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Commission



# Advice for training providers

European judicial training

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**European Commission - Directorate-General for Justice**

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## Introduction

European judicial training is an important element of building a European Area of Justice based on judicial cooperation and mutual trust. The practical advice in this document has been developed with valuable input from members of the 2015 Commission expert group on European judicial training, composed of experienced judicial training practitioners from various legal professions and jurisdictions. It has been designed for those who provide training to the legal professions (including judges, prosecutors, lawyers, notaries, court staff and bailiffs). It gives advice on how to best prepare, implement and follow-up training activities and includes specific examples. Particular attention is paid to training activities related to EU law, but many recommendations also apply to training in other areas of law.

The advice included in this document is the outcome of in-depth discussions with relevant stakeholders across the EU. It will be translated into the languages spoken in all EU Member States. The 2011 Commission communication on ‘Building trust in EU-wide justice — a new dimension to judicial training’ triggered a wide range of activities that move European judicial training forward. These are described in more detail in the annex.

## 1. Preparation of training activities and trainers

### a. Training offer, needs assessment and training objectives

Training should be offered to all professions in the judicial system.

Training on a variety of topics should be available. Training needs should be evaluated regularly, and topics should evolve with changes in legislation and case law. It is important that there is training available not only on legal knowledge, but also on specific skills (such as communication in the courtroom), responsiveness to society developments (such as religious background or new IT applications, e.g. web auctions) and management skills (such as case, time and court management, answering media requests and managing the content of a court's IT tools).

Before training programmes are designed:

- **training needs should be assessed.** Individual needs should be balanced with systemic functional and organisational needs. Evaluations of previous training activities could help identify the training needs that need to be addressed.
- **learning needs and training objectives should be defined** (including for specific target groups, even if these are small). This is to ensure that training programmes meet all relevant needs (e.g. small groups for skills training, larger groups for training on legal knowledge).

#### *Assessment of individual needs*

Discussions and exchanges between legal practitioners and those involved in the design and delivery of EU law training should be encouraged. They are an important source of information and inspiration, and should be actively facilitated. This can be achieved through the use of:

- individual interviews with professionals of the target group;
- surveys carried out at regular intervals (targeting the legal profession to be trained, other legal professionals working with them, and/or civil society) to help evaluate gaps in the current training offer;
- online forms through which legal professionals and court/prosecution office managers/heads/chief clerks, bodies representing the legal profession and relevant professional associations can specify which topics need to be covered by the training.

#### *Assessment of organisational and functional needs (example)*

Judicial training providers should ensure that training necessary for the implementation of projects linked to the reform of justice systems or strategies for the improvement of justice services is organised in good time. They should liaise with national authorities responsible for justice reform and involve them well in advance.

An effective way of assessing training needs is to introduce descriptions of positions held by legal professionals and include related responsibilities and tasks. These descriptions could be analysed to identify the training needs for each position. If such analyses are carried out, particular attention should be paid to specific tasks related to EU law instruments and judicial cross-border cooperation.

### *Cross-border training*

Training providers should set realistic objectives for developing training in EU law. They should work in cooperation with training providers in other Member States. They could designate specific staff to be responsible for strengthening EU-wide contacts and for overseeing the implementation of a training development strategy. They could monitor the activities needed to reach these objectives every year.

#### *Further information*

For examples of [good practices of training need assessment](#), see the factsheets on the European e-Justice Portal.<sup>1</sup>

## **b. Appointment of trainers**

Trainers should have in-depth knowledge of their topic and a sound understanding of the tasks of the training participants and the legal culture that they come from. Good communication and pedagogical skills are also expected. Trainers should mainly be legal practitioners, to be able to understand the working perspective of the training participants and to be able to give practical advice and valuable feedback. Depending on the training topic, it could also be useful to involve academics, for example when introducing new legislation that needs to be put into perspective due to lacking jurisdiction.

As a general principle, trainers should be willing to follow training themselves, especially on the art and skill of providing training to others. This will show them how to ensure that all training participants are actively involved. If they work with small groups, they should receive training on facilitation.

## **c. Location, time, duration and frequency of training programmes**

The **timing and location** of training programmes should take account of the work requirements of training participants. Training activities mainly take place at local, regional and national level, in the Member States. When organised at EU level, with participants of different nationalities, training programmes should also include training at decentralised locations.

