Addition to the order of the Rector of the National School of Judges of Ukraine

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**Addition** **84**

**Procedure and methodology for evaluation the training needs of judges**

### **1. General provisions**

1.1. The Procedure and methodology for evaluation of the training needs of judges (hereinafter referred to as the Procedure) is a local normative-lagal act that regulates the legal and organizational principles for determining the training needs of judges by the National School of Judges of Ukraine (hereinafter referred to as the NSJU).

1.2. This Procedure was developed in accordance with the Law of Ukraine «On judiciary and status of judges» (hereinafter referred to as the Law), Concepts of national standards judicial training approved by the Scientific and Methodological Council of the NSJU ( protocol of 23 December 2014 , № 5), The Bangalore principles of judicial conduct of 19 May 2006, Opinion № 4 (2003) of the Consultative Council of European Judges for the attention of the Committee of Ministers of the Council of Europe on the appropriate training and continuous in-service training of judges at national and European levels, Principles of judicial training of the European Judicial Training Network (EJTN) of 10 June 2016, Declarations of principles of judicial training of the International Organization for Judicial Training (IOJT) of 8 November 2017.

1.3. Evaluation of the training needs of judges is a procedure for determining the individual needs of judges, taking into account the judges' work experience, the level and specialization of the courts in which they work.

1.4. The definition of the training needs of judges is carried out with the aim to identifying the training needs of judges, generalizing training needs based on their evaluation, and using the results of the evaluation of the training needs of judges during initial training of judges, training and periodic training of judges of continuous in-service training, and training of judges who have been elected to administrative positions.

1.5. This Procedure applies to the subjects of legal relations that arise in the process of identifying the training needs of judges, in particular to:

- judges participating in training events;

- training course developers;

- judicial trainers;

- employees of the National Judicial Service of Ukraine involved in the design of materials for training courses, training and other events.

**2. Procedure for evaluation the training needs of judges**

2.1. The stages of evaluation training needs are the collection of relevant information, analysis and its generalization, and consideration of the obtained data in the training process.

2.1.1. Information on the training needs of judges is collected:

2.1.1.1. by the developers of the training course based on the results of its testing and in the event that information is received indicating the need to update the course;

2.1.1.2. by judicial trainers, moderators, facilitators during the training event.

In the case that the training needs of judges are identified during such an event, which requires amendments to the Plan of scientific-research and scientific-methodological work of the NSJU for the relevant year, the Standardizing program of judicial training, the Catalog of training events for periodic training of judges with the aim to improve their qualifications, develop (update) the training course, the program of the event, or supplement the training course with additional materials, the judicial trainer, moderator, facilitator must notify the person responsible for conducting the training event from the NSJU (hereinafter referred to as the training event coordinator and/or coordinator);

2.1.1.3. by the training event coordinator through observation of the training event (performance of practical tasks, discussions, summarizing, etc.).

Based on the results of the training event, the coordinator shall prepare a Report of the training event coordinator (hereinafter referred to as the Report), which shall include information on the training needs of judges identified by the coordinator, judicial trainers, moderators and facilitators. The Report is submitted to the head of the structural unit where the coordinator works, for the preparation of report notes with generalized information on the identified training needs of judges.

2.1.1.4. by employees of the NSJU during scientific research, processing sources of information on the training needs of judges, training courses design, participating in events (conferences, round tables, interdepartmental working meetings, improving qualifications through mutual exchange, etc.).

In the event of identifying training needs of judges, employees of the NSJU submit relevant information to the head of their structural unit for the preparation of report notes with generalized information on the identified training needs of judges.

2.1.2. The analysis and generalization of the collected information about the training needs of judges is carried out by the structural units of the NSJU, which prepare report notes based on the results of this work, which should contain:

2.1.2.1. a list of topics with an indication of the types of training activities (interactive lecture, training, seminar, round table, etc.) and their duration (in academic hours), divided by separate branches of law. Separate topics are provided with the types of training activities and their duration, which are aimed at developing soft skills and those related to non-legal topics.

2.1.2.2. Training activities that require the development of new materials (updating) are listed separately from training activities for which materials are available in the NSJU. Training activities whose programs require minor changes in view of the identified training needs of judges, or if it is necessary to supplement training courses with additional materials, are also listed separately.

2.1.2.3.Each training event should include its purpose, training objectives for acquiring knowledge, skills, developing attitudes, and expected results.

2.2.1. Report notes with summarized information on the identified training needs of judges are submitted by the structural unit:

2.2.1.1. for the formation of drafts of Initial training programs for the General and Specialized (by jurisdiction) blocks - to the structural unit of the NSJU, responsible for the training of judges;

2.2.1.2. for the formation of drafts of Standardized Training Programs for Judges - to working groups in areas of specialization;

2.2.1.3. for the formation of a draft Catalog of training activities for periodic training of judges in order to improve their qualifications - to the structural unit of the NSJU, responsible for the training of judges.

