

## Answers of the German Judges Association

### 2nd Study Commission

#### Questionnaire 2023

1. Yes. The courts are considered to be data controller for all three situations.
2. All persons connected to court decisions have the right to informations regarding the processing of their personal data.
3. Yes.
4. Personal data of parties e.g. is normally not made public. Exceptions are court notices/schedules of proceedings although there will be discretion for example in family proceedings or for endangered witnesses. The decision on this is up tot he judge. In some areas of law (e.g. bankruptcy) personal data (name, adress, date of birth, profession) will be published on a legal basis in a register free for all.
5. There is an internal check of breaches on privacy by the administration, and an CIO to decide on complaints (which are quite rare). Most cases concern wrong handling in the post office (sending letters to other persons/institutions).
6. Not yet. But there is a strong development to publish all court decisions and even to allow – in some cases – recording or even streaming of court proceedings. This might affect the judicial independence on behalf of public pressure.