



**Réseau Européen de Formation Judiciaire
European Judicial Training Network**

GUIDE FOR EXCHANGES

Exchange Programme for Judicial Authorities

May 2009

With the support of the European Union



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I. BACKGROUND

The European Judicial Training Network

Founded on 13th October 2000, the European Judicial Training Network (EJTN) is a non-profit making international organisation (AISBL) with its headquarters in Brussels and comprises the institutions specifically responsible for the training of the professional judiciary within the European Union (EU). It currently has 32 members¹ from the 27 Member States of the European Union and 8 observers² amongst which the institutions of the European Union and the Council of Europe.

The EJTN aims to initiate and develop training programmes with a genuine European dimension for members of the European judiciary. This involves analysing and identifying training needs, designing programmes and methods for collaborative training, developing exchanges and sharing experiences in the field of judicial training, coordinating programmes and providing training expertise and know-how.

In order to carry out its activities, the EJTN has established a permanent secretariat of 13 persons in Brussels. For more information on the EJTN and its activities, you can visit the EJTN website at www.ejtn.eu.

The Exchange Programme

Launched at the initiative of the European Parliament³ and funded for the fifth consecutive year by the European Commission, the main objective of the Exchange Programme is to develop mutual trust between judicial authorities in order to promote the mutual recognition of judicial decisions by getting to know each other better and working together.

The first Exchange Programme was implemented in 2005 by two members of the EJTN (the French National School for the Magistracy and the Italian High Council for the Magistracy). Since 2006, the EJTN is itself in charge of its implementation. The same year, it has been recognised a de facto monopoly in the implementation of the Exchange Programme by the European Commission⁴.

Since the implementation of the first Exchange Programme, approximately 1150 judges and prosecutors (including futures judges and prosecutors), judicial trainers and members of Councils have participated in an exchange. The number of exchanges and partners has gradually increased since the first year of implementation.

¹ Austria (Bundesministerium für Justiz); Belgium (Conseil Supérieur de la Justice); Bulgaria (National Institute of Justice); Cyprus (Supreme Court); Czech Republic (Justiční akademie); Denmark (Domstolsstyrelsen); Estonia (Supreme Court); Finland (Oikeusministeriö); France (Ecole Nationale de la Magistrature); Germany (Bundesministerium für Justiz); Greece (National School of Judges); Hungary (Office of the Prosecutor General, Office of the National Council for the Judiciary); Ireland (Judicial Studies Institute); Italy (Consiglio Superiore della Magistratura); Latvia (Latvian Judicial Training Centre); Lithuania (Ministry of Justice); Luxemburg (Ministry of Justice); Malta (Judicial Studies Committee); The Netherlands (Studiecentrum Rechtspleging); Poland (Ministry of Justice); Portugal (Centro de Estudos Judiciarios); Romania (National Institute of Magistracy); Slovakia (Judicial Academy); Slovenia (Ministry of Justice); Spain (Centro de Estudios Jurídicos, Escuela Judicial Consejo General del Poder Judicial); Sweden (Domstolsverket); United-Kingdom (Judicial Studies Committee of Scotland, Judicial Studies Board of England & Wales, Judicial Studies Board for Northern Ireland); Academy of European Law (ERA).

