project Planning Division <ul style="list-style-type: none"> <li>– Project Bureau</li> <li>– Project Implementation and Maintenance Division</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Financial Management Department <ul style="list-style-type: none"> <li>– Heading Budget Division</li> <li>– Controlling Division</li> <li>– Office Financial Division</li> </ul> </li> </ul>	

## 2.2. The NOJ's headcount

On 31 December 2018, the NOJ's **approved headcount was 326**. This represents an increase by 25 people compared to 2017, including 23 as a result of the central increase of IT staff. The idea is to enable the NOJ to satisfy an increasing amount of national needs for infrastructure and IT development with standard central management and professional supervision.



The engineering area was also subject to centralised headcount use and centralised professional control and supervision. The renovation and reconstruction of court facilities are planned and the progress of projects is monitored by chief facility engineers employed by the NOJ but working on the premises of individual courts.

A further increase of headcount was partly motivated by the increased needs for tasks of the legal area (evaluation of laws, legal regulation, organisation's regulation) and the need to enhance the Hungarian Academy of Justice's level of service and supply (blue collar workers).

In 2018 some elements of headcount reporting and approval underwent a structural change. With the amendment of the Act on the legal status of court employees in September 2017, court presidents within payment classes 1 to 4 (assistant judges, trainee judges, officers with higher qualifications, officers with secondary qualifications) so far were transferred to the new payment class 5. Due to the revised classification system, changes in the headcount of senior court employees can only be stated broken down to qualifications and positions.

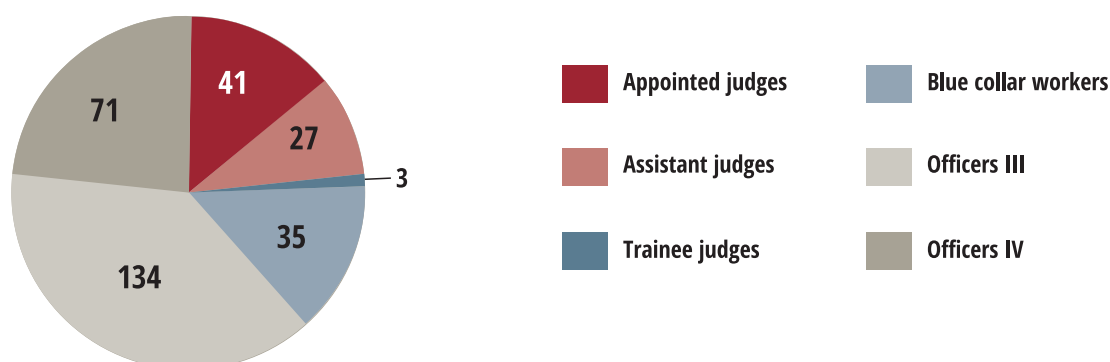
Changes in the judiciary's approved headcount		
Position	Approved headcount	
	31 December 2017	31 December 2018
court presidents	–	62
appointed judges	37	32
assistant judges	38	28
trainee judges	3	3
officers with higher qualifications	132	116
officers with secondary qualifications	60	50
blue collar workers	31	35
<b>NOJ's approved headcount</b>	<b>301</b>	<b>326</b>

At the end of 2018, the NOJ performed its responsibilities described in this report with **311 employees**. This included 20 people on long-term leave (childcare benefit, unpaid leave with childcare allowance, illness), so the **actual headcount** of active workers was **291**, its rate being less than 2.5% compared to the judiciary's overall headcount.

The NOJ's employees by position			
Job group	Number of employees by grade (persons)	Number of employees by position (persons)	Share of positions
court presidents	52	–	–
appointed judges	41	41	13,18%
assistant judges	22	27	8,68%
trainee judges	3	3	0,97%
officers III	99	134	43,09%
officers IV	59	71	22,83%
blue collar workers	35	35	11,25%
<b>NOJ's number of employees as of 31 December 2018</b>	<b>311</b>	<b>311</b>	<b>100,00%</b>



Approved headcount by position (persons)



Changes in approved and actual headcount				
Job group	31 December 2017		31 December 2018	
	Approved headcount	Actual headcount	Approved headcount	Actual headcount
judges	34	33	41	39
assistant judges	34	32	27	26
trainee judges	2	2	3	3
officers with higher qualifications	119	112	134	123
officers with secondary qualifications	71	68	71	67
scribes	-	-	-	-
blue collar workers	31	30	35	33
<b>Total</b>	<b>291</b>	<b>277</b>	<b>311</b>	<b>291</b>

The actual headcount grew by 14 persons (5%) compared to 31 December 2017. The internal ratios reflect the attempt to involve the highest possible number of judges familiar with the judiciary in administrative responsibilities so that they can contribute their practical experiences to the judiciary's administration. In 2018 the NOJ's administrative responsibilities received contributions from further judges and court employees responsible for central administration within the judiciary, an estimated total of 300 people. An additional three court employees worked for the NOJ on secondment.

Composition of actual headcount by responsibility (based on end of year staff as of 31 December 2018)					
Judges (persons)	President, Deputy President, President's Commissioner	Actual clerks performing court related responsibilities*		Communication, liaison	Total
		at NOJ except for HAJ	at HAJ		
	4	27	5	3	39
Assistant and trainee judges, officers (persons)	Actual clerks performing functional responsibilities	Actual clerks performing court related responsibilities*		Administrative clerks	Total
		at NOJ except for HAJ	at HAJ		
	68	57	33	61	219

\*Court related responsibilities: evaluation of laws, representation in litigation, administrative management, regulation, complaint management, electronic procedure, preparation of judge's and leader's job applications for evaluation, management of calls for trainee judge's job applications and headcount management, Heading level budget management, operation and development of the national IT infrastructure, national building development and maintenance, science management, international relations and training, project planning and implementation.