Separate but thematically connected training activities should be linked to create synergies (e.g. by having them at the same time at the same venue so that participants can mix and exchange ideas during the breaks, or so that the trainers can switch).

**Training programmes should be repeated** if many professionals need to follow them. Podcasts and webcasts can also be used to reach more people.

#### *Further information*

For examples of ‘comprehensive packages to deliver large-scale training on new legal instruments’, see the factsheets on the European e-Justice Portal:<sup>2</sup>

- an [example from Romania](#)
- an [example from France](#)
- an [example from the Academy of European Law \(ERA\)](#)

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<sup>1</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n01](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n01).

<sup>2</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n01](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n01).

#### d. Information

Training providers should ensure that information about training programmes reaches all targeted practitioners **several months in advance**. Information about training activities should be easily accessible to the target group, including through the European Training Platform.<sup>3</sup> Training providers are responsible for the publicity around their training activities and for making the target group aware of their own training needs.

**To help motivate legal practitioners** to attend training in EU law, particular attention should be paid to the description of training courses so that:

- the relationship between national law and EU law is addressed;
- the relevance of EU law for the professional's work is clear in the description of the content to be covered during the training.

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<sup>3</sup> To be found soon in the training section of the [European e-Justice Portal](#).

## 2. Implementation of training activities

### a. Training topics

Judicial training programmes for legal practitioners should not only concentrate on knowledge of the law, but also include the **development of legal skills and** a wide range of **non-legal skills**, thus ensuring a greater openness towards modern society.

Considering the ever-increasing **amount and importance of EU law**, judicial training institutions should continue to adapt their training programmes, activities and methodologies, including training related to the European Charter of Fundamental Rights. EU law should be integrated into training on national law and should be taught in a practical way. In particular, EU law needs to be integrated into initial professional training, wherever it is necessary to have a knowledge of EU law.

#### *Further information*

For examples of [good practices of innovative curricula or training plans](#), see the factsheets on the European e-Justice Portal.<sup>4</sup>

### b. Types of training activities

Training activities should be chosen based on their capacity to address the identified training needs in the best possible way. E-learning can be used to transfer knowledge. Face-to-face training is needed for complex legal concepts and upper courts' jurisprudence on these concepts the understanding of which is facilitated by interaction. Face-to-face training definitely works well for skills and behaviour development.

**Face-to-face** training puts participants and trainers in the same room. It is particularly useful for encouraging mutual trust among participants of different nationalities.

**E-learning** is the use of electronic media, information and communication technologies in training and education. It includes numerous types of media that deliver text, audio, images, animation, and streamed video, and technology applications and processes for computer-based learning, as well as local intranet/extranet and web-based learning. More details on e-learning are presented in part 4 of this document.

One of the common definitions of **blended learning** refers to structured opportunities to learn using more than one learning or training method, inside or outside the classroom. This definition includes: different methods to facilitate learning (lecture, discussion, guided practice, reading, games, case study, simulation); different delivery methods (live classroom or computer-mediated); different scheduling (synchronous or asynchronous); and/or different levels of guidance (individual, instructor- or expert-led, or group/social learning).

The main advantages of this combination of training methods are the following:

- facilitators of distance learning courses can make sure that the participants get the same level of knowledge so that during the face-to-face meetings they can be more active in the practical applications and in the exchange of experience;
- the materials and the digital learning environment remain accessible in the longer term;
- the e-learning course can be delivered autonomously irrespective of individual schedules.

**Exchanges** make it possible for legal practitioners to witness the daily practices of their foreign counterparts, which enriches their own practice, deepens their knowledge of other judicial systems, and ultimately increases trust in cross-border proceedings. More details about this can be found in part 5 of this document.

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<sup>4</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n02](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n02).



### c. Training methodology

People do not learn just in the classroom or other formal learning settings; to a large extent learning also takes place in social settings (while interacting and cooperating with others) and in informal settings (while working and carrying out tasks and activities).<sup>5</sup>

#### *Learning by doing in formal training settings*

Training institutions mainly design, develop and execute formal learning activities, which should be aligned with the daily work of training participants. This means that training activities and courses must be practice-oriented. For instance, theoretical knowledge must be combined with instruction and practical assignments on how to apply it in practice. This is also valid for content related to EU law.