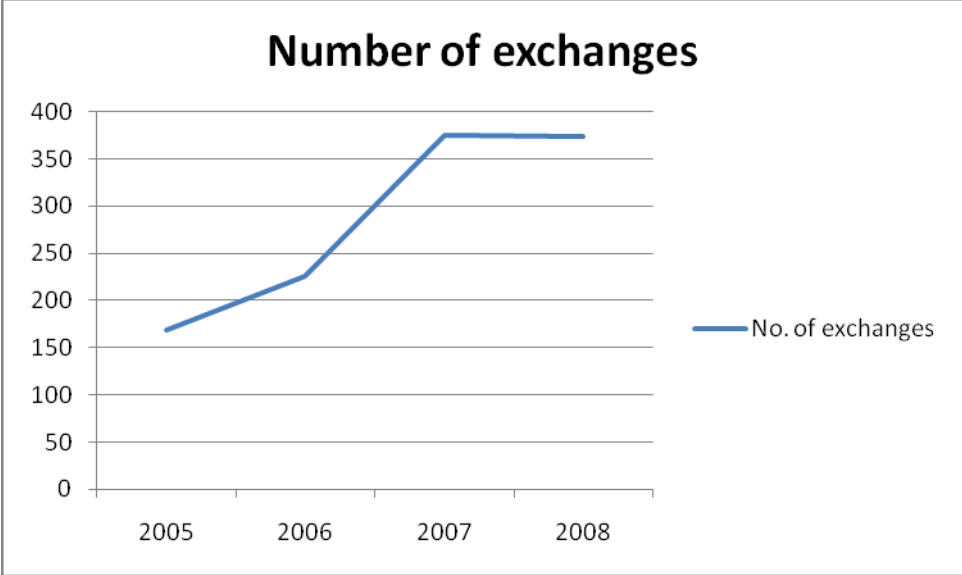
² EU institutions, Council of Europe, Centre for Judicial and Prosecutorial Training of Bosnia and Herzegovina, Centre for Judicial and Prosecutorial Training in the Republic of Srpska, Office of the Prosecutor General of Estonia, Judicial Academy of Croatia, Prosecutor General's Office of Lithuania, Academy for Training of Judges and Prosecutors of the Republic of Macedonia and the National Courts Administration of Norway.

³ European Parliament Resolution (A5-0039/2003) on the guidelines for the 2004 budgetary procedure.

⁴ Decision of the European Commission, 11 July 2006

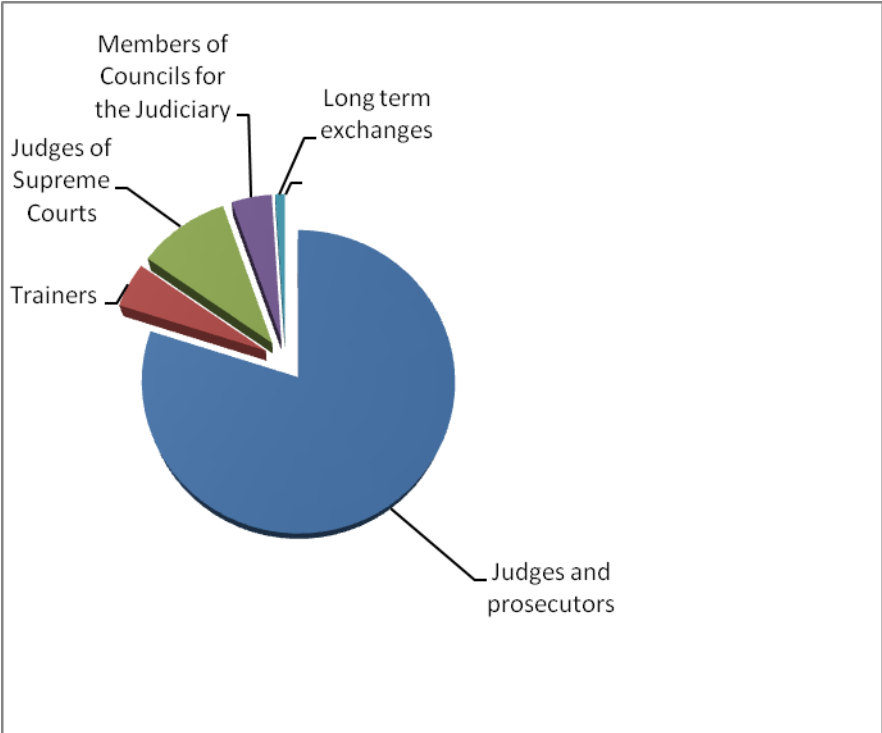
In 2009, the EJTN implements the Exchange Programme in partnership with 30 institutions in 21 countries. Within the EJTN, a team of 5 persons is in charge of the implementation of the Programme.

Number of exchanges implemented yearly since 2005



Different kinds of exchanges are proposed depending on the length, the number of participants, the functions of the participants (see [section II](#) for more information).