<b>Blue collar workers (persons)</b>	Office help	Driver	Cleaner, other hotel staff	Facility management	<b>Total</b>
	5	7	17	4	<b>33</b>

The new administrative model introduced on 1 January 2012 also brought about a change in the scope and intensity of central administrative activities as the NOJ performed considerably more responsibilities than the NJC's Bureau and such responsibilities are more diverse.

This change is significant as reflected by the number of case filings as an objective indicator. They amounted to 42,856 in 2011 and to 102,060 in 2018.

The increase was particularly conspicuous in some areas:

- Legislation speeded up compared to the pre-2012 period; while the number of legal evaluation files was 782 in 2011, it had grown to 3,587 by 2018.
- The number of courses had multiplied (from 85 in 2011 to 455 in 2018) with a simultaneous increase in the number of participants by more than four times (from 4,311 to 18,654).
- In 2018 a total of 323 foreign study trips were made.
- In parallel with the continuous improvement and modernisation of 185 court facilities, there is a high number of key projects in progress, including the construction of a new central building for the Budapest Environs Regional Court, the Curia's relocation to Kossuth tér, the construction of a new training centre in Balatonszemes, and the renovation of the Szeged Regional Court's building.
- In terms of IT development, new tasks in progress include e-file, electronic document access system, the development of decision drafting and anonymization software. The NOJ has never engaged in such large scale projects requiring various types of expertise and coordinated activities.

This unprecedented increase in the number of tasks and the labour intensive organisational activities that they take necessarily resulted in a higher number of the NOJ's staff compared to the NJC's Bureau and its increase with the extension and progress of the activities.

The NJC's actual headcount was 150 as of 31 December 2011 whereas the NOJ had 291 employees as of 31 December 2018, in proportion with the above increase of tasks.

### **2.3. Human resources management**

In line with its strategic objective, the NOJ has been working hard for the flexible and optimum allocation and utilisation of human resources. To this end, it adopted the following measures:

- In addition to improving the professional standards of certain complex administrative activities in the judiciary, we aimed at creating positions for the winners of the ERA/CJEU scholarship programs, at least for their terms of internship. Experiences obtained abroad raise the standards of work and the judiciary's efficiency in the long run.
- The NOJ's President is committed to offering interested assistant and trainee judges an insight into the NOJ's operation to obtain useful practical experiences for their future careers. At the same time, such professionals with court experiences can considerably contribute to the efficient and successful performance of certain key administrative and organisational responsibilities.



- Another way for using knowledge and experiences accumulated in the knowledge-based judiciary is to participate in one of the working groups operating in the central administrative organisation. In 2018 there were 13 working groups of 108 members in total, primarily engaged in preparing development and training materials.
- As a result of competence based employment, the improvement of staff qualifications and skills, and continuous monitoring by court presidents, complex responsibilities were performed with greater efficiency.
- The employer's measures adopted in 2018 so far for the rational and efficient use of human resources primarily aimed at adjusting the judiciary's strategic objectives and staff expectations.
- The competence based selection process and the entrance test used for filling vacancies efficiently promoted the hiring of a new generation of appropriate professionals.
- The improvement of staff qualifications went hand in hand with quality changes, which added to fluctuation in the short run but will affect performance positively in the long run.
- As part of the induction process, new entrants were offered presentations and personal consultations to find out about professional conduct in the organisation.
- An HR supply plan was made to prepare for and manage the risks of integrity involved in HR fluctuation.

## 2.4. Working environment

On 31 December 2018, the approved headcount consisted of 54 employees, except for five people seconded to the Kaposvár Regional Court, working in an excellent environment, inside the modern air-conditioned Hungarian Academy of Justice with a floor area of 510.08 square meters net in the 12<sup>th</sup> district of Budapest in the green belt, a facility which meets all staff needs. At the same time, the Hungarian Academy of Justice is conducting further building improvements, primarily to offer an even higher number of bigger and better equipped rooms for central courses and conferences.

On 31 December 2018, there were 232 employees in the National Office for the Judiciary's building in Szalay utca, Budapest 5<sup>th</sup> district (of a net floor area of 2,320.98 m<sup>2</sup>). The building's beauty, architectural features and spacious vestibule attract and capture the attention of both workers and visitors. In addition to this magnificent property, by now fully exploited in mechanical and technical terms, there will be a reconstructed building in Markó utca, Budapest 5<sup>th</sup> district, with a net floor area of 1,276.22 m<sup>2</sup> to improve the efficiency of central administrative work. Compliant with the latest trends and satisfying IT and technical needs, this building is expected to serve the judiciary in its efficient, timely and task oriented work.

