

## CROATIA

<b>Official name in original language</b>	Državno sudbeno vijeće
<b>Official name in English</b>	State Judicial Council
<b>Address</b>	Croatia, Zagreb, Vukovarska 49
<b>Telephone number</b>	+38516040 940
<b>Website</b>	www.dsv.pravosudje.hr
<b>e-mail</b>	dsv@pravosudje.hr
<b>Brief history</b>	The State Judicial Council of Republic of Croatia was founded in 1993. The Council is an independent body and has its own budget from the 1 April 2012. Until the 2000 the scope of work of the Council included also the appointing and reassigning of the prosecutors and their deputies and conducting the disciplinary proceedings against them.
<b>Constitutional or legal status/basis</b>	The Council is a sovereign and independent body which ensures the sovereignty and independence of judicial power in the Republic of Croatia (article 124. of the Constitution of the Republic of Croatia and article 2. of the State Judicial Council Act).
<b>Legal acts regulating the Status</b>	Constitution of Republic of Croatia and State Judicial Council Act
<b>Composition:</b>	The Council shall have eleven members, consisting of seven judges elected by their peers, two university professors of law elected by all the professors of law faculties in the Republic of Croatia, on the proposal of the faculty councils and two members of Parliament, one of whom shall be from the opposition, elected by the Croatian Parliament.
<b>Total number of members</b>	eleven members
<b>Term of office</b>	Members of the Council shall be elected to a term of four years, noting that no one may be a member of the Council more than twice.
<b>Is there a possibility to be renewed as a member?</b>	Yes , but no one can be a member of Council more than twice
<b>Do the members have a full-time position or not?</b>	The members do not have a full - time position. Judges elected to the State Judicial Council are reduced of performing judicial duties, the President of the Council for 75% and members for 50%. They gather in meetings every week or two.
<b>Make up</b>	Council members from the ranks of judges shall consist of two judges of the Supreme Court of the Republic of Croatia, two county court judges, two municipal court judges, one judge of the specialised court, two university professors of law and two members of Parliament, one of whom shall be from the

	opposition.
Is there a majority of Judges?	Yes (seven judges out of eleven members)
<b>Presidency</b>	The president and deputy president of the Council shall be elected by the members of the Council from among themselves in secret ballot for a term of four years, and the president of the Council must come from the rank of judges.
<b>Main Competences:</b>	
Career of judges and / or prosecutors	The scope of work of the Council shall include: appointing judges, appointing and dismissing court presidents; deciding on the immunity of judges, reassigning judges, conducting disciplinary proceedings and deciding on the disciplinary liability of judges, deciding on the dismissal of judges, deciding on the transfer of judges, participating in the training and professional development of judges and court staff, conducting the procedure of enrolment of candidates in the State School for Judicial Officials and the procedure of the final examination, adopting the Methodology for Assessing Judges, managing judges' personal files, managing judges' declarations of assets (no competence concerning prosecutors).
Judicial training	In the Republic of Croatia it is the Judicial Academy as an independant public institution founded by the Government that conducts the judicial trainings.The Council participates in the training and in professional development of judges.
Discipline	The Council conducts the disciplinary proceedings and decides on the disciplinary liability of the judges.
Ethics	Infringment of the judicial etichs was earlier one of the disciplinary offencess proscribed by the State Judicial Council Act, but with the latest amendments to the Act infrigment of judicial ethichs is no longer a disciplinary offence. In the Republic of Croatia compliance with the Code of Ethics is obligatory for all judges. Anyone has the right to indicate a judge's conduct which is contrary to the provisions of the Code. The president of the council of judges where the judge to whom the complaint relates performs his or her office shall present the complaint to the council of judges who shall allow the judge to respond to the complaint. If the council of judges establishes that the complaint is founded, it shall render a decision establishing an infringement of the Code. A judge shall have a right to object to the decision of the council on the

infringement of the Code.

The complaint is decided by the Council consisting of the presidents of all councils of judges in the Republic of Croatia and the enforceable decision is delivered to the president of the court where the judge in question performs his or her office.

**Opinions on legislation /  
other opinions**

At the request of the Ministry of Justice the Council gives opinions on legislation or proposals of legislation concerning the Judiciary.

**Status of decisions**

Acts

**Review**

Against decisions of transferring and temporary suspension of a judge a judge may initiate an administrative dispute. Against the decision on the dismissal court president may also initiate an administrative dispute.

Against the decision on dismissal from the office or disciplinary liability which shall have a suspensive effect the judge may lodge an appeal with the Constitutional Court of Republic of Croatia. Against the decision of appointing the judges and against the decision on appointing the court presidents candidates may lodge a Constitutional claim with the Constitutional Court of Republic of Croatia.

**Budget**

The Council has its own budget. The budget for the 2015. is 1.874,00 HRK or 246.981,00 EUR