

The Judicial Council, pursuant to Article 101 of the Law on the Judicial Council and Judges ("Off. Gazette of Montenegro", no. 11/2015) at its XXX session held on 09.12.2015. adopted the

***R U L E S***  
***ON EVALUATION OF JUDGES AND PRESIDENTS OF THE COURTS***

***Article 1***

This Rules shall regulate the procedure of evaluation, indicators for the reports, the proposal of evaluation based on the criteria prescribed for judges, as well as criteria for evaluation and indicators for the reports and proposal of evaluation for the President of the court.

***Article 2***

The Panel of Judges for the evaluation of judges (hereinafter: *the Panel*) shall inform each judge about the time when the process of evaluation will start, 15 days prior the beginning of work.

***Article 3***

Evaluation of a judge begins by selecting cases from the Article 92 of the Law on the Judicial Council and judges.

Selecting of cases shall be attended by all members of the Panel and a judge whose work is evaluated.

#### *Article 4*

Each member of the Panel shall review all selected cases from Article 92 of the Law on the Judicial Council and judges, and enter their observations on the quality of preparation for the trial, capacity planning and effective implementation of procedural actions, leadership skills and the quality of the reasoning process in the evaluation form.

#### *Article 5*

Based on observations from Article 4 of this Rules, submitted report of a judge and documents referred to in Article 92 items. 4, 5 and 6 of the Law on the Judicial Council and Judges, the Panel shall prepare a report on the evaluation of judges.

### *The report of a judge*

#### *Article 6*

A judge will submit a report on the form which is an integral part of this Rules.

### *Determining the proposal of evaluation*

#### *Article 7*

Each member of the Panel shall evaluate a judge by indicators, and then evaluates for each criteria and sub-criteria on the evaluation form, which is an integral part of this Rules.

Evaluation of sub-criteria quality and quantity of work shall be based on article 16 of these Rules.

At the session of the Panel, by a majority vote, the report on evaluation and the proposal of evaluation shall be composed.

Voting shall be public.

### *Report of the Panel*

#### *Article 8*

Report of the Panel shall be composed in the form, which is an integral part of this Rules.

## ***CRITERIA, SUB-CRITERIA AND INDICATORS FOR EVALUATION***

### ***I. EXPERT KNOWLEDGE***

#### ***1. Quantity and quality***

*The average measures of quantity of work*

#### **Article 9**

The average measures of quantity of work in certain types of cases shall be determined by the Judicial Council for the following categories:

- Basic courts up to six judges;
- Basic courts from six to 12 judges;
- Basic courts with over 12 judges;
- Misdemeanor courts
- High courts
- Commercial Court
- High Misdemeanor Court
- Administrative Court
- Appellate Court

The average measures of quantity of work shall be determined for each category referred to in paragraph 1 of this Article, for each year within two months after the expiration of the calendar year.

The average measures of quantity of work shall be determined by dividing the total number of cases resolved in a year, in a particular matter for a particular category of courts, with a number of judges who were involved in that matter.

### *Number of completed cases*

#### *Article 10*

A judge who has completed 80% or less of cases below the Average criteria, and does not provide justified reasons - Unsatisfactory;

A judge who has completed more than 80% of cases, according to the Average criteria - satisfactory;

If a judge was deciding in different types of cases quantity of work shall be determined by the sum of the resulting percentage for each type of case, and with the application of the criteria referred to in paragraphs 1 and 2 of this article.

### *Revoked decisions*

#### *Article 11*

A judge who had 30% or more of revoked decisions in relation to the total number of cases in which it was decided

in the same period - unsatisfactory;

A judge who had less than 30% of revoked decisions in relation to the total number of cases in which it was decided in the same period - satisfactory.

When calculating the percentage of revoked decisions, the case in which the decision was partially revoked counts as one half (0.5% of a case).

If only a decision on costs was revoked, such case shall not be included in the revoked decisions.

### *Number of opened trials, or hearings*

#### *Article 12*

A judge in whose cases a trial or hearing was opened when deciding on appeal, in 30% or more cases in which was decided on the appeal - unsatisfactory;

A judge in whose cases a trial or hearing was opened when deciding on appeal, in less than 30% of cases in which was decided on the appeal - satisfactory.