## 3. NATIONAL REGISTRATION AND CLIENT RELATIONS DIVISION AND NATIONAL REGISTRATION OFFICE

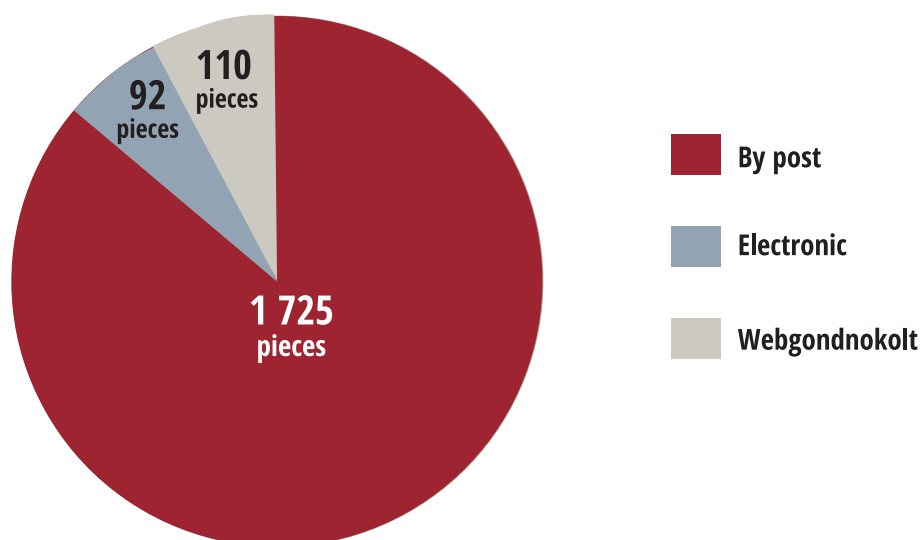
### 3.1. Requesting data from the National Register of Persons Under Guardianship

Act CLXXV of 2013 on the Register of Persons Under Guardianship and preliminary juridical acts (Gnytv.) regulates the procedure of requesting data from the NOJ's Register of Persons Under Guardianship. Legal professions authorised by the Act are entitled to direct access for a specific purpose while other agencies and individuals may submit their applications in hard copy or electronically by verifying their legal interest.

In 2018 the NOJ received 110 requests and enquiries by post, 1,725 by electronic channels, via client gateway, and 92 via official gateway within the "Webgondnokolt" system. This makes the total number of data requests 1,927 including notices of deficiency issued in response.



*Distribution of data requests concerning persons under guardianship in 2018*



### 3.1.1. Developments concerning the National Register of Persons Under Guardianship

At the end of 2018, the Register of Persons Under Guardianship contained 54,959 entries. In the same period, 36 people made preliminary statements.

The Register was used for 48,180 external queries (police departments, notaries public, etc.) through Webgondnokolt, the NOJ's external access portal.

The NOJ works hard to update the Voters' Register of the National Elections Bureau (NVI), which also includes disenfranchised individuals in the Register of Persons Under Guardianship.

To this end, by virtue of Gnytv. Section 18 (2), the NOJ performed an automatic migration in 2018 regarding declarations and dates of death from the Ministry of the Interior's Register of Personal and Residence Data to the Register of Persons Under Guardianship, and ordered courts to take several overall data cleaning measures. Such data cleaning covered the matters of individuals entered into the NVI's register but not included in court dockets. Data cleaning greatly contributed to the smooth conduct of the general elections on 8 April 2018. As a result, the NOJ did not receive any complaint about the inaccuracy of voting data in the Register of Persons Under Guardianship during the elections.

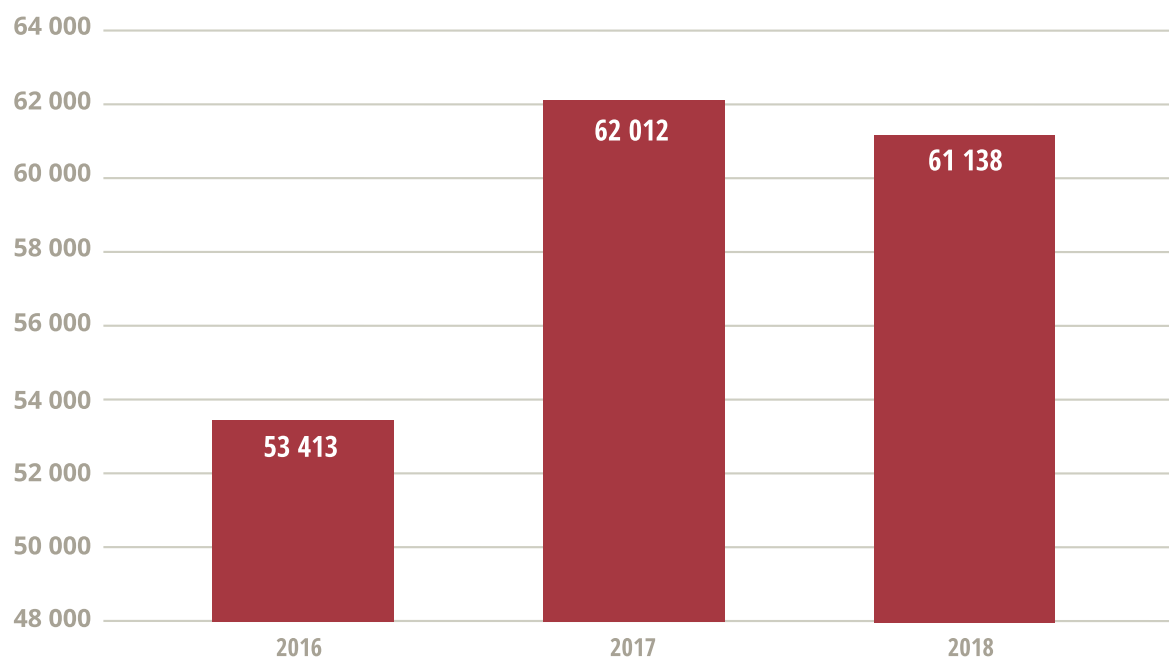
### 3.2. NGO reports

Pursuant to Act CLXXV of 2011 on freedom of association, public benefit status, and the operation and support of non-governmental organisations, NGOs must submit their annual reports to the NOJ for publication until 31 May of the next year. As of 1 January 2015, NGOs obliged to electronic communication can only do this by electronic channels, via the Client Gateway. As of 1 March 2017, the rule also applies to public foundations. Parties not obliged to electronic communication may choose between hard copy and electronic filing.