Breakdown of exchanges by category
(Exchange Programme implemented in 2008)



II. TYPES OF EXCHANGES

The general requirements for all the exchanges are the following:

- ✓ strong professional motivation
- ✓ good knowledge of the language of the exchange (see table [p.7](#) for available language(s) by country)

- Exchanges for judges and prosecutors

The main objective of this type of exchanges is to enable the participants to share the work of their counterparts in another EU country or candidate country, to familiarise themselves with a judicial system other than their own, to understand how it works and thus to assess their own professional practice. These exchanges are organised under two schemes:

- **One-to-one (individual) exchanges**

Description: the visiting judge/prosecutor shadows a counterpart in his/her daily practice in a court/prosecutor's office of the host country. The judge/prosecutor may attend court hearings, examine files and be able to discuss cases with colleagues in the host jurisdiction... In most cases, one-to-one exchanges take place in the official language of the host country.

Length: 2 weeks (10 working days)

Persons concerned: future judges and prosecutors, judges from 1st and 2nd instance ordinary and administrative courts and Supreme Court Judges whose institution is member of either the Network of the Presidents of the Judicial Supreme Courts of the EU or the Association of the Councils of State and Administrative Supreme Courts of the EU, prosecutors at 1st and 2nd instance as well as prosecutors from Supreme Courts.

- **Group exchanges**

Description: the visiting judge/prosecutor is hosted in the host country with a group of judges/prosecutors from other EU/candidate countries. In the majority of cases, group exchanges are organised in another language than that of the host country (usually English or French). The general schedule is that, during the 1st week, the group of participants is introduced to the judicial system of the host country whereas during the 2nd week, it is separated into several courts/prosecution offices for more specific activities.

Length: 2 weeks (10 working days)

Persons concerned: future judges and prosecutors, judges from 1st and 2nd instance ordinary and administrative courts, prosecutors at 1st and 2nd instance.

- Exchanges of trainers

Description: judicial trainers are hosted for one or two weeks by a judicial training institution of another country. Trainers are involved in initial/continuous judicial training sessions devoted to judges/prosecutors and become familiar with the following: training methodologies, pedagogical tools, training programmes, best practice and any training

initiative which applies in the host country. Judicial trainers can take part to “one to one exchanges” and/or to “group exchanges”.

Length: 1 week (5 working days) or 2 weeks (10 working days)

Persons concerned: judicial trainers for initial or continuous training, at national or decentralised level.

- **Exchanges between Councils for the Judiciary** (to be confirmed)

Description: the participant is hosted in the Council for the Judiciary or similar organisation of the host country. He/she may meet his/her counterparts to discuss specific topics, attend meetings of the different departments of the host institution, visit courts... In most cases, exchanges between members of Councils for the judiciary take place in the official language of the host country.

Length: 3 to 5 working days

Persons concerned: Members of Councils for the Judiciary and similar organisations who are members of the European Network of Councils for the Judiciary.