In practice, this means that training providers should:

- i) tailor training methods to the needs of different types of participant;
- ii) involve legal practitioners who are in the same profession as the participants as trainers/teachers;
- iii) ensure the active participation of participants in most of their training activities;
- iv) use (inter)active training methods: e.g. case studies, simulations, role play, moot courts, etc.;
- v) consider involving actors, although this is not always necessary, since participants can take on different roles and positions;
- vi) emphasise practical skills, including communication and drafting skills, and the use of IT and web-based resources;
- vii) offer a variety of training methods that combine theory and practice (case-law);
- viii) use case studies that relate to the professional practice of the target group, including comparative case studies;
- ix) use and/or breakdown audiences into small groups;
- x) provide a range of different perspectives, e.g. from a representative of another legal profession, or from a doctor or economist;
- xi) include visits to relevant other institutions;
- xii) teach EU law in a way so that each practitioner considers it useful for their profession;
- xiii) allow sufficient time for discussion and feedback from participants, make sure that participants understood the material provided during the training, and provide structured feedback;
- xiv) ensure that formal training activities include the idea of *learning by doing*, that they create a safe learning environment and enable participants to exchange views and experiences, and to learn from one another, without external monitoring or interference.

#### *Learning by doing in social and informal training settings*

Training institutions can and should also be involved in the design and development (and possibly the execution) of social and informal training activities, e.g. at the workplace. They can do this by providing learning tools that can be used in workplaces (just-in-time learning provided digitally). For further information, see part 4 of this document.

Another method, at the moment mainly used in ‘management development’ training programmes, is practical observation: people are observed while they carry out certain tasks and receive feedback afterwards.

In initial training, an on-the-job trainer facilitates learning in the workplace. For example, in the Netherlands workplace learning comprises about 70% of the initial training programme. The remaining 30% is made up of short training courses held at the training centre at regular intervals.

Guidelines for on-the-job trainers can be created to help them develop a bespoke training programme for each individual trainee. Theoretical and practical seminars and assignments can be combined with an analysis of how the trainee functions in the workplace, through video-based observation.

<sup>5</sup> See, for example: <https://www.youtube.com/watch?v=t6WX11iqmg0>.

*Further information*

For examples of [good practices of innovative training methodology](#), see the factsheets on the European e-Justice Portal<sup>6</sup> and [this example of learning by doing](#) applied in Germany to training on judicial cooperation and the domestic law of other EU Member States.<sup>7</sup>

**d. Cross-professional training**

Cross-professional training can be a sensitive issue, depending on the national culture of the legal practitioners involved in the training and because different legal professions may feel more confident in sharing their experience with their peers. Nevertheless, cross-professional training may be useful. It should not be seen as an automatic source of added value but is rather a targeted option that improves understanding of various roles and constraints and establishes a common understanding of common tools, including EU legal instruments.

In judicial areas where particular **non-judicial knowledge** is useful to better apply the law, common training activities allow the participants to benefit from each other's different professional experience. For example, in a training on the company insolvency law, judges could benefit from the economic experience of lawyers and accountants specialised in liquidation.

When relevant to the training needs that are being addressed, training activities that involve **different legal professions** can contribute to a better understanding of various roles and constraints faced by other professionals. This makes it possible for participants to better understand why other professions behave in a certain way in legal proceedings, and what their room for manoeuvre is. It also gives them an opportunity to get feedback about how their own behaviour is perceived by other legal professions. Mock cases and simulations are particularly useful in this context: either participants can change their role, or they can simulate reality by using practitioners of the correct profession in a role play. Summer schools are another good example of cross-professional training.

Common training activities may also make possible a discussion between the judiciary and its 'users' on judicial decisions, without fear of procedural consequences or constraints. They make it possible for judges to discuss the rationale behind series of decisions and so improve other professions' understanding of how judicial decisions could develop in the future.

Therefore, training programmes should include opportunities to run common training activities for different legal professionals, both as trainers and participants. To ensure that the training needs of all target audiences are met, training providers and trainers from all professions addressed should participate in the design and implementation of cross-professional training activities.

Although legal professionals in some Member States are reluctant to participate in joint training activities, this reluctance is less pronounced for cross-border training activities. Reluctance can also be reduced by alternating between training in plenary and in working groups divided by profession and focusing on each profession's specific needs.

*Further information*

For examples of 'delivery of training to different legal professions', see the factsheets on the European e-Justice Portal:

- an [example from Bulgaria](#),
- an [example from England and Wales](#),
- an [example from Italy](#).<sup>8</sup>

<sup>6</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n03](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n03).