### *The adopted control requests*

#### *Article 13*

A judge in whose cases over 15 control requests has been adopted - unsatisfactory;

A judge in whose cases less than 15 control requests has been adopted - satisfactory.

### *Timeliness of decision making*

#### *Article 14*

A judge who, in more than 20 cases passed a decision outside the legal deadline, and overdraft is not longer than 30 days, or in three or more cases exceeded the deadline for making a decision for more than 30 days - unsatisfactory;

A judge who, in 20 or less cases passed a decision outside the legal deadline, and overdraft is not longer than 30 days, or in less than three cases exceeded the deadline for making a decision for more than 30 days - satisfactory.

### *Quality of reasoning*

#### *Article 15*

Reasoning is incomprehensible, no reasons for the decisive facts or these reasons are vague and contradictory - unsatisfactory.

Reasoning is fully, clearly, concisely - satisfactory;

Reasoning does not contain answers to all appellate claims, there are no clear guidelines to the first instance court which evidences should be carried out, which facts should be to determined and the significance thereof for the application of substantive law, ie what constitutes a violation of the procedural law - unsatisfactory;

Reasoning contains an assessment of important appellate claims with clear reasons, and revoking decision contains clear instructions to the first instance court - satisfactory;

Paragraphs 1 and 2 of this Article shall apply to the first instance decisions, and paragraph 3 and 4 on the second instance decisions.

*Determining a proposal of evaluation upon sub-criteria quality and quantity of work*

*Article 16*

A judge who, by all indicators, was evaluated by satisfactory, receives a rating - excellent;  
A judge who, by five indicators, was evaluated satisfactory, receives a rating - good;  
A judge who, by four indicators, was evaluated satisfactory, receives a rating - satisfactory;  
A judge who, by three or less indicators received a rating satisfactory, receive a rating - unsatisfactory.

*2. Preparation for trial*

*Article 17*

Ratings by this sub-criteria are:

- Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences - excellent;
- Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration (failed to call upon witnesses or expert witnesses, or did not follow the regularity of deliveries for the latter) - good;
- Incompletely defined actions to be implemented at the hearing or evidences to be presented (postponement of trials/hearings without stating reasons, incomplete instruction to expert witness) - satisfactory; -

- Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences - unsatisfactory;

### ***3. Ability of planning and efficient conducting of process acts, and leadership skills on trials***

#### ***Article 18***

Ratings by this sub-criteria are:

- A Judge who conducts the proceedings in accordance with the principle of efficiency and judicial economy (takes statutory measures for securing the presence of the accused or litigants, witnesses and expert witnesses, takes measures to prevent the abuse of procedural rights of the parties and other participants in the proceedings, timely takes actions in accordance with decisions from the hearing), and in a clear and understandable manner manages the hearing ( complies with Article 317-320 of the Criminal Procedure Code and Article 313-322 of the Civil Procedure Code) - excellent;
- A judge who, in most cases acts in accordance with the principle of efficiency and economy of proceedings, or in most cases acts in accordance with the afore mentioned provisions of procedural law on the management of hearings - good;
- A judge who occasionally acts in accordance with the principle of efficiency and economy of proceedings - satisfactory;
- A judges who acts in a significant number of cases on an inefficient and costly manner - unsatisfactory.

#### ***4. Professional education***

##### ***Article 19***

Ratings by this sub-criterion are:

- Doctorate or Master's degree in the period for which the evaluation is done, or in the same period participated in various forms of professional training through mandatory - excellent;
- participated in various forms of professional training through mandatory - good;
- participated in mandatory forms of education-satisfactory;
- did not take part in any form of education - unsatisfactory.

## ***II. GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION***

### ***1. Communication skills***

#### ***Article 20***

A judge who, in dealing with the parties and other participants in the proceedings and court personnel, behaves with a dignity, care and respect, and out of court, behaves in accordance with the dignity of their office, receives a rating - excellent;

If three complaints regarding the relation of a judge to the parties, colleagues and employees determined to be founded or established a violation of the Code of Ethics which defines the relation of judges to the parties, colleagues and employees, a judge receives a rating - good;

If five complaints regarding the relation of a judge to the parties, colleagues and employees were determined to be founded or twice were established violations of the Code of Ethics which defines the relation of judges to the parties, colleagues and employees, a judge receives a rating - satisfactory;

If more than five complaints were adopted regarding the relation of a judge to the parties, colleagues and employees and determined to be founded, or more than twice violation of the Ethics Code was established, which defines the relation of judges to the parties, colleagues and employees, a judge receive a rating - unsatisfactory;

### *The ability to adapt to change circumstances*

#### *Article 21*

A judge who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;

A judge who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;

A judge who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;

A judge who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.