In 2018 a total of 71,501 reports were filed, 61,138 electronically and 10,363 in hard copy.  
 In 2017 a total of 76,739 reports were filed, 62,012 electronically and 14,727 in hard copy.  
 In 2016 a total of 74,007 reports were filed, 53,413 electronically and 20,594 in hard copy.



### *Changes in the number of reports submitted electronically 2016–2018*



The vast majority of NGOs submit their annual reports within the last few days before the due date but the NOJ was ready for receiving them in the reporting period. In late May and early June, 43,412 reports were submitted electronically and 8,636 by post. This makes it a total of 52,048.

To process this large quantity by deadline, the NOJ's employees received overtime help from court employees from June 2018. The appropriate preparations and the overtime helped the NOJ to process all reports submitted electronically until 18 June 2018.

#### **3.2.1. Developments concerning NGO reports**

In 2018 the need arose to update the forms required for submitting reports in order to indicate the fragment period on the report form. This was particularly important for the reports of NGOs under voluntary dissolution.

The updated versions of the report forms used in previous years and the forms for the 2018 reports (PK-441, PK-442) became available among civil procedure forms on 1 February 2018.

As of 1 January 2018, NGOs may choose to submit their reports via their Companies Gateway.

#### **3.2.2. Data collation in the Register of NGOs**

In 2018 we prepared another round of data collation in the Register of NGOs.

The elimination of specific error types and the previous data cleaning (early 2017) greatly reduced the number of errors in the register. The second stage started in December 2017 by checking each of the minor errors in the Register of NGOs. The data cleaning process was prepared in December 2017 and in the first half of 2018, and error correction was completed by the end of 2018.



### **3.3. Register of General Powers of Attorney**

#### **3.3.1. Design**

Act XLIII of 2017 on the Register of General Powers of Attorney for litigious and non-litigious court procedures (Ányt.v.) came into force on 1 January 2018. In compliance with the Act, the NOJ developed its own software called Register of General Powers of Attorney (hereinafter: Register).

The Ányt.v. requires the Register to be electronic. The IT application used for keeping the Register and performing data supply is operated by the NOJ's President.

#### **3.3.2. Entry**

The general power of attorney is entered into the Register by the regional court competent at the applicant's domestic residence or, in the absence thereof, domestic temporary address or, if the applicant is a legal person, its domestic seat. The application for a data entry in the Register must be submitted to the competent court using the form with the statutory content.

Pursuant to Ányt.v. Section 22 (1), data of general powers of attorney entered into court registers kept under Act III of 1952 on civil procedure before the entry into force of this Act, either on 15 March 2014 or afterwards, must be migrated to the Register under this Act. In compliance with this provision, courts entered more than 1,000 powers of attorney into the Register according to the NOJ's rules of procedure.

#### **3.3.3. Data supply**

Pursuant to Decree 17/2017 (15 December) of the Minister of Justice on the detailed rules of the public register of general powers of attorney for litigious and non-litigious procedures, issued in implementation of the Act, data may be requested from the Register. Such applications must be submitted to the NOJ.

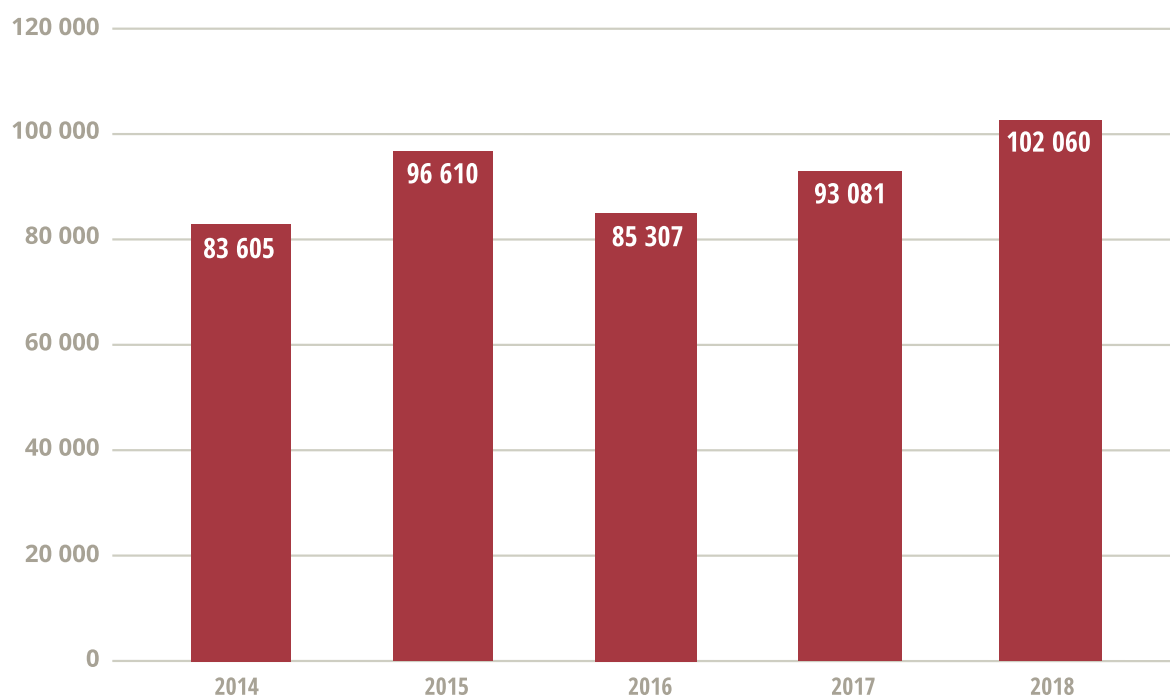
For the electronic submission of applications, the NOJ upgraded its own IT system and the President's Filing System (EIR) to make them suitable for receiving electronic applications and issuing data. The NOJ's application forms are available on the central website of courts.