<sup>7</sup> <https://e-justice.europa.eu/fileDownload.do?id=48edbd5-74f2-4bea-a969-f1c8c31d3aa5>.

<sup>8</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n01](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n01).

### 3. Follow-up of training activities (evaluation, dissemination of content)

The assessment of a training activity should cover three aspects: the satisfaction of the participants, the increase of knowledge and skills of the participants and the impact on their practice.

Participants should fill in **assessment questionnaires** for the training activities they attended. This makes it possible to evaluate training given and is a form of quality control. Assessment questionnaires should use the same evaluation method for as many training activities as possible, to make it possible to easily compare results. The questions should be designed in a way that — if participants criticise certain elements — it is clear how to address the issue (e.g. not ‘Was the length of the training appropriate — yes/no?’, but ‘Was the length of the training too short/appropriate/too long?’).

Information used for evaluations should not be limited to participant ratings, as these only address the aspects that can be observed. **Other methods** of evaluation include: feedback given by participants and trainers (either informally through discussions or formally in a debriefing session at the end of each training activity or through online sessions/questionnaires); self-evaluations carried out by trainers; and peer reviews of the quality of instructional design and content.

Evaluation results should be shared and, if negative, evaluated/analysed in cooperation with the trainers.

Moreover, the training’s **impact on participants’ daily work should be assessed** some time after the training, when it could reasonably be expected that the participants had worked on a number of relevant cases. Evaluation at this stage is critical because the main aim of the training is to affect the trainee’s daily work. For example, participants could be asked in how many cases they had applied what they had learned, how often they had used templates or consulted case law disseminated during the training, or whether they have trained colleagues or informally disseminated their new knowledge/skills. In order to get a significant number of replies, a strategy should be put in place to motivate former participants to give their feedback at this later stage. This would be most successful if it is agreed with the participants in advance. One possible method is to set up a large core group of participants that will answer follow-up questions six months to two years after the training. Another possible method is to appoint contact persons at legal institutions the professionals belong to; these contact persons will gather the results of the assessment questionnaires and send it regularly to the training providers concerned.

The results of training programme **evaluations must be fed back into the training cycle**, in order to improve the quality of future training activities and link training needs with training provision.

#### *Further information*

For examples of [assessment of training activities](#), see the factsheets on the European e-Justice Portal.<sup>9</sup>

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<sup>9</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n05](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n05).

## 4. E-learning

### *Usefulness of e-learning*

Technology-based training can have several advantages: it makes it possible to reach more participants, it can be more cost-effective than face-to-face training, it works with legal practitioners' busy schedules and it caters for an alternative learning style. It needs to be updated regularly.

Therefore, training providers should use new technologies best and should develop more distance learning projects to ultimately integrate distance learning into the overall judicial training strategy.

Nevertheless, one must be aware of the lack of e-learning culture in the judiciary. It is therefore essential that all e-learning tools are of a high quality and that they respect the general methodological recommendations for quality training. For example, a document in .pdf format is not an e-learning tool in itself, although it may form part of a learning strategy. Similarly, online PowerPoint presentations are a way of disseminating training material in a more environmentally friendly way, but are of little use to those who did not take part in the face-to-face training.

Training providers should invest more in e-learning and videoconferencing technology. E-learning modules should take the form of short sessions. They should provide users with a truly interactive and practice-oriented learning experience. One example is using new technologies (e.g. short video clips) to create cross-border practical case studies in EU law.

### *E-learning tools*

A **webinar** (short for web-based seminar) is a presentation, lecture, workshop or seminar that is transmitted over the internet using video conferencing software. A key feature of a webinar is its interactive element, as it is possible for the audience to ask questions and discuss the information presented with the presenter. In contrast, in a webcast communication is only one-way and there is no possibility for interaction between the presenter and the audience. After it's finished, a webinar can be made available as a webcast.

A **podcast** is an audio/video recording of the face-to-face training. It is available in digital format for download over the internet. It enables those who were not able to participate in the training to listen to it afterwards. It also makes it possible for participants to refresh what they had learned. Because the podcast can be easily disseminated, it makes it possible for the training to reach a wider audience. Podcasts can be used for training activities with limited interaction and group work. Their interactive features are limited.