### ***3. Participating in different expert activities***

#### ***Article 22***

A judge who, in estimation period, have participated as a speaker at seminars and other forms of education at the Center for training the judiciary an prosecution, at least 5 times, or at least five times was a member of the Working group for drafting the laws; or published at least 5 expert papers and five scientific papers, or one book in the field of legal science - excellent;

A judge who, in estimation period, have participated as a speaker at seminars and other forms of education at the Center for training the judiciary an prosecution, at least three times, or at least once was a member of the Working group for drafting the laws; or published at least two expert or scientific papers - good;

A judge who, in estimation period, had activities from para.2 of this article, but in less number - satisfactory;

A judge who had no professional activities shall be evaluated as: - unsatisfactory

### ***4. Ability of organization and coordination of employees in the court***

#### ***Article 23***

A judge who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;

A judge who, in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;

A judge who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;

A judge who occasionally include advisors and other employees in the processing of cases receives a rating - unsatisfactory.

***Evaluation of the President of the court***  
***Evaluation of the President of the court as a judge***

***Article 24***

President of the court, in the part of exercising the judicial function, shall be evaluated as a judge.

***Criteria for evaluation of the President of the court***

***Article 25***

The President of the court, as the president, shall be evaluated by the following criteria:

- The degree of implementation of the Programme of work submitted during the election;
- Success in the management of the court (Article 30 and further of the Law on courts);
- Proper and timely work of the court administration (art. 45 of Law on courts).

The President of the court who was elected by the former regulations, shall be evaluated according to the criteria referred to in paragraph 1 indent 2 and 3 of this article.

### ***1. Implementation of the Programme of work***

#### ***Article 26***

President of the court who implemented 75 % and more of its Programme of work shall receive a rating-good.

### ***2. The success in managing***

#### ***Article 27***

President of the court who in the evaluated period, in a timely manner produced the Annual tasks schedule, made its amendments in accordance with the law, and respected the principle of random allocation of cases, shall receive a rating - good.

### ***3. Proper and timely work of court administration***

#### ***Article 28***

President of the Court who submits timely, complete and accurate Report on the work of the court, and inspection did not determined any irregularities, shall receive a rating: - good

### ***Report of the President of the court***

#### ***Article 29***

President of the Court shall make the report with the evaluation of work on a form which is an integral part of this Rules and shall submit to the Panel for evaluation the Programmme of work, the Annual tasks schedule and their amendments, reports on the work of the court, and the inspection results.

### ***Work of the Panel for evaluation and Commission for assessment***

#### ***Article 30***

Panel and Commission in the procedure of evaluation of the President of the court, shall work by the procedure and in a manner prescribed in this Rules.

### ***Determining the proposal of the evaluation***

#### ***Article 31***

President of the Court, who was, at least by two criteria rated as - good, determines the proposal of evaluation - good;

President of the Court who was elected by the previous regulations, and at least by one criteria of Article 20 para. 1 indent 2 and 3 received a rating - good, shall be determined by rating - good.

### ***III FINAL PROVISIONS***

#### ***Entering into force***

#### ***Article 32***

This Rules shall enter into force on the eighth day of its publication in the "Official Gazette of Montenegro".

