



INDEPENDENT BOARD

HIGH SCHOOL OF JUSTICE

TRAINING PROGRAM FOR XIII GROUP OF JUSTICE LISTENERS

10-month and 6-month training courses

2016

PROGRAM AIM

The aim of the Program is to enable justice listeners – judge candidates - to deepen their theoretical knowledge and develop relevant skills essential for judicial activities.

PROGRAM OBJECTIVE

The objective of the Program is to provide theoretical and practical trainings for justice listeners as well as to promote their integration into the judicial environment taking into account international standards.

TRAINING AREAS:

Theoretical and practical trainings include the following major thematic areas:

- a) Examination of a case before the court of first instance;
- b) Examination of a case before the court of appeals;
- c) Examination of a case before the court of cassation;
- d) Qualification-related issues in civil law, administrative law and criminal law;
- e) Preparation of procedural document (decision) in trial;
- f) Fundamental human rights and freedoms;
- g) Professional ethics;
- h) Foreign language.

Detailed program of theoretical training course, internships and workshops shall be determined by the Annex to this Program. If necessary, the School Director may determine additional topics and auxiliary disciplines under subjects and areas prescribed by the Annex.

Training schedule for justice listeners shall be determined by the Annex to this Program, whereas the detailed Training Calendar of the theoretical course for listeners shall be approved by the School Director.

The School Director shall determine the sequence of training activities approved by the Annex to the Program and school teachers responsible for the conduct thereof (teachers approved by the Independent Board, High School of Justice).

School teachers may be replaced only by other school teachers approved by the Independent Board. By decision of the School Director, invited professionals may also participate in the conduct of training activities.

PROGRAM STAGES:

The Program consists of the following stages:

- ✓ Theoretical Course;
- ✓ Internship;
- ✓ Workshop.

THEORETICAL COURSE

The duration of the Theoretical Course (for both 10-month and 6-month training courses) shall be 5 months, during which, justice listeners will thoroughly study various fields of law and acquire skills necessary for judges.

The Theoretical Course shall be conducted through lectures and practical work.

Lectures

Lectures are aimed at detailed discussion of the topic's essence, meaning, objective, purpose, development history, basic trends and relevant experience of foreign countries.

Within the framework of lectures, it is advisable to make reference to the case law of the Supreme Court of Georgia and the European Court of Human Rights, and, to use respective decisions (judgments). Lectures shall be related to the current case law and trends in the interpretation of rules.

Lectures should be built on interactive methods, during which justice listeners will be able to review the existing theories and relevant practice, as well as to present their views on the matter in question.

Discussions are to be held for the purpose of interactive conduct of lectures, aimed at the enhancement of Justice listener's ability of analytical thinking; improvement of justice listener's ability to clearly express his/her opinion and support it with legal arguments; development of the culture of listening to and respecting different views; helping justice listeners to absorb and analyse the information received.

In order to help justice listeners to better absorb and assimilate training materials, they will periodically receive **homework assignments**, either in writing or in oral form, to be done either individually or in groups.

Modern technical training means that have been tested and approved in the international practice are to be used within the framework of lectures. The duration of lectures shall not exceed **40%** of the total time intended for the Theoretical Training Course.

Practical Training

Practical training is aimed at deepening the theoretical knowledge gained by Justice listeners using various interactive methods.

Within the framework of the practical training, justice listeners will work on case studies, take part in mock trials, discuss and analyse court decisions and judgments that have already entered into force, draw up relevant procedural documents and carry out various procedural actions prescribed by the procedural legislation.

Discussions are to be held for the purpose of interactive conduct of lectures, aimed at the enhancement of justice listener's ability of analytical thinking; improvement of justice listener's ability to clearly express his/her opinion and support it with legal arguments; development of the culture of listening to and respecting different views; helping justice listeners to absorb and analyse received information.

In order to maximize justice listeners' engagement in practical classes, they may periodically receive **homework assignments**. For the purpose of the analysis of topics from different perspectives, generally, justice listeners should play roles of various parties to the proceedings during mock trials.

Modern technical training means that have been tested and approved in the international practice are to be used within the framework of the lecture course. Practical training shall cover at least **60%** of the total time intended for the training process.

At the end of the theoretical course, justice listeners shall take the graduation examination of the Theoretical Course in a manner prescribed by the Statute of the High School of Justice.