List of participating countries and training languages

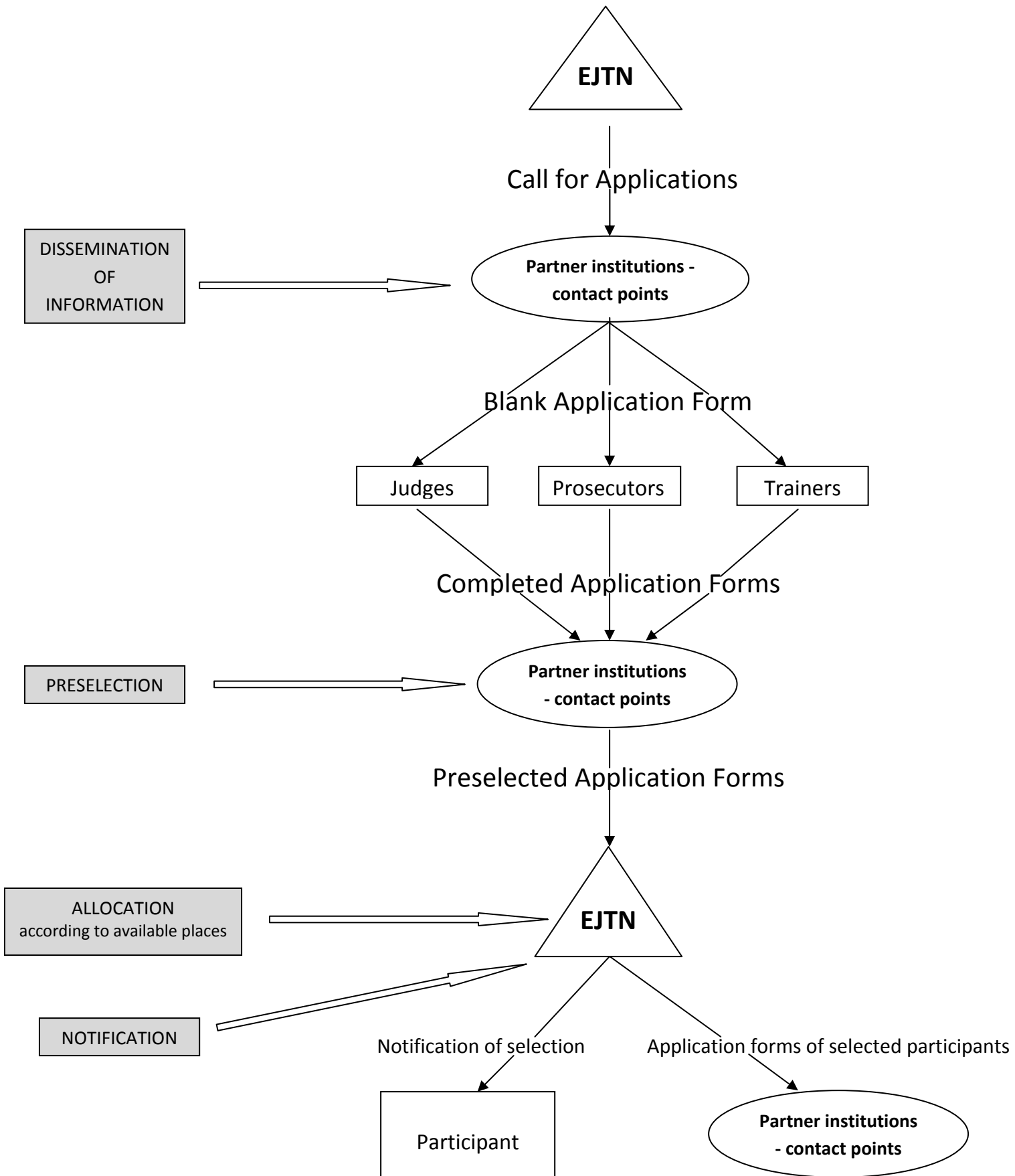
Hosting country and places available ⁵	Individual exchanges			Group exchanges			
	Judges / Ordinary Courts	Judges / Administrative Courts	Prosecutors	Judges / Ordinary Courts	Judges / Administrative Courts	Prosecutors	Dates
Austria 22	-	DE	-	DE - EN*	DE	DE - EN*	End of 2009 for judges & prosecutors
Belgium 21	FR - NL	FR - NL	FR - NL	-	-	-	
Bulgaria 6	BG - EN*	-	-	EN*	-	-	September to November 2009
Czech Republic 4	-	-	-	EN*	EN*	EN*	September to December 2009
Denmark 6	-	-	-	EN*	-	-	2nd semester 2009
Estonia 9	-	-	-	EN*	-	EN*	2nd semester 2009 for judges October 2009 for prosecutors
Finland 8				EN*	EN*	EN*	September to November 2009
France 50	FR	FR	FR	-	-	-	
Germany 14	DE	DE	DE	-	-	-	
Italy 75	IT	IT-DE*- EN*-FR*	IT	EN* - FR*	IT	EN* - FR*	2nd semester 2009 for judges & prosecutors November 2009 for administrative judges
Netherlands 20	NL	-	NL	EN*	-	EN*	November 2009
Norway 3	-	-	-	EN*	-	-	October to December 2009
Poland 24	PL - EN* - ES*	-	PL - EN* - ES*	EN* - FR*	-	EN* - FR*	September-November 2009
Portugal 12	PT	PT	PT	-	-	-	
Republic of Macedonia 18				EN*	-	EN*	September or November 2009
Romania 52	RO-EN*-FR*	RO-EN*-FR*	RO-EN*-FR*	EN* - FR*	EN* - FR*	EN* - FR*	September to December 2009
Slovakia 4	SK	SK	SK	EN*	EN*	EN*	October to November 2009
Slovenia 10	SL - EN*	SL - EN*	SL - EN*	EN* - DE*	EN* - DE*	EN* - DE*	September- December 2009
Spain 76	ES	ES	ES	EN* - FR*	-	-	16-23 Nov. 2009 in English 28 Sept.-9 Oct. 2009 in French
Sweden 6	SE - EN*	SE - EN*	SE - EN*	-	-	-	
UK 5	EN	-	-	-	-	-	