**No. 1-6958/15**  
**18.12.2015.**

***President of the Judicial Council,***  
***Mladen Vukčević***

**REPORT OF A JUDGE**  
(Art 94. of the Law on Judicial Council and judges)

Name and last name of a judge \_\_\_\_\_

Court in which a judge performs function \_\_\_\_\_

Department in which a judge performs function \_\_\_\_\_

Period of evaluation \_\_\_\_\_

Cases which a judge have chosen (art.92, para.2 of the law on Judicial Council and judges) \_\_\_\_\_

### *Quantity of work*

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

*Remarks:*

*(Reasons, which, by the opinion of a judge, have caused that less number of cases were completed and all reasons that judges find it necessary to state as the reasons for the number of belonging points).*

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***Revoked decisions***

<i>Total number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Number of points</i>

*Remarks of a judge:*

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*Number of opened trials or hearings in the procedure on appeal  
(Fills only a judge who acts in the first instance cases)*

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Points</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for a judge who is acting in first instance cases)*

- 1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*
- 2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*
- 3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*
- 4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
*(To be completed by circling a specific serial number for judges who are acting in first instance cases)*

- 1. *Conducts the proceedings in accordance with the principle of efficiency and judicial economy..... excellent,*
- 2. *In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code..... good*
- 3. *Ocasionally complies with the principle of efficiency and economy of the procedure..... satisfactory,*
- 4. *Acting inefficiently and uneconomically in significant number of cases ..... unsatisfactory.*

*Reasoning of the evaluation:*

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**Professional education**

1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*

2. *Participated in various forms of professional training through mandatory..... good,*

3. *Participated in the mandatory forms of education..... satisfactory,*

4. *A judge did not take part in any forms of education..... unsatisfactory.*

*Reasoning:\_\_\_\_\_*

**GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION**

*Communication skills*

Complaints	Violations of the Code of Ethics	Evaluation

*REASONING:* \_\_\_\_\_  
\_\_\_\_\_

***The ability to adapt to changed circumstances***

*A judge who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*A judge who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*A judge who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*A judge who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_  
\_\_\_\_\_

*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*A judge who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*A judge who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*A judge who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*A judge who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

*EVALUATION:*

\_\_\_\_\_

*REASONING* \_\_\_\_\_

\_\_\_\_\_

*Judge*

\_\_\_\_\_

***EVALUATION OF THE MEMBER OF THE PANEL OF JUDGES FOR EVALUATION***  
*(Art 7 of the Rules on evaluation)*

*Member of the Panel of judges for evaluation* \_\_\_\_\_

*Name and last name of a judge who is evaluated* \_\_\_\_\_

*Court and department in which a judge performs function* \_\_\_\_\_

*Period of evaluation*

\_\_\_\_\_

***Quantity of work***

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

***Remarks:***

*Evaluation of the reasons, stated by a judge as justified, which have caused that less number of cases have been completed*

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***Revoked decisions***

<i>Number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Evaluation</i>

*Remarks:*

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***Number of opened trials or hearings in the procedure on appeal  
(Fills only for a judge who acts in the first instance cases)***

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_

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*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for judges who are acting in first instance cases)*

- 1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*
- 2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*
- 3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*
- 4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
*(To be completed by circling a specific serial number for judges who are acting in first instance cases)*

- 1. Conducts the proceedings in accordance with the principle of efficiency and judicial economy and manages the hearing on clear and understandable manner.....  
excellent,*
- 2. In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code..... good*
- 3. Ocassionaly complies with the principle of efficiency and economy of the procedure.....  
satisfactory,*
- 4. Acting inefficiently and uneconomicaly in significant number of cases .....  
unsatisfactory.*

*Reasoning of the evaluation:*

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**Professional education**

- 1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*
- 2. *Participated in various forms of professional training through mandatory..... good,*
- 3. *Participated in the mandatory forms of education..... satisfactory,*
- 4. *A judge did not take part in any forms of education..... unsatisfactory.*

*Reasoning:* \_\_\_\_\_

***GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION******Communnication skills***

Complaints	Violations of the Code of Ethics	Evaluation

***REASONING:*** \_\_\_\_\_  
\_\_\_\_\_

***The ability to adapt to changed circumstances***

*A judge who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*A judge who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*A judge who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*A judge who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_

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*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*A judge who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*A judge who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*A judge who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*A judge who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

*EVALUATION:*

\_\_\_\_\_

*REASONING* \_\_\_\_\_

\_\_\_\_\_

*Member of the Panel*

\_\_\_\_\_

**REPORT OF THE PANEL FOR EVALUATION  
WITH PROPOSAL OF EVALUATION**  
*(Art 8 of the Rules on evaluation)*

*Name and last name of a judge who is evaluated* \_\_\_\_\_

*Court and department in which a judge performs function* \_\_\_\_\_

*Period of evaluation* \_\_\_\_\_

***Quantity of work***

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

***Remarks:***

*Evaluation of the reasons, stated by a judge as justified, which have caused that less number of cases have been completed*