INTERNSHIP

After the completion of the Theoretical Course, justice listeners shall undergo a mandatory internship in common courts. The period of mandatory internship shall be 4 months for the 10-month Training Course, and a fortnight for the 6-month Training Course. Justice listeners' mandatory internship shall be conducted and supervised by an internship coordinator.

If desired, in addition to mandatory internship, justice listeners may additionally undergo an alternative internship. List of administrative authorities for alternative internship nominated by the School Director shall be approved by the Independent Board.

In the course of mandatory internship, justice listeners will study in detail the stages of court's activities and perform tasks assigned to them by the internship coordinator. During internship, Justice listeners shall note down issues, whereon they require additional information to further discuss such matters with an internship coordinator and/or workshop teacher.

Justice listeners will receive assignments from the internship coordinator on a daily basis. Such assignments shall be accomplished by justice listeners within a specified period of time. The assignments shall be executed in writing and will include but not be limited to the following: drawing up of a judicial decision in the case; preparation of various procedural documents; analysis of draft procedural documents of a court, and, preparation of conclusions thereon. In order to ensure engagement in the internship process to the maximum extent possible, justice listeners should attend court hearings.

Along with other assignments, internship coordinator shall periodically give justice listeners the assignment of drawing up judicial decisions. Internship coordinator shall evaluate the work completed by justice listeners on a daily basis by awarding points in a manner prescribed by the Statute of the High School of Justice. At the end of the Internship, internship coordinator shall prepare recommendation letters (justice listener's Characterization Form) in relation to all listeners assigned to him/her, and, also submit a report on the completion of the internship program to the internship supervisor. In the course of internship, internship coordinator shall be guided by the "Guidelines for Internship Coordinators (Internship Standard)", ensuring introduction of a unified approach in the internship process.

Listeners shall keep any information concerning the parties to the trial, which has become known to them in the course of their internship in court, in strict confidence.

None of the documents prepared by justice listeners shall be used in court's activities. Such documents are intended only for enabling justice listeners to develop knowledge and skills.

Upon the internship coordinator's request, the High School of Justice shall provide all stationary supplies required for the internship process.

Daily evaluation of justice listeners shall be reflected on the final evaluation of internship, and the recommendation letters (Characterization Form) prepared by the internship coordinator will be taken into account by the Independent Board when making the evaluation.

At the end of the mandatory internship, justice listeners shall prepare written reports on the work performed, and, shall also write papers on the operation of the body of internship, problems existing therein and their solutions. Such written reports and papers shall be submitted to the internship supervisor, and, further sealed and attached to the personal file of the Justice listener.

WORKSHOPS

Upon the completion of the internship, justice listeners shall undergo workshops. The duration of workshops shall be 1 month for the 10-month Training Course, and a fortnight for the 6-month Training Course. Workshops shall be conducted by a school teacher or an invited professional.

The workshops are aimed at the generalization of the knowledge and experience gained during the theoretical course and internship as well as preparation of justice listeners for the School graduation examination. Justice listeners will receive practical tasks during workshops (preparation of court decisions on the basis of case studies, drawing up of various procedural documents, holding of mock trials, etc.).

In the course of workshops, a workshop supervisor shall be guided by "Guidelines for Workshop Supervisors (Workshop Standard)", ensuring introduction of a unified approach in the workshop process.

At the end of workshops, workshop supervisor shall prepare a Workshop Description Form in relation to all justice listeners, so that the Independent Board can take it into consideration when preparing the evaluation.

FOREIGN LANGUAGE

Justice listeners will learn English language during the training. Justice listeners will undergo at least 7-month training in English language as part of the 10-month training course, and at least 4-month training in English language under the 6-month training course. English language trainings shall not take place in the course of workshops.

On the basis of knowledge of English language, justice listeners shall be divided into groups and learn English language through different programs. The training may be conducted at least twice a week, as needed, including Saturdays. The duration of each class shall be at least two hours. As part of the training in English language, justice listeners shall pass interim and final evaluations in order to examine their knowledge level.

SCHOOL GRADUATION EXAMINATION

At the end of the training, Justice listeners shall take School graduation examination. All listeners will be given real cases from Georgian jurisprudence, which shall be read and analysed by justice listeners, who shall then take decisions on such cases. School graduation examination shall be held in a manner prescribed by the School Statute. Graduation examination shall evaluate not only the knowledge of theoretical and practical issues gained by justice listeners but also their ability to make quality and reasoned decisions in a short period of time. Procedure and conditions for holding the examination as well as examination results evaluation system shall be determined in accordance with the Law of Georgia on the High School of Justice and the School Statute.