## **4. THE NOJ'S DOCUMENT LOAD**

The NOJ performs service provision, preparation of decisions, operative, support, data gathering, analytic and other current responsibilities on a daily basis. In 2018 a total of 102,060 documents were filed, nearly 9,000 more than the Central Bureau's document load in 2017.



*The NOJ's document load between 2014 and 2018*

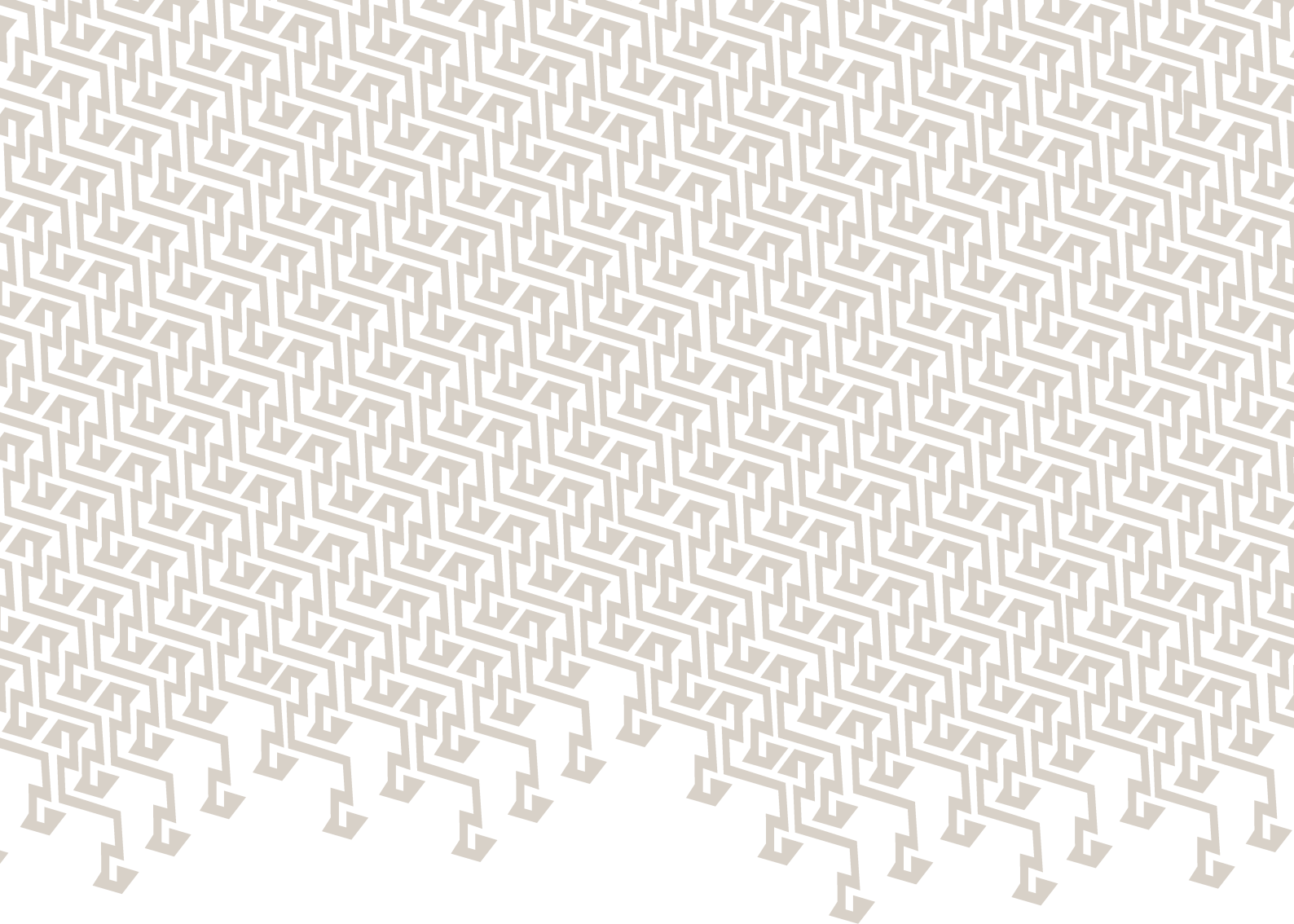


The NOJ's document load in 2018 and its detailed distribution are described in *Annex VII. 1*. The efficient and timely processing of documents in 2018 imposed a heavy workload on all employees of the NOJ. The performance of such responsibilities requires accurate and up-to-date document management and intimate familiarity and compliance with the relevant rules.

#### FUTURE GOALS AND TASKS:

- to enhance the professional standards of certain complex administrative activities affecting the judiciary
- to provide court employees with competence based training and in-house courses (lifelong learning)
- to provide the NOJ with better accommodation
- to improve the training infrastructure for the NOJ's courses within the HAJ-II and HAJ-Balaton projects
- to relocate the designated units of the NOJ to the newly rebuilt Markó utca property fast and smoothly