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***Revoked decisions***

<i>Number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Evaluation</i>

*Remarks:*

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***Number of opened trials or hearings in the procedure on appeal  
(Fills only for judges who acts the first instance cases)***

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for judges who are acting in first instance cases)*

- 1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*
- 2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*
- 3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*
- 4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
(To be completed by circling a specific serial number for judges who are acting in first instance cases)

- 1. *Conducts the proceedings in accordance with the principle of efficiency and judicial economy, and manages the hearing on a clear and understandable manner.....*  
*excellent,*
- 2. *In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code.....* good
- 3. *Ocasionally complies with the principle of efficiency and economy of the procedure.....*  
*satisfactory,*
- 4. *Acting inefficiently and uneconomically in significant number of cases .....*  
*unsatisfactory.*

*Reasoning of the evaluation:*

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***Professional education***

- 1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*
- 2. *Participated in various forms of professional training through mandatory..... good,*
- 3. *Participated in the mandatory forms of education..... satisfactory,*
- 4. *A judge did not take part in any forms of education..... unsatisfactory.*

*Reasoning:* \_\_\_\_\_

**GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION*****Communnication skills***

Complaints	Violations of the Code of Ethics	Evaluation

**REASONING:** \_\_\_\_\_  
\_\_\_\_\_

***The ability to adapt to changed circumstances***

*A judge who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*A judge who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*A judge who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*A judge who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_  
\_\_\_\_\_

*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*A judge who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*A judge who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*A judge who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*A judge who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

***PROPOSAL OF EVALUATION***

\_\_\_\_\_

***REASONING***

\_\_\_\_\_

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*President of the Panel for evaluation*

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*Members of the Panel for evaluation*

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*Evaluation of the President of the court*

*Evaluation of the President of the court as a judge*

**REPORT OF THE PRESIDENT OF THE COURT**  
**(Article 94 of the Law on the Judicial Council and the Judges)**

*Name and last name of the president of the court* \_\_\_\_\_

*Court in which performs function* \_\_\_\_\_

*Type of cases handled* \_\_\_\_\_

*The period for evaluation* \_\_\_\_\_

*Cases which the president of the court have chosen (Article 92 indent 2 of the Law on the Judicial Council and the Judges)*

***Quantity of work***

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

***Remarks:***

*Evaluation of the reasons, stated by the President of the court which have caused the less number of completed cases*

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***Revoked decisions***

<i>Number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Evaluation</i>

*Remarks:*

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***Number of opened trials or hearings in the procedure on appeal  
(Fills only by the president of the court who acts the first instance cases)***

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_

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*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for the presidents of the courts who are acting in first instance cases)*

- 1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*
- 2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*
- 3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*
- 4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
*(To be completed by circling a specific serial number for the presidents of the courts who are acting in first instance cases)*

*1. Conducts the proceedings in accordance with the principle of efficiency and judicial economy, and manages the hearing on a clear and understandable manner.....*  
*excellent,*

*2. In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code.....* good

*3. Ocassionaly complies with the principle of efficiency and economy of the procedure.....*  
*satisfactory,*

*4. Acting inefficiently and uneconomicaly in significant number of cases .....*  
*unsatisfactory.*

*Reasoning of the evaluation:*

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***Professional education***

- 1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*
- 2. *Participated in various forms of professional training through mandatory..... good,*
- 3. *Participated in the mandatory forms of education..... satisfactory,*
- 4. *Did not take part in any forms of education..... unsatisfactory.*

*Reasoning:* \_\_\_\_\_

**GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION*****Communnication skills***

Complaints	Violations of the Code of Ethics	Evaluation

**REASONING:** \_\_\_\_\_  
\_\_\_\_\_

***The ability to adapt to changed circumstances***

*President of the court who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*President of the court who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*President of the court who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*President of the court who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_  
\_\_\_\_\_

*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*President of the court who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*President of the court who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*President of the court who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*President of the court who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

