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Shaping Expertise across European Justice Systems

## EEEI factsheet

### EGLE project European Guide for Legal Expertise

The **European Guide for Legal Expertise** is due for publication in October 2015, initially in French and English, and will be widely distributed across European Member States and further.

A guide to best practices in civil judicial expertise, it is the result of several years' work led by the European Expertise and Expert Institute (EEEI) and aims to provide framework recommendations for all the stakeholders in European justice systems.



Established in 2006, the **European Expertise and Expert Institute – EEEI** - was created to contribute to the convergence on core principles of the EU's national systems of judicial expertise, and to guarantee the legal certainty of court rulings across the European judicial area by ensuring the high quality of court-ordered expert examinations.

It brings together from each Member State of the European Union contributors from high courts, bar associations, expert organizations, universities, and other professionals with a stake in these issues. A think-tank at European judicial scale, it is also a cross-professional, cross-border platform for debate and by no means a representative body for experts. The EEEI is completely independent of all public authorities and its work contributes to forming consensual solutions that are to be ultimately transposable to the various European law systems.



In 2010-2012, with the contribution of the Network of the Presidents of the Supreme Courts and the financial support of the European Union, the EEEI made a detailed, comparative inventory of existing procedures as regards expert examinations in civil matters. The EUREXPERTISE study was concluded by an International Symposium held in Brussels on 16<sup>th</sup> and 17<sup>th</sup> March 2012 on "The Future of Civil Judicial Expertise in the European Union".

Based on this preliminary work and with the continued support of the European Commission's DG Justice, in 2014 the EEEI undertook new research to create the guide to best practice in European civil judicial expertise as part of a project called **EGLE - European Guide for Legal Expertise**.

Chosen for the EGLE project, the method of the consensus conference is based on the competence and cooperation of professionals and the sharing of comparative experience. The method has proved to be well-suited to drawing up a common practice directly inspired by the rules of fair trial laid down by European legislation and case law.



In practice, EGLE brought together four Working Groups of 50 contributors (members of the judiciary, lawyers, experts, and academics) from 12 countries who met over 25 times in different European Union cities to share their experience, knowledge and opinions on

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judicial expertise. Their first task was to analyze and propose their thoughts on the following themes:

1. Appointing an expert: mission and expectations
2. Expert proceedings and the expert's report,
3. Qualifications, Competence, and the evaluation of experts,
4. The status and ethics of experts: free exercise and liability.

An Organizing Committee was in charge of directing and assisting them, and a Data Study Group ensured that there was a coherent final report highlighting all the main elements of debate, argument and recommendations put forward by the Groups over the course of a year.

This work culminated in a public, adversarial debate during the EGLE plenary conference on May 29<sup>th</sup> 2015 in the Aula Magna of the Italian Supreme Court in Rome, which by all accounts was a great success.

Judges, lawyers, experts and academics, as well as representatives from Supreme Courts and other European and international institutions, in all, 160 people from 22 countries contributed to the consensus conference.



Based on the recommendations from the Working Groups and on the questions raised by the public on 29<sup>th</sup> May, a Jury of key European figures has been meeting regularly to draw up the guide to best practice which will be published in October 2015.

10 years after its creation, the EEEI is now an important European player that remains committed to the improvement and harmonisation of European judicial expertise, and as such is consulted in particular by the European Commission, the European Union, the CEPEJ and, most recently, the European Parliament.

With the continued support and involvement of these European institutions and the personal commitment of our members, we are confident that the European Guide for Legal Expertise, truly a White Paper on civil judicial expertise, will be distributed throughout the European Union and that its work will serve to improve judicial expertise in and across Europe.

Jean-Raymond LEMAIRE  
President of the EEEI

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