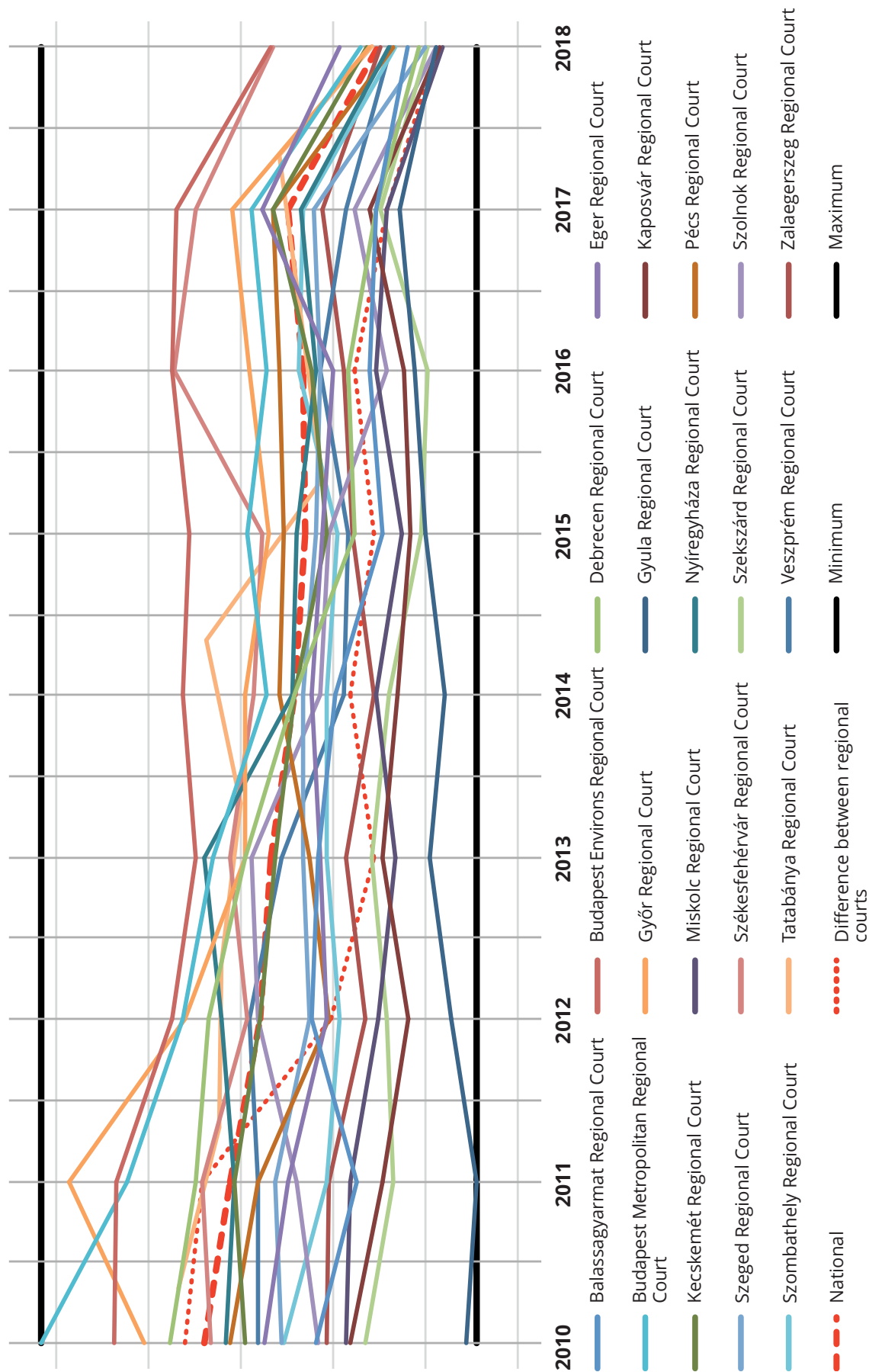


# ANNEX



I. 1.

Changes in the number of pending cases per judge in the criminal and civil branches, at district courts and the first instance of regional courts (including administrative and labour courts)





II. 1.

Approved headcount of judges and court employees in the judiciary										
Court	Judges	Assistant judges	Trainee judges	Court President	Court clerks	Officers with higher qualifications	Officers with secondary qualifications	Scribes	Blue collar workers	Total headcount
Curia	92	14	0	21	17	55	51	6	70	326
Budapest Metropolitan Appellate Court	90	23	0	18	25	20	24	0	8	208
Debrecen Appellate Court	26	8	0	9	6	9	8	0	7	73
Győr Appellate Court	24	5	0	8	5	1	11	2	8	64
Pécs Appellate Court	16	3	0	7	1	5	9	0	7	48
Szeged Appellate Court	24	7	0	7	3	6	15	1	7	70
Balassagyarmat Regional Court	48	15	5	19	7	6	68	13	43	224
Budapest Environs Regional Court	281	100	18	82	70	14	276	131	56	1 028
Debrecen Regional Court	135	43	10	47	22	12	159	48	54	530
Eger Regional Court	72	22	7	33	15	12	70	18	35	284
Budapest Metropolitan Regional Court	793	213	87	188	192	48	789	437	202	2 949
Győr Regional Court	94	30	17	18	20	10	110	37	42	378
Gyula Regional Court	76	28	3	22	17	12	98	18	49	323
Kaposvár Regional Court	82	25	8	27	25	8	85	35	56	351
Kecskemét Regional Court	119	37	16	26	22	20	152	53	70	515
Miskolc Regional Court	172	57	15	37	38	15	226	78	72	710
Nyíregyháza Regional Court	125	46	4	25	28	12	162	35	46	483
Pécs Regional Court	96	36	11	24	24	19	79	64	48	401
Szeged Regional Court	115	37	6	33	23	10	161	45	44	474
Székesfehérvár Regional Court	86	31	9	26	14	10	88	37	30	331
Szekszárd Regional Court	58	15	4	19	12	8	75	16	22	229
Szolnok Regional Court	86	22	10	30	14	9	109	17	36	333
Szombathely Regional Court	49	14	7	18	8	6	65	15	34	216
Tatabánya Regional Court	76	25	4	25	16	15	90	23	11	285
Veszprém Regional Court	85	26	7	12	14	6	87	59	50	346
Zalaegerszeg Regional Court	64	20	6	29	15	4	57	37	26	258
<b>SUM TOTAL:</b>	<b>2 984</b>	<b>902</b>	<b>254</b>	<b>810</b>	<b>653</b>	<b>352</b>	<b>3 124</b>	<b>1 225</b>	<b>1 133</b>	<b>11 437</b>
National Office for the Judiciary	32	28	3	62	0	116	50	0	35	326
<b>SUM TOTAL:</b>	<b>3 016</b>	<b>930</b>	<b>257</b>	<b>872</b>	<b>653</b>	<b>468</b>	<b>3 174</b>	<b>1 225</b>	<b>1 168</b>	<b>11 763</b>



