

Questionnaire

HOW CAN THE APPOINTMENT AND ASSESSMENT (QUALITATIVE AND QUANTITATIVE) OF JUDGES BE MADE CONSISTENT WITH THE PRINCIPLE OF JUDICIAL INDEPENDENCE

Country: **HUNGARY**

1. Are there assessments on the occasion of the appointment (of a judge) to another position or function?

No, there aren't.

2. Are there assessments on other occasions?

Judges are assessed on achieving status of immovability and two more times after it, per 6 years. There is an extraordinary assessment, if the establishment of the judge's disability was initiated, or the judge asks for the assessment.

3. Who is in charge of the assessments?

The president of each court or the judge, who was designated by him/her.

4. Please describe how an assessment is conducted?

The work of the judge is assessed in its complexity. The assessment analyses the aspect of using the civil law, civil process law and the order of procuration.

5. Has this assessment a quantitative character (eg. number of cases undertaken; files completed)? Please describe. What figures are taken into consideration?

Yes, it has.

6. Has this assessment a qualitative character (eg. someone assesses how well the judge performs at various tasks)? Please describe. What aspects are taken into consideration?

Yes.

7. Do the number and/or the outcome of the cases handled by the judge play any role in the assessment? Please explain.

Yes. These two components play important role at the result of the assessment.

8. Is the duration of a case dealt with by a judge an item which is considered in an assessment? In what way? Please, explain.

Yes. The assessment counts the frequency and the grounds of the procrastination, as well as the sanctions against the judge, who doesn't finish the cases within a reasonable time.

9. How are judges who sit in court assessed?

50 cases which were finished with final judgement are analysed in detail on the grounds of the monthly statistics, the hearing of trials and maybe the complaints against the judge. There can be only value judgements in the assessment which are founded on facts.

10. What are the consequences of these assessments?

The result of the assessment can be an exceedingly able, able or disable qualification of judges. It can count at the appointment of judges to the immovable status or a higher position. The labour relation of a disable judge is broken off.

11. Is there any connection between assessment and remuneration?

No, there isn't. It is determined by law.

12. Do you see any infringement on the independence by virtue of the assessment of judges in your country? Please, explain.

No, there isn't any infringement. There can't be.

13. What topic do you suggest for next meeting?

The Judges' Code of Ethics in practice