A **massive open online course** (MOOC) is a course made available free of charge to a very large number of people, delivered online in the form of videos and exercises. It usually includes interaction with the professors/speakers, and a final assessment. A certificate of success can usually be requested, sometimes for a fee. Several platforms offer MOOCs, including on EU law.<sup>10</sup>

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<sup>10</sup> Here are some of the main MOOC platforms:

Open Education Europa: <http://openeducationeuropa.eu/en/find/moocs>

OpenupEd: <http://www.openuped.eu/>

Coursera: <https://www.coursera.org/>

Moodle.net: <http://moodle.net/>

Open2study: <https://www.open2study.com/>

FUN (France Université Numérique): <http://www.france-universite-numerique.fr/juridique.html>

Iiversity: <https://iversity.org/>

Edx: <https://www.edx.org/course-list/allschools/law/allcourses>

Futurelearn: <https://www.futurelearn.com/courses/upcoming>

MOOC Francophone: <http://mooc-francophone.com/>.

*Development of e-learning*

Training providers should check if any online material already exists in another language, and if so should use this as a starting point to develop their own training material, while respecting property rights and requesting relevant authorisation.

Free copyright licences, such as the ones provided by [Creative Commons](https://creativecommons.org/),<sup>11</sup> are useful for training providers to protect their training material while allowing it to be re-used. However, such licenses also enable other training providers to use the material.

*How learning and information tools complement each other*

Training is one of the tools available to professionals dealing with the application of EU and foreign law in cross-border cases. Another form of support is access to reliable information anytime and in an efficient way. Training activities and available information tools should be used together. For example, legal practitioners who are attending a training event should be informed about the available information and practical tools that are related to the subject of the training and at their disposal. Similarly, information tools should link to available training options, instruments and best practices, to help legal professionals deepen their knowledge.

The training section of the European e-Justice Portal includes training and e-learning material and is an efficient tool for the further development and dissemination of European judicial training. It provides trainers and training providers with inspiration and legal professionals with learning opportunities.

*Further information:*

For examples of [good e-learning practices](#), see the first six factsheets on innovative training methodology on the European e-Justice Portal.<sup>12</sup>

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<sup>11</sup> <https://creativecommons.org/>.

<sup>12</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n03](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n03).

## 5. Cross-border training activities

Cross-border training activities make it possible for legal practitioners of different nationalities to attend the same event. They are a very useful tool for promoting mutual trust among legal practitioners of different countries and for ensuring smooth cross-border judicial proceedings, provided that active participation is part of the training programme.

Cross-border training activities are even more valuable if the participants are multipliers who can share what they learn with colleagues in their jurisdictions.

### a. Face-to face training

Cross-border training activities need to address the different training needs and legal backgrounds of participants from different jurisdictions. For example, case studies used in cross-border training must be relevant for all nationalities present.

Cross-border training activities should be structured in a way so that participants take away knowledge of the jurisdictions of the other participants — as reported by them. They should include time for discussion of the advantages and disadvantages of various approaches (not only during breaks).

Within the framework of mock trials on cross-border judicial cooperation, young legal practitioners from different Member States will be encouraged to practice a true judicial dialogue and to explore the necessity to facilitate and implement the principle of mutual recognition and mutual trust.

Participants of face-to-face training may decide to stay in touch with each other and in this way create an informal network that is useful for solving everyday cross-border issues. This is especially the case if the training was addressed to a very specialised audience with a high percentage of cross-border cases. Training providers could facilitate this networking by offering technical support (e.g. hosting social media groups for previous training participants).

If there are budgetary obstacles to organising cross-border training activities, options for increasing one's budget should be explored, including external financing opportunities, EU funding,<sup>13</sup> and/or agreements with other institutions.

#### *Further information*

For examples regarding [training tools to favour the correct application of EU law and international judicial co-operation](#), see the factsheets on the European e-Justice Portal.<sup>14</sup>

### b. Exchanges

Cross-border exchanges make it possible for professionals who come from various Member States but encounter the same types of professional challenges to work together and find out about the law in other Member States and the practical aspects of applying EU law and judicial cooperation instruments. This is important for professional cooperation on specific cross-border cases.

Exchanges can involve professionals with different profiles and can have different formats depending on the training objectives.

<sup>13</sup> For example: [http://ec.europa.eu/justice/grants1/programmes-2014-2020/justice/index\\_en.htm](http://ec.europa.eu/justice/grants1/programmes-2014-2020/justice/index_en.htm).