Actual headcount of judges and court employees in the judiciary										
Court	Judges	Assistant judges	Trainee judges	Court President	Court clerks	Officers with higher qualifications	Officers with secondary qualifications	Scribes	Blue collar workers	Total headcount
Curia	84	17	0	21	17	50	51	4	59	303
Bp. Metropolitan Appellate Court	89	23	0	18	25	6	35	4	7	207
Debrecen Appellate Court	26	8	0	9	6	6	9	1	9	74
Győr Appellate Court	24	5	0	8	3	1	13	2	10	66
Pécs Appellate Court	16	3	0	7	1	4	10	0	7	48
Szeged Appellate Court	22	6	0	7	5	6	16	2	7	71
Balassagyarmati Regional Court	47	12	5	19	7	6	67	17	41	221
Bp. Environs Regional Court	278	94	15	80	64	17	303	128	49	1 028
Debrecen Regional Court	131	43	10	45	21	14	171	51	68	554
Eger Regional Court	67	25	4	32	14	11	59	35	36	283
Bp. Metropolitan Regional Court	760	207	87	187	172	37	674	544	189	2 857
Győr Regional Court	93	28	16	16	19	9	96	59	53	389
Gyula Regional Court	74	27	4	22	16	11	100	26	50	330
Kaposvár Regional Court	81	22	9	27	25	9	82	47	58	360
Kecskemét Regional Court	117	38	12	26	20	23	151	65	70	522
Miskolc Regional Court	164	56	14	33	36	13	215	113	72	716
Nyíregyháza Regional Court	120	45	4	25	28	9	148	58	46	483
Pécs Regional Court	95	35	8	24	23	17	78	75	48	403
Szeged Regional Court	110	36	6	32	23	9	133	76	49	474
Székesfehérvár Regional Court	85	27	8	25	13	13	78	52	35	336
Szekszárd Regional Court	56	14	5	19	10	9	49	42	21	225
Szolnok Regional Court	84	24	6	29	14	8	93	41	38	337
Szombathely Regional Court	51	13	7	17	7	5	66	22	38	226
Tatabánya Regional Court	74	26	4	25	15	14	92	34	11	295
Veszprém Regional Court	83	24	5	12	14	7	74	64	57	340
Zalaegerszeg Regional Court	61	20	6	29	15	4	59	49	29	272
<b>SUM TOTAL:</b>	<b>2 892</b>	<b>878</b>	<b>235</b>	<b>794</b>	<b>613</b>	<b>318</b>	<b>2 922</b>	<b>1 611</b>	<b>1 157</b>	<b>11 420</b>
National Office for the Judiciary	41	22	3	52	0	99	59	0	35	311
<b>SUM TOTAL:</b>	<b>2 933</b>	<b>900</b>	<b>238</b>	<b>846</b>	<b>613</b>	<b>417</b>	<b>2 981</b>	<b>1 611</b>	<b>1 192</b>	<b>11 731</b>



VI. 1.

Calendar of central courses at the HAJ in 2018				
No.	Main group	Subgroup	Number of edition in 2018	Number of registrants
1	Management training	Management meetings	10	438
1	Management training	Management training	10	122
2	Basic preparatory courses for judges – New generation courses	Entrance examination for trainee judges and related events	3	200
2	Basic preparatory courses for judges – New generation courses	Obligatory basic courses	12	630
2	Basic preparatory courses for judges – New generation courses	Professional courses for junior judges	3	297
3	National networks and strategic programs	Court mediators	7	243
3	National networks and strategic programs	Courses related to central local/regional courses and trainers' training	4	532
3	National networks and strategic programs	Courses for the members, contact persons and coordinators of national networks and strategic programs	26	1 097
4	Central courses promoting standard legal practices, trainers' training	Courses on matters subject to designation and other special types of matters	6	545
4	Central courses promoting standard legal practices, trainers' training	Professional days	4	453
5	International and EU events	Other international events	3	156
5	International and EU events	Other international professional events, visits, preparation of the THEMIS teams	17	208
5	International and EU events	International events based on cooperation with the Network of European Union Legal Advisors	2	89
5	International and EU events	International events based on cooperation with ERA	2	100
6	Courses promoting court operation	Courses promoting electronic actions and IT	60	1 586



No.	Main group	Subgroup	Number of edition in 2018	Number of registrants
6	Courses promoting court operation	Courses promoting administration and development	29	1 473
7	Scientific events	Scientific events	4	260
8	Non-judicial organisations' courses at the Academy	Leasing rooms	2	41
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Other meetings	4	70
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Negotiations	9	103
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Courses promoting administration and development	3	177
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Courses, conferences	5	260
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Public Service Development Operative Program – Meetings of Digital Court Working Groups	47	517
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Visits	3	52
9	Working group meetings, consultations, NOJ meetings, visits, events announced in addition to the training plan	Working group and other discussions	7	189
<b>Total:</b>			<b>282</b>	<b>9 838</b>