*EVALUATION*

*REASONING* \_\_\_\_\_

*President of the court*

**Criteria for evaluation of the President of the court**

The degree of realization of the program of work	Success in managing the court	Proper and timely work of the court administration	The President who was elected under previous regulations shall be assessed according to the criteria referred to in paragraph 1, line 2 and 3 of this Article

Remarks:

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***EVALUATION OF THE MEMBER OF THE PANEL FOR EVALUATION***

*Member of the Panel* \_\_\_\_\_

*Name and last name of the president of the court* \_\_\_\_\_

*Court in which performs the function* \_\_\_\_\_

*Case type in which proceeds* \_\_\_\_\_

*Period of evaluation*

\_\_\_\_\_

*Cases which the president of the court have chosen (Article 92 item 2 of the Law on the Judicial Council and Judges)* \_\_\_\_\_

***Quantity of work***

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

**Remarks:**

*Evaluation of the reasons, stated by the President of the court which have caused the less number of completed cases*

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***Revoked decisions***

<i>Number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Evaluation</i>

*Remarks:*

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***Number of opened trials or hearings in the procedure on appeal  
(Fills only by the President of the court who acts in the first instance cases)***

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for the Presidents of the courts who are acting in first instance cases)*

1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*

2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*

3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*

4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
*(To be completed by circling a specific serial number the Presidents of the courts who are acting in first instance cases)*

- 1. Conducts the proceedings in accordance with the principle of efficiency and judicial economy and manages the hearing on a clear and understandable manner ..... excellent,*
- 2. In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code..... good*
- 3. Ocassionaly complies with the principle of efficiency and economy of the procedure..... satisfactory,*
- 4. Acting inefficiently and uneconomicaly in significant number of cases ..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Professional education***

- 1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*
- 2. *Participated in various forms of professional training through mandatory..... good,*
- 3. *Participated in the mandatory forms of education..... satisfactory,*
- 4. *A judge did not take part in any forms of education..... unsatisfactory.*

*Reasoning:* \_\_\_\_\_

***GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION******Communication skills***

Complaints	Violations of the Code of Ethics	Evaluation

***REASONING:*** \_\_\_\_\_

\_\_\_\_\_

***The ability to adapt to changed circumstances***

*The President of the court who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*The President of the court who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*The President of the court who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*The President of the court who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_

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*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*The President of the court who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*The President of the court who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*The President of the court who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*The President of the court who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

***EVALUATION:***

\_\_\_\_\_

***REASONING*** \_\_\_\_\_

\_\_\_\_\_

*Criteria for evaluation of the President of the court*

The degree of realization of the program of work	Success in managing the court	Proper and timely work of the court administration	The President who was elected under previous regulations shall be assessed according to the criteria referred to in paragraph 1, line 2 and 3 of this Article

Evaluation

Remarks:

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*Member of the Panel,*

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**REPORT OF THE PANEL OF JUDGES FOR EVALUATION  
OF THE PRESIDENT OF THE COURT**

*Name and last name of the president of the court* \_\_\_\_\_

*Court in which performs the function* \_\_\_\_\_

*Case type in which proceeds* \_\_\_\_\_

*Period of evaluation*  
\_\_\_\_\_

*Cases which the president of the court have chosen (Article 92 item 2 of the Law on the Judicial Council and Judges)* \_\_\_\_\_

*Quantity of work*

<i>Total number of pending cases</i>	<i>Number of resolved cases</i>	<i>Absence from work</i>	<i>Percentage of the accomplishing of a norm according to Average criteria</i>	<i>Points</i>

*Remarks:*

*Evaluation of the reasons, stated by the President of the court which have caused the less number of completed cases*

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*Revoked decisions*

<i>Number of cases in which the decision was passed</i>	<i>Number of revoked decisions</i>	<i>Number of partly revoked decisions</i>	<i>Percentage of revoked decisions</i>	<i>Evaluation</i>

*Remarks:*

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***Number of opened trials or hearings in the procedure on appeal  
(Fills only by the President of the court who acts in the first instance cases)***

<i>Number of cases in which was decided on appeal</i>	<i>Number of cases in which the trial-hearing was opened</i>	<i>Percentage</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_