* Possible language of the exchange but not spoken during the hearings.

⁵ The number of places is a global number and may include in some cases exchanges of trainers.

The number of places does not include exchanges between members of Councils for the Judiciary. For these specific exchanges, the allocation is dealt with directly by the relevant networks

III. SELECTION PROCEDURE



IV. BEFORE, DURING AND AFTER THE EXCHANGE

From the moment the EJTN notifies the candidate regarding his/her selection to take part until the final payment to the participant, the following steps have to be taken by the participant him/herself, the EJTN, the contact points in the partner institution and the referent:

1) Allocation of the participant (court, dates..):

- The EJTN
 - Sends each partner the application forms of the participants allocated to their institution
 - Sends each participant practical information regarding the exchange
- The partner institution / the contact point
 - Assigns each participant to a hosting court and to a referent.
 - Informs each participant about his/her host court and gives him/her the contact details of his/her referent.
 - If the dates of the exchange are chosen by national institution, informs the participants and the EJTN of these dates as soon as possible⁶.
- The participant:
 - Contacts his/her referent in the hosting court and fixes the dates of the exchanges if it has not been made by the national institution⁶.
 - Informs the EJTN Exchange Programme Department of the dates.
 - Sends the travel order duly completed to the EJTN Exchange Programme Department.

2) A month before the exchange

- The EJTN
 - Sends back to the participant his/her travel order signed by the Secretary General of the EJTN together with information on the hosting country
 - Pays the participant his/her 1st instalment (see [section V](#) for more information)
- The participant
 - Makes his/her travel arrangements (no reimbursement will be made for transport and accommodation arrangements made more than a month before the start of the exchange).

3) During the exchange

- The participant
 - Shall respect the terms and conditions of the programme (training schedule, content...)

4) Within a month after the exchange

- The participant
 - Sends his/her report and evaluation form to the EJTN Exchange Programme Department.
 - Sends the proof of transport costs, including boarding passes, to the EJTN (for more information of the documents to be sent, please read the check-list in annex ...).
- The referent
 - Sends the EJTN Exchange Programme Department the evaluation form for referent.

5) Within 6 months after the exchange

- The EJTN
 - Pays the participant, upon receipt of the documents to be sent after the exchange, the remaining 20% of per diem and the remaining costs for transport.
 - Sends the participant a certificate of participation.

⁶ The Exchange Programme will end on 31 December 2009 so all exchanges must be implemented before this date.

V. FINANCIAL CONDITIONS

1) Amounts – eligible costs

a) Travel expenses

The eligible costs shall **not exceed 400 EUR per return journey**.

Amounts in excess may be claimed if duly justified (complex route, island...) by an explanatory note. Such a request shall be made to the EJTN in order for the EJTN to agree on the reimbursement of the excess amount before any financial commitment is made by the participant.

The travel expenses incurred by participants for the purpose of the Exchange Programme are reimbursed on the basis of the most cost-effective means of transport between the institution in the country of origin and the place of the exchange in the hosting country.