VI. 2.

Calendar of central courses organised locally and regionally in 2018					
Course title	Number of regions organising the course	Number of course	Number of participants	Type of course	
Regional course on the new International Private Law Act	5	6	472	obligatory course	
The new Data Protection Decree and the main related novelties	5	5	523	obligatory course	
Local practical matters of using the National Corvina Integrated Court Library System	5	5	33	obligatory course	
Pilot modules 2, 3, 4: Basic course for judges hearing minors' cases	1	3	161	obligatory course	
Action simulation – regional final	5	10	273	obligatory course	
Mental disability, communication, supported decision-making – Preparation of judges and assistant judges hearing guardianship cases	5	5	85	obligatory course	
E-code CPC regional course for court clerks (Act on the service status of court employees)	5	5	201	obligatory course	
E-code CrPC – preparation for the application of Act XC of 2017 on criminal procedure	5	25	1 575	obligatory course	
The new CPC in practice workshop	5	37	1 984	obligatory course	
The latest Constitutional Court decision in the light of the new CrPC	2	2	69	recommended course	
Standardising the principles of punishments for criminal judges	4	4	202	recommended course	
Practical problems of qualifying financial crimes	3	3	166	recommended course	
Workshop on drafting decisions on accessory matters (exhibits, confiscation, criminal costs)	2	2	78	recommended course	
Judicial practices of traffic crimes	4	4	235	recommended course	
Practices of evaluating civil claims and implementing confiscation of assets	5	5	202	recommended course	
Management of stress and unexpected courtroom situations for criminal judges	5	5	171	recommended course	
Promoting the practical application of the new CrPC for criminal clerks and scribes (Act on the service status of court employees)	3	6	292	recommended course	
Problems of interpretation of substantial and procedural law in legal disputes for the enforcement of grievance fees in judicial practices	3	3	166	recommended course	



Course title	Number of regions organising the course	Number of course	Number of participants	Type of course
Rules of succession amended in the wake of the new Civil Code	4	4	214	recommended course
Practices of land registration and real right actions	2	2	126	recommended course
Condominium actions	2	2	73	recommended course
Professional course promoting electronic procedure – A computer room course for civil senior and junior judges	2	2	61	recommended course
Basic preparatory course for judges – Workshop	1	1	61	recommended course
Burnout management techniques for family law judges	4	4	138	recommended course
Practical application of the new CPC	4	4	312	recommended course
Changes in the practices of liquidation and bankruptcy actions in the wake of the amendment of the Bankruptcy Act in 2017 for judges and assistant civil judges	4	4	102	recommended course
Course for court employees supporting the President's administration (Act on the service status of court employees)	2	2	72	recommended course
Promoting the practical application of the new CPC for court officers (Act on the service status of court employees)	1	1	44	recommended course
Promoting the practical application of the new CPC for clerks (Act on the service status of court employees)	2	6	409	recommended course
Business secrets, classified information and service secrets in the practices of labour and administrative actions	1	1	33	recommended course
Tax judgements	1	1	45	recommended course
Current matters of social security and collective labour law	1	1	90	recommended course
Current matters of administrative justice	1	1	111	recommended course
Current matter of labour law	1	1	37	recommended course
<b>Total</b>		<b>172</b>	<b>8 816</b>	



## VII. 1.

Document load of the National Office for the Judiciary and its distribution in 2018			
Unit name	Total number of filling	Main number	Sub-number
<b>President's Cabinet</b>	<b>1 389</b>	<b>68</b>	<b>1 321</b>
<b>Administrative Management Department</b>	<b>13 151</b>	<b>1 011</b>	<b>12 140</b>
Administrative Division	7 786	371	7 415
Complaints	1 412	360	1 052
Statistical Analysis Division	3 953	280	3 673
<b>Electronic actions Department</b>	<b>10 057</b>	<b>2 850</b>	<b>7 207</b>
Electronic Regulation and Development Division	2 256	282	1 974
National Registration and Client Relations Division	7 801	2 568	5 233
<b>Audit Department</b>	<b>355</b>	<b>23</b>	<b>332</b>
<b>Human Resources Management Department</b>	<b>13 020</b>	<b>1 353</b>	<b>11 667</b>
Office Division	2 582	268	2 314
Court Division	10 438	1 085	9 353
<b>Communication and Liaison Department</b>	<b>1 564</b>	<b>56</b>	<b>1 508</b>
Communication Division	1 181	45	1 136
Event Management Division	383	11	372
<b>Legal Department</b>	<b>7 424</b>	<b>676</b>	<b>6 748</b>
Bill Assessment Division	3 827	240	3 587
Legal Representation Division	3 597	436	3 161
<b>Engineering Department</b>	<b>918</b>	<b>29</b>	<b>889</b>
<b>Financial Management Department</b>	<b>7 377</b>	<b>214</b>	<b>7 163</b>
<b>IT Department</b>	<b>3 364</b>	<b>309</b>	<b>3 055</b>
<b>Project Bureau</b>	<b>504</b>	<b>30</b>	<b>474</b>
<b>Public Procurements and Contractual Relations Department</b>	<b>2 384</b>	<b>332</b>	<b>2 052</b>
<b>Hungarian Academy of Justice</b>	<b>9 612</b>	<b>658</b>	<b>8 954</b>
Training Division	4 680	228	4 452
Science Management and Documentation Division	2 041	137	1 904
International Relations Division	2 608	260	2 348
Service Division	283	33	250
<b>Total</b>	<b>71 119</b>	<b>7 609</b>	<b>63 510</b>
<b>Total pending filings in 2014, 2015, 2016 and 2017 / including complaints</b>	<b>30 941/ 1 968</b>	<b>-</b>	<b>30 941/ 1 968</b>
<b>Total</b>	<b>102 060</b>	<b>7 609</b>	<b>94 451</b>





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