<sup>14</sup> [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do#n04](https://e-justice.europa.eu/content_good_training_practices-311-en.do#n04).

**Exchanges can target:**

- Legal practitioners, who will gain practical knowledge of other judicial systems and of European and human rights law through direct contact with practitioners in other countries, and through the exchange of views and experiences. This target group can be subdivided into:

- ‘trainees and newly appointed legal professionals’ who can gain additional ideas about how to work, get acquainted with the interpretation and application of EU law, and foster mutual understanding and mutual trust; and
- ‘experienced legal practitioners’ who can reflect on their work, gain additional ideas in their specialised area of law, and foster mutual understanding and mutual trust.

As far as possible, exchange programmes for experienced legal practitioners should take into consideration the area of specialisation of the participants.

- Trainers, who will have the opportunity to learn about the host country’s training methodologies, tools and programmes, and to share best practices with their colleagues.

- Leaders in judicial/legal sectors (e.g. presidents of courts, heads of prosecutors’ offices, etc.) who will exchange views and experiences and will improve their own management skills.

**The format of exchanges** can differ as to the length, number of participants and the working methodology:

- Short-term exchanges make it possible for participants to gain knowledge of other judicial systems and to share experiences and judicial practices with their counterparts. Different kinds of short-term exchanges are available:

– In an individual exchange, a visiting practitioner shadows a counterpart in his/her daily work. These exchanges can be tailored to the participant’s area of specialisation.

– In a group exchange, a group of practitioners from several EU Member States receives an introductory course on the legal system of the host country, followed by a practical programme. This makes it possible to share experiences from the Member States represented. Bilateral group exchanges between courts/prosecutors’ offices/bars/etc. can be organised for groups of practitioners from two Member States that have similar challenges or experiences, or a specific relationship.

– Study visits to the Court of Justice of the European Union (CJEU), the European Court of Human Rights (ECHR), Eurojust and several EU institutions in Brussels can be organised for groups of participants of different nationalities. They are an occasion to exchange professional experiences and at the same time to gain knowledge of the host institution’s functioning and procedures.

- Long-term exchanges can be offered on an individual basis at many European institutions (ex: the CJEU, the ECHR, Eurojust). These involve participants’ in-depth immersion into the work of the host institution.

If such exchanges are not already organised by a network, training providers can start by organising one or two exchange visits with a partner training provider from another country under a bi-national agreement on terms and conditions (cost, content, etc.)

**c. Language issues**

Trainers and staff working for training providers must improve their linguistic skills so that they can train a cross-border audience of practitioners from different jurisdictions and organise training activities in cross-border cooperation.

Cross-border training activities should use a common language understood by a wide range of the target group, or provide high-quality interpretation to remove linguistic barriers to participation.

Alternatively, it can be useful for exchanges or study visits to have a contact person in the hosting country. This contact person can act as a translator between the language of the host country and the language of the guest. So the fear by potential participants to have insufficient language capacity can be reduced. Hiring professional interpreters is also a possibility.

## 6. Legal language training

Legal language training should be made available to all groups of legal practitioners (*EP study 2011*), including to members of court staff who have certain judicial responsibilities and also need linguistic training.

*To prepare legal language training:*

- create an institutional setting for managing linguistic training, by allocating staff and possibly allowing staff members to spend e. g. ½ day a week on linguistic training;
- test participants' foreign language knowledge prior to the training in order to realistically estimate their level and tailor the training content accordingly.

*To deliver legal language training:*

- provide linguistic training at a regional level, as close as possible to the participants (on their own premises, in their home town, in the building of the local courts, in the prosecutors' office) so that it's easy to include training in their daily routine;
- include language training in other seminars, e. g. ½ day of language training with important vocabulary on the subject of the seminar;
- include new members of the judiciary in the linguistic training system by making use of their existing linguistic skills (especially those obtained at school or university) and invite them to train colleagues within their own institution (e.g. court house);
- do not try to set up a regular and systematic new scheme of (general) language training all at once; start small, with two or three new activities;
- do not discourage potential participants by offering long-term language training and asking them to commit to training programmes over several months; instead start with a few selective seminars to get the ball rolling and create motivation for further participation;
- do not force participants to speak up in front of the group if it makes them uncomfortable, let participants stay passive if they prefer to be (active participation should come with time and a first sense of achievement).