2.2.2. The training needs of judges are taken into account in the training process by structural units and working groups of the NSJU. Report notes on the identified training needs of judges and sources of information on the training needs of judges are taken into account in the process of forming projects:

2.2.2.1. Initial training programs for the General and Specialized (by jurisdiction) blocks;

2.2.2.2. Standardized training programs for judges by working groups in areas of specialization;

2.2.2.3. Catalog of training activities for periodic training of judges in order to improve their qualifications.

2.2.3. Based on the results of processing the reports on the identified training needs, sources of information on the training needs of judges, decisions may be made regarding the following:

2.2.3.1. inclusion of a training event, the conduct of which does not require the development of materials and their updating (except for a minor change in the program or the addition of materials), to the draft of the Initial training program for the General and Specialized (by jurisdiction) blocks;

2.2.3.2. inclusion of a training event, the conduct of which does not require the development of materials and their updating (except for a minor change in the program or the addition of materials), to the Standardized training program for judges;

2.2.3.3. inclusion of a training event, the conduct of which does not require the development of materials and their updating (except for a minor change in the program or the addition of materials), to the Catalog of training events for periodic training of judges with the aim to improve their qualifications;

2.2.3.4. supplementing the Plan of scientific-research and scientific-methodological work of the NSJU for the relevant year with new scientific activities (regarding the development and updating of training course materials) taking into account the identified training needs of judges.

2.2.3.5. Regarding training activities that require a minor change in the program or addition of materials, it is indicated what changes need to be made to the program and/or the materials need to be finalized, with an implementation deadline.

2.2.3.6. In the event of a decision to supplement the Plan of scientific-research and scientific-methodological work of the NSJU for the relevant year with new scientific activities, the relevant training activity is included in the projects of the Program of initial training for the General and Specialized (by jurisdiction) blocks, the Standardized training program for judges, the Catalog of training activities for periodic training of judges with the aim to improve the level of their qualifications after the expected results defined by the Plan of scientific-research and scientific- methodological work of the NSJU.

**3. Methodology for evaluation the training needs of judges**

3.1. The general criteria for evaluation the training needs of judges are:

3.1.1. Focus on meeting the individual needs of a judge in maintaining, improving qualifications, the need to improve knowledge, skills and attitudes;

3.1.2. Taking into account the work experience of judges, the level and specialization of the court, tenure in administrative positions;

3.1.3. Complexity and comprehensiveness;

3.1.4. Taking into account the objective training needs of the judicial corps. Compliance with the priority areas of development of the country, national program documents, including those adopted in connection with the obligations related to EU accession;

3.1.5. Relevance and conducting training "proactively", and not "post-factum" (taking into account changes in legislation, judicial practice, etc.);

3.1.6. Compliance with the principles of independence and impartiality. Judicial independence requires that judicial training be free from undue influence. Since the training offered can potentially influence the decision-making behavior of judges, the content and arrangements for judicial training are determined by the NSJU independently of the influence of any institution that might benefit, including international organizations, funding bodies, lawmakers, government officials, and other individuals with political or financial influence.

3.2. Methods for identifying the training needs of judges are:

3.2.1. surveys (questionnaires, interviews of judges);

3.2.2. observations during training events;

3.2.3. conducting focus groups and interviews with judges;

3.2.4. processing sources of information indicating the training needs of judges.

3.3. Forms for identifying the training needs of judges are:

3.3.1 direct receipt of information from judges through observation, interviewing, etc.;

3.3.2. indirect receipt of information from judges in written and/or electronic form;

3.3.3. obtaining information without involving judges using sources of information regarding the training needs of judges.

3.4. Information indicating the training needs of judges (sources of information on the training needs of judges) are:

3.4.1. results of surveys (questionnaires of participants in training events, interviews with judges);

3.4.2. appeals by judges;

3.4.3. information on the training needs of judges received from local and appellate courts of all specializations, the Supreme Court and higher specialized courts, territorial departments of the State Judicial Administration of Ukraine, the Council of Judges of Ukraine, judicial governance bodies, international projects, and sectoral associations of judges;

3.4.4. information received by teachers (trainers) during training events;

3.4.5. reports of training event coordinators regarding identified training needs;

3.4.6. notifications of identified training needs from developers of training course materials based on the results of their work or testing of the training course;

3.4.7. results of the assessment of the effectiveness of training activities;

3.4.8. changes to legislation;

3.4.9. national program documents, directive documents, including those whose adoption is conditioned by the state's obligations regarding accession to the EU, other international obligations of Ukraine;

3.4.10. recommendations of EU institutions, the Academy of European Law (ERA), the European Judicial Training Network (EJTN) and the International Organization for Judicial Training (IOJT);

3.4.11. results of monitoring court decisions and trials;

3.4.12. case law, including digests of case law of the Grand Chamber of the Supreme Court, reviews of case law of cassation courts, reviews of decisions of the European Court of Human Rights, reviews of case law of the Court of Justice of the European Union, summaries of case law of appeal courts;

3.4.13. judicial statistics;

3.4.14. results of surveys of citizens regarding the activities of judges;

3.4.15. results of activities of public organizations related to judges;

3.4.16. scientific publications and information disseminated by opinion leaders;

3.4.17. reports on the training needs of judges, identified based on the results of: participation of NSJU employees in events (conferences, round tables, interdepartmental working meetings, professional development through mutual exchange, etc.); scientific research conducted with the participation of NSJU employees;

3.4.18. reporting documents related to the state of justice;

3.4.19. other information indicating the training needs of judges.