Depending on how you travelled, the reimbursement is made as follows:

- Travel by plane: cost of an economy class ticket
- Travel by rail: cost of first-class ticket on the shortest way
- Travel by private car: equivalent of the cost of a first-class train ticket calculated on the basis of the shortest route. When the use of a car lengthens the exchange period, daily subsistence allowances will be calculated on the basis of the shortest rail journey. Participants who choose to use their own car in the framework of the Programme remain fully liable for any accidents to their car or to third parties.

Local transport expenses as well as fees for extra luggage are excluded from the specific reimbursement of transport due to the rules determined by the European Union. These expenses are covered by the per diem allowance provided to the participant.

b) Per diem

The list below represents the amount of the per diem paid by the EJTN according to the country of the exchange. The per diem covers accommodation, meals, local travels within the place of the exchange and sundry expenses.

Country	Per diem in EUR	Country	Per diem in EUR	Country	Per diem in EUR
Austria	168,75	Germany	156	Netherlands	197,25
Belgium	174	Greece	166,5	Norway	152,25
Bulgaria	170,25	Hungary	166,5	Poland	162,75
Croatia	202,5	Ireland	190,5	Portugal	153
Cyprus	178,5	Italy	172,5	Romania	166,5
Czech Republic	172,5	Latvia	158,25	Slovak Republic	153,75
Denmark	202,5	Lithuania	137,25	Slovenia	135
Estonia	135,75	Luxembourg	177,75	Spain	159
Finland	183	Macedonia (FYROM)	167,25	Sweden	192,75
France	183,75	Malta	153,75	United Kingdom	207

The number of per diem paid depends on the length of the stay. In any case, it cannot exceed 14 for two-week exchanges (the 10 days of the exchange + 2 days for the week end in between + the day before the exchange if relevant + the day after the exchange if relevant) and 7 (5 days of the exchange + the day before the exchange if relevant + the day after the exchange if relevant) for one-week exchanges.

2) Procedure of payment

The payment is made in two installments and it covers two types of expenses: travel and per diem.

Attention: Specific procedure for participants from institutions which pay the transport costs

Some national institutions book themselves the transport tickets of their participants. In that case, please indicate it in your travel order.

The EJTN will reimburse the travel costs directly to the institution and the participants will therefore receive only the payment of per diem.

Proof of travel to be sent is exactly the same but has to be sent to the contact point within the national institution.

a) 1st installment (pre-financing)

The 1st installment is made of:

- 80% of the total amount of per diem
- +
- An advance of 150 EUR for travel costs⁷

The pre-financing is paid to the bank account indicated in the travel order within a month before the exchange. You will be informed of this payment by the Exchange Programme Department.

b) 2nd installment (final payment)

Within 6 months after your exchange and upon receipt by the EJTN of the requested documents, the EJTN will proceed with your final payment. The amount of the final payment is:

- 20% of the total amount of per diem
 - +
 - the balance of travel costs up to a maximum of 250 EUR
- NB: where travel expenses incurred are less than the amount of the advance paid (150 EUR), the balance will be deducted from the final payment.

The requested documents are the following:

- the report on the exchange and its summary in English or French if possible
- the evaluation form
- the expense claim form
- the following travel documents depending on how you travelled:

⁷ Except when travelling by road (private car, bus...) where the total amount of travel costs is paid with the final payment and where no advance payment for travel is made.

- ✓ If you travelled by plane:
 - the invoice from the flight company
 - a copy of your flight ticket
 - the original of all the boarding passes corresponding to your journey

- ✓ If you travelled by train:
 - the invoice from the train company
 - the original of your train tickets

- ✓ if you travelled by private car:
 - a document from the train company proving the price of a first-class train ticket between the place of your institution in your home country and the place of the hosting institution