*Further information:*

For examples of good practices, see the following factsheets on the European e-Justice Portal:

- [Combining Training on EU Law and International Co-operation with Legal Language Training in Spain](#);<sup>15</sup>

- [Combining Training on EU Law and International Co-operation with Legal Language Training in Czech Republic, Hungary, Poland and Slovakia](#).<sup>16</sup>

For training material on organising language training, see the European Judicial Training Network's handbooks on the vocabulary of judicial cooperation in [civil matters](#)<sup>17</sup> and in [criminal matters](#).<sup>18</sup>

For glossaries and a multilingual thesaurus at European level, see the corresponding section of the [European e-Justice Portal](#).<sup>19</sup>

For a glossary of learning terminology in all EU languages, see the corresponding section of the [European e-Justice Portal](#).<sup>20</sup>

<sup>15</sup> <https://e-justice.europa.eu/fileDownload.do?id=24bc2afe-282e-4b2c-b773-5f55c7a9efb6>.

<sup>16</sup> <https://e-justice.europa.eu/fileDownload.do?id=063cdace-9381-43eb-ba19-40f6f2c03ff9>.

<sup>17</sup> [https://e-justice.europa.eu/content\\_civil\\_law-254-en.do#n05](https://e-justice.europa.eu/content_civil_law-254-en.do#n05).

<sup>18</sup> [https://e-justice.europa.eu/content\\_criminal\\_law-255-en.do#n05](https://e-justice.europa.eu/content_criminal_law-255-en.do#n05).

<sup>19</sup> [https://e-justice.europa.eu/content\\_glossaries\\_and\\_terminology-119-en.do](https://e-justice.europa.eu/content_glossaries_and_terminology-119-en.do).

<sup>20</sup> [https://e-justice.europa.eu/content\\_training\\_methodology-253-en.do#n07](https://e-justice.europa.eu/content_training_methodology-253-en.do#n07).



In this fourth survey, the quality of the data has further improved. However, there is still room for improvement with better availability and accuracy of data. The same is true for initial training, for which it was not possible to gather data for all Member States. This report publishes for the first time the number not only of judges and prosecutors who took part in continuous training in EU law per individual Member State but also for lawyers, since for these professions data is available for most of the Member States.

## Annex: Further recommended documents

This document is based on work carried out by the Commission's expert group on European legal training in 2015, and on advice from various other sources, which are described below.

In 2010-11, the first **Commission expert group on European judicial training discussed** possible topics of a European judicial training policy and in this way helped prepare the Commission's communication on European judicial training: 'Building trust in EU-wide justice — A new dimension to European judicial training' ([COM\(2011\) 551](#)). This paper includes conclusions made by this first expert group.

On the **European Parliament's** request, in 2011 the European Academy of Law (ERA) and the European Judicial Training Network (EJTN) jointly prepared a [study on 'Judicial training in the European Union Member States'](#). This paper contains this study's recommendations, which were based on a survey of individual judges, prosecutors and court staff in EU Member States on their experiences of judicial training on EU law, the law of other Member States and comparative law.

As part of a **pilot project** on European judicial training commissioned by the European Parliament and implemented by the Commission, four sets of studies were conducted between **2012 and 2014**:

- lot 1 concerned the training of judges and prosecutors,
- lot 2 the training of lawyers,
- lot 3 the training of court staff, and
- lot 4 cooperation between judicial networks and the EJTN.

The recommendations included in this paper come from the studies in the first three lots, accessible via the [training section of the European e-Justice Portal](#).

To comment on the results of the pilot project, the **Council issued [conclusions 2014/C443/04 on the 'Training of legal practitioners: an essential tool to consolidate the EU \*acquis\*'](#)**; the Council's recommendations are also included in this paper.

*For further information, training providers can consult:*

- the training section of the [European e-Justice Portal](#), which contains factsheets on [good training practices](#) (see also the links to individual practices in other parts of this paper);
- the '[Handbook on Judicial Training Methodology in Europe](#)' compiled by the European Judicial Training Network (EJTN);
- the [Manual on training methodology](#) and the [materials for an effective \(human rights\) training](#) prepared by the Council of Europe. In this fourth survey, the quality of the data has further improved. However, there is still room for improvement with better availability and accuracy of data. The same is true for initial training, for which it was not possible to gather data for all Member States. This report publishes for the first time the number not only of judges and prosecutors who took part in continuous training in EU law per individual Member State but also for lawyers, since for these professions data is available for most of the Member States.