THEORETICAL TRAINING COURSE FOR JUSTICE LISTENERS

Tbilisi, 2016

Theoretical Training course for justice listeners (XIII Group) starts on November 21, 2016, and ends on April 21, 2017. The period also includes the Course graduation examination.

Theoretical Training Course shall be conducted on a daily basis (including weekends if necessary), from 10:00 to 18:00, with a one-hour and two 15-minute breaks in the middle.

General Issues

#	TOPIC	DURATION
1	Judicial Ethics and Standards of Professional Conduct	one day
2	Success Skills	three days
3	Applied Psychology; Psychology of Adult Behaviour in Court	two days
4	Justice and Information Technologies	one day
5	Interpretation of Rules	two days

Constitutional Law

#	TOPIC	DURATION
1	Constitutional Rights and Constitutional Control	one day
2	Constitutional Submission	one day
3	Decisions Made by the Constitutional Court of Georgia (Precedents)	two days

European and International Human Rights Law

#	TOPIC	DURATION
1	International Human Rights Instruments	one day

2	Case Law of the European Court of Human Rights (ECHR)	five days
3	Combating Discrimination	one day
4	Promoting Justice through Gender Equality	one day

Civil Law

#	TOPIC	DURATION
1	Property Law	two days
2	Transactions	one day
3	Law of Obligations	two days
4	Contracts	four days
5	Statutory Obligations	two days
6	Family Law	two days
7	Inheritance Law	two days
8	Corporate (Company/Corporations) Law	two days
9	Intellectual Property Law	one day
10	Law of Georgia on Private International Law	one day
11	Summary Discussion on Civil Law Matters	one day

Civil Proceedings

#	TOPIC	DURATION
1	Civil Proceedings in the Court of First Instance	three days
2	Civil Proceedings in Courts of Appeal and Cassation	one day
3	Relation and Subsumption [Subsuming] Techniques	two days
4	Mediation and Judicial Reconciliation	one day
5	Summary Discussion on Civil Procedure Matters	one day

Administrative Law

#	TOPIC	DURATION
1	Administrative-Legal Acts	two days
2	Freedom of Information and Personal Data Protection	one day
3	Administrative Agreement	one day
4	Types of Administrative Proceedings	three days
5	Administrative Complaint	one day
6	Enforcement of Administrative-Legal Act; Responsibility of Administrative Body	one day
7	Summary Discussion on Administrative Law-related Matters	one day

Administrative Proceedings

#	TOPIC	DURATION
1	Administrative Proceedings in the Court of First Instance	two days
2	Administrative Proceedings in Courts of Appeal and Cassation	one day
3	Administrative Proceedings concerning Control of Entrepreneurial Activities	one day
4	Administrative Proceedings concerning Placement of an Individual in Hospital for In-Patients for the Provision of Involuntary Psychiatric Assistance	one day
5	Administrative Proceedings concerning Granting of Refugee Status or Asylum	one day
6	Proceedings into an Administrative Offence	two days
7	Summary Discussion on Matters of Administrative Proceedings	one day

General Subjects

#	TOPIC	DURATION
1	Rationale for Decisions	two days
2	Legal Writing	one day
3	Judge's Coherent Speech – Oratory	one day
4	Coherent Writing of Documents by a Judge	one day

Tax Law

#	TOPIC	DURATION
1	Tax Law	four days

Criminal Law

#	TOPIC	DURATION
1	Grounds for Criminal Liability And Crime Categories	one day
2	Guilt in Criminal Law	one day
3	Punishment	one day
4	Exemption from Criminal Liability and Punishment	one day
5	Offence against the Person	one day
6	Offence against Public Security and Order	one day
7	Economic Crime	one day
8	Examination of Trafficking-related Cases	one day
9	Summary Discussion on Criminal Law-related Matters	one day

Criminal Procedure Law

#	TOPIC	DURATION
1	Procedural Actions that Take Place before the Hearing of the Case in Court	one day
2	Measures of Constraint	one day
3	Evidence and Evaluation of Evidence	one day
4	Plea Bargains	one day
5	Jury Trial	one day
6	Judgment, Entry into Force and Enforcement of Judgments	one day
7	International Cooperation in the Field of Criminal Law	one day
8	Criminal Proceedings in the Court of First Instance	two days
9	Criminal Proceedings in Courts of Appeal and Cassation	one day
10	Rationale for Judgments; Legal Writing	two days
11	Domestic Violence (including the threshold between administrative and criminal liabilities; restrictive and protective orders)	one day
12	Summary Discussion on Matters of Criminal Procedure Law	one day