VI. CONTACTS

EXCHANGE PROGRAMME DEPARTMENT WITHIN EJTN

exchanges@ejtn.eu

Tel.: +32.2.280.22.42

CONTACT POINTS IN HOST COUNTIES

Country	Institution	Competence	Name CP	email address	Phone
Austria	Bundesministerium für Justiz	ordinary judges, prosecutors, trainers	Mrs Daniela VOGLER	daniela.vogler@justiz.gv.at	+43 1 52152 2231
	Vereinigung der Mitglieder der Unabhängigen Verwaltungssenate	administrative judges	Mrs Susanna GAMAUF-BOIGNER	susanna.gamauf-boigner@uvs.wien.gv.at	+43 140 003 87 82
Belgium	Institut de Formation Judiciaire / Instituut voor gerechtelijke opleiding	ordinary judges, prosecutors, trainers	Mr Jos DEVOS	jos.devos@hrf.be	
	Conseil du Contentieux des Etrangers/Raad voor Vremdelingenbetwistingen	administrative judges	Mr Geert DEBERSAQUES	geert.debersaques@ibz.fgov.be	
Bulgaria	National Institute of Justice	ordinary judges, prosecutors, trainers	Mr Stoil PASHKUNOV	pashkunov@nij.bg	+359 2 935 91 00
Czech Republic	Justicni Akademie	ordinary and administrative judges, prosecutors, trainers	Mr Jaroslav OPRAVIL	jopravil@akademie.justice.cz	+420 573 505 175
Denmark	Domstolsstyrelsen	ordinary judges	Mrs Maria Rye TARP	MAT@domstolsstyrelsen.dk	+45 33 92 95 94
Estonia	Prosecutor's Office of Estonia	Prosecutors, trainers	Mrs Kristel PRAUN	Kristel.praun@prokuratuur.ee	+372 6139 401
	Supreme Court of Estonia	ordinary and administrative judges	Mr Tanel KASK	tanel.kask@riigikohus.ee	+372 7 309 075

Finland	Oikeusministeriö	ordinary and administrative judges, prosecutors	Mr Jorma HIRVONEN	jorma.hirvonen@om.fi ; copy to eija.m.mikkonen@om.fi	+358 50 55 44 762
France	Ecole Nationale de la Magistrature	ordinary judges, prosecutors, trainers	Mr Philippe JEANJEAN	(hosting) sandrine.debats@justice.fr	+33 1 44 41 99 77
			Mrs Valérie AMAND	(sending) stephanie.prevost@justice.fr	+33 1 44 41 9973
	Conseil d'Etat	administrative judges	Mrs Nathalie LAURENT-ATTHALIN	nathalie.laurent-atthalin@conseil-etat.fr	+33 1 40 20 83 46
Germany	Bundesministerium der Justiz	ordinary and administrative judges, prosecutors	Dr Christian SCHERNITZKY	schernitzky-ch@bmj.bund.de	+49 30 2025 9671
Italy	Consiglio Superiore della Magistratura	ordinary judges, prosecutors, trainers	Mr Claudio Maria GALOPPI	urelint@cosmag.it	+39 06 444 91 407
	Consiglio di Presidenza della Giustizia Amministrativa	administrative judges	Mr Giovanni TULUMELLO	g.tulumello@giustizia-amministrativa.it	+39 320 7983 750
Netherlands	Studiecentrum Rechtspleging (SSR)	ordinary judges, prosecutors, trainers	Mrs Nathalie GLIME	glime@ssr.nl ; ssr.international@ssr.nl	+31 575 595 300
Norway	National Courts Administration	ordinary judges	Mr Stein MJØEN	Stein.Mjoen@domstoladministrasjonen.no	+47 73 56 71 23
Poland	Polish National School of Judiciary and Public Prosecution	ordinary judges, prosecutors, trainers	Mr Wojciech POSTULSKI	w.postulski@kssip.gov.pl	+48 22 55 27 267
Portugal	Centro de Estudos Judiciarios	ordinary and administrative judges, prosecutors, trainers	Mr Luis SILVA PEREIRA	luispereira@cej.mj.pt	+351 21 884 56 00
			Mrs Helena BOLIEIRO	hbolieiro@yahoo.com	
Republic of Macedonia	Academy of Training for Judges and Public Prosecutors	ordinary judges, prosecutors, trainers	Mrs Aneta ARNAUDOVSKA	Aneta.Arnaudovska@jpacademy.gov.mk	+389 2 2401 560
			Mrs Elena ILIEVSKA-JOSIFOVIC	Elena.Ilievska-Josifovic@jpacademy.gov.mk	+389 2 2401 560