\_\_\_\_\_

*Adopted control requests*

<i>Number of adopted control requests</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

***Timeliness of decision making***

<i>Number of decisions drafted outside the legal deadline</i>	<i>Length of exceeding the deadline</i>	<i>Evaluation</i>

*Remarks:* \_\_\_\_\_  
\_\_\_\_\_

*Quality of reasoning*

<i>Quality of reasoning</i>	<i>Evaluation</i>

*Final evaluation by this sub-criteria* \_\_\_\_\_

*REASONING* \_\_\_\_\_

**Preparation for trial**

*(To be completed by circling a specific serial number for the Presidents of the courts who are acting in first instance cases)*

1. *Precise definition of the actions to be implemented at the hearing and the evidences to be presented, and the concentration of evidences..... of excellent,*

2. *Defined actions to be implemented at the hearing and the evidences to be presented, but without their concentration ..... good,*

3. *Incompletely defined actions to be implemented at the hearing or evidences to be presented..... .. satisfactory,*

4. *Scheduling the hearings without clearly defined actions to be implemented, the evidences to be carried out, non-concentration of evidences..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Ability of planning and efficient conducting of process acts, and leadership skills on trials***  
*(To be completed by circling a specific serial number the Presidents of the courts who are acting in first instance cases)*

*1. Conducts the proceedings in accordance with the principle of efficiency and judicial economy and manages the hearing on a clear and understandable manner ..... excellent,*

*2. In most cases acts in accordance with the principle of efficiency and economy of the procedure, or in most cases complies with the provisions of article 317-320 of Criminal Procedure Code, or article 313-322 Civil Procedure Code..... good*

*3. Ocassionaly complies with the principle of efficiency and economy of the procedure..... satisfactory,*

*4. Acting inefficiently and uneconomicaly in significant number of cases ..... unsatisfactory.*

*Reasoning of the evaluation:*

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***Professional education***

1. *Doctorate or Master's degree in the period of evaluation, or in the same period participated in various forms of professional training through mandatory..... excellent,*

2. *Participated in various forms of professional training through mandatory..... good,*

3. *Participated in the mandatory forms of education..... satisfactory,*

4. *A judge did not take part in any forms of education..... unsatisfactory.*

*Reasoning:\_\_\_\_\_*

**GENERAL ABILITY TO PERFORM THE JUDICIAL FUNCTION**

*Communication skills*

Complaints	Violations of the Code of Ethics	Evaluation

*REASONING:* \_\_\_\_\_  
\_\_\_\_\_

*The ability to adapt to changed circumstances*

*The President of the court who completely adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - excellent;*

*The President of the court who adapts to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - good;*

*The President of the court who has difficulties in adapting to the structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - satisfactory;*

*The President of the court who is not adapting to structural and organizational changes in the court where performs judicial function, changes in laws and procedural rules, new technologies and work rules - unsatisfactory.*

**REASONING:** \_\_\_\_\_

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*Participating in different expert activities*

<i>Lectures</i>	<i>Working groups</i>	<i>Expert papers</i>	<i>Scientific papers</i>	<i>Books</i>	<i>Evaluation</i>

*REASONING*

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***Ability of organization and coordination of employees in the court***  
*(To be completed by circling a specific serial number)*

*The President of the court who permanently entrusts tasks to an adviser, trainee and other employees and works with them on cases, receives a rating - excellent;*

*The President of the court who in most cases entrusts tasks to an adviser, trainee and other employees who work with him/her, receives a rating - good;*

*The President of the court who often includes advisors and other employees in the processing of cases, receives a rating - satisfactory;*

*The President of the court who occasionally includes advisors and other employees in the processing of cases receives a rating - unsatisfactory.*

***EVALUATION:***

\_\_\_\_\_

***REASONING*** \_\_\_\_\_

\_\_\_\_\_

*Criteria for evaluation of the President of the court*

The degree of realization of the program of work	Success in managing the court	Proper and timely work of the court administration	The President who was elected under previous regulations shall be assessed according to the criteria referred to in paragraph 1, line 2 and 3 of this Article

Proposal of evaluation

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Remarks:

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*President of the Panel  
of judges for evaluation,*

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*Members of the Panel,*

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