General Subjects

#	TOPIC	DURATION
1	Communication during the Trial and Techniques of Holding Hearings	two days

Training Activities Organized in the Framework of Cooperation with Donor Organizations

During the justice listeners' training course, training activities jointly planned by the High School of Justice and donor organisations may be carried out additionally, topics and schedule whereof shall be determined by the School Director.

GRADUATION EXAMINATION

The Independent Board of the School shall decide on the date of the justice listeners' theoretical training course graduation examination.

Internship Program (for 6-Month Training Course)

Mandatory Internship Program for justice listeners of the year 2016 (XIII Group) starts on April 24, 2017, and ends on May 09, 2017. Internship shall be conducted on a daily basis (including weekends if necessary), from 10:00 to 18:00, with a one-hour break in the middle.

Any justice listener, who, by the decision of the Independent Board, is admitted to the additional graduation examination of the theoretical course (Additional Theoretical Examination), and, successfully passes the examination, will undergo a half-month internship within the period determined by the School Administration.

Any justice listener, who, by the decision of the Independent Board, has been admitted to the additional graduation examination of the theoretical course, as well as any listener, who has failed to appear for an internship for a valid reason, may undergo internship on weekends as well. Internship schedule shall be set by the School Administration in agreement with the internship coordinator.

Internship Program (for 10-Month Training Course)

Mandatory Internship Program for justice listeners of the year 2016 (XIII Group) starts on April 24, 2017, and ends on August 24, 2017. Internship shall be conducted on a daily basis (including weekends if necessary), from 10:00 to 18:00, with a one-hour break in the middle.

For the purpose of undergoing the internship for as many days as prescribed by the School Statute, if necessary, justice listeners shall undergo internship on weekends as well.

Any justice listener, who, by the decision of the Independent Board, is admitted to the additional graduation examination of the theoretical course (Additional Theoretical Examination), and, successfully passes the examination, will undergo a four-month internship within the period determined by the School Administration.

Any justice listener, who, by the decision of the Independent Board, has been admitted to the additional graduation examination of the theoretical course, as well as any listener, who has failed to appear for an internship for a valid reason, may undergo internship on weekends as well. Internship schedule shall be set by the School Administration in agreement with the internship coordinator.

Workshop Program (for 6-Month Training Course)

Workshop program for justice listeners of the year 2016 (XIII Group) starts on May 10, 2017, and ends on May 21, 2017. Workshops shall be conducted on a daily basis (including weekends if necessary), from 10:00 to 18:00, with a one-hour and two 15-minute breaks in the middle.

Workshops will be divided into 3 stages, specifically:

1. Criminal Law Workshops – 4 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies and rationale therefor, discussing issues relating to the qualification of crime, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

2. Civil Law Workshops – 4 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies and rationale therefor as well as preparation of procedural documents in *ex parte* judicial proceedings, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

3. Administrative Law Workshops – 4 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies, rationale therefor, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

Workshop Program (for 10-Month Training Course)

Workshop program for justice listeners of the year 2016 (XIII Group) starts on August 25, 2017, and ends on September 21, 2017. Workshops shall be conducted on a daily basis (including weekends if necessary), from 10:00 to 18:00, with a one-hour and two 15-minute breaks in the middle.

Workshops will be divided into 3 stages, specifically:

1. Criminal Law Workshops – 6 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies and rationale therefor, discussing issues relating to the qualification of crime, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

2. Civil Law Workshops – 6 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies and rationale therefor as well as preparation of procedural documents in *ex parte* judicial proceedings, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

3. Administrative Law Workshops – 6 Days

Drawing up of procedural documents, preparation of decisions on the basis of case studies, rationale therefor, etc. During workshops, listeners will be able to practically use skills they have acquired during the theoretical course and internship process. Mock trials will be continued during the workshops, taking into consideration gained knowledge and experience.

SCHOOL GRADUATION EXAMINATION

School graduation examination shall be held upon the end of the training. The Independent Board of the School shall decide on the date of the graduation examination.