Romania	National Institute of Magistracy	ordinary and administrative judges, prosecutors, trainers	Mrs Diana MIHAILA	dilica@just.ro	+40 21 407 62 53
Slovakia	Justicna akademia	ordinary judges, prosecutors, trainers	Mr Miroslav SLASTAN	miroslav.slastan@justice.sk	+421 910 960 345
Slovenia	Ministry of Justice Judicial Training Center	ordinary and administrative judges, prosecutors,	Mrs Tanja TRTNIK	tanja.trnik@gov.si	+386 (1) 369 52 37
Spain	Escuela Judicial española	ordinary and administrative judges, trainers	Mr Francisco PUIG BLANES	francisco.puig@cgpj.es	+34 93 406 73 75
	Centro de Estudios Jurídicos	Prosecutors	Mrs Lourdes MONTILLA	l.montilla@mju.es	+34 1 505 88 61
Sweden	National Courts Administration	ordinary judges, prosecutors, trainers	Mrs Veronica LINDSTRÖM	veronica.lindstrom@dom.se	+46 (0) 36 15 53 23
UK - England and Wales	Judicial Study Board of England and Wales	ordinary judges	Mrs Marie WRIGHT	marie.wright@judiciary.gsi.gov.uk	+44 20 7073 1618
UK-Scotland	Judicial Studies Committee	ordinary judges	Sheriff Tom WELSH	judicialstudies@scotcourts.gov.uk	+44(0)131 220 9324
	Network of the Presidents of supreme judicial Courts of the EU	Judges from judicial supreme courts	Mr Dominique HASCHER	secretariat@rpcsjue.org	+33 1 44 32 77 91
	Association of the Councils of State and supreme administrative jurisdictions of the EU	Judges from administrative supreme courts	Mr Yves KREINS	yves.kreins@raadvt-consetat.be	+32 2 234 9682
	European Network of Councils for the Judiciary	Members from Councils for the Judiciary	Mr Davide SIMONE	davide.simone@encj.eu	+32 2 535 16 C3205

ANNEX

TO DO LIST FOR PARTICIPANTS IN AN EXCHANGE

This is a list of what you have to do and the documents you have to send at different stages before, during and after your exchange. Please make sure you have not forgotten anything.

1) After EJTN informs you about the country where your exchange takes place:

- The contact point of your hosting country will contact you regarding your exchange. Otherwise, make sure you contact him/her to have information regarding your hosting jurisdiction, the dates of the exchange and the contact details of the referent.
- Contact your referent in the hosting jurisdiction to arrange the details of the exchange (dates, if not fixed already with contact point, schedule, content, etc)
- Communicate the dates of your exchange to the Exchange Programme Department as soon as you know them.
- Send your travel order duly completed to the Exchange Programme Department.

2) A month before the exchange

- Make your transport and accommodation arrangements
- Check with your employer that you will remain covered during the whole training period by the social security scheme applicable to the concerned national administration and that the latter will support the health expenses incurred abroad
- Make sure you are insured against accident, death and invalidity risks

3) Within a month after your exchange

The following documents must be sent to the EJTN Exchange Programme Department in order for the final payment to be paid to you:

- your report on the exchange and its summary in English or French if possible
- the evaluation form
- the expense claim form
- the following travel documents depending on how you travelled:
 - ✓ If you travelled by plane:
 - the invoice from the flight company
 - a copy of your flight ticket
 - the original of all the boarding passes corresponding to your journey
 - ✓ If you travelled by train:
 - the invoice from the train company
 - the original of your train tickets
 - ✓ If you travelled by private car:
 - a document from the train company proving the price of a first-class train ticket between the place of your institution in your home country and the place of the hosting institution