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the Civil Justice
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Union



Shaping Expertise across European Justice Systems

JUST/2013/JCIV/AG/4664

EGLE
European Guide to Legal Expertise

CONSENSUS CONFERENCE
on
Civil judicial expertise
in the European Union



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Working Group themes



Shaping Expertise across European Justice Systems

WG1: Appointing an expert: mission and expectations

WG2: Expert proceedings and the expert's report

**WG3: Qualifications, Competence, and the
evaluation of experts**

WG4: The status and ethics of experts: free exercise and liability



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Working Group 3 contributors



Shaping Expertise across European Justice Systems

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Chronology of research & Meetings



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Date	Place	Present
July 9, 2014	Brussels, Belgium	11/11
September 17, 2014	Cologne, Germany	10/11
November 19, 2014	Paris, France	9/11
January 21, 2015	Utrecht, Netherlands	8/11
April 3, 2015	Final Report	By email



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Report WG3



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Providing principles for establishing a European quality assurance system that includes guidelines on qualifications, competence and the evaluation of experts.



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EU Quality assurance system



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EGLE PROJECT

QAS in each EU member state
Legally based authority
National registers

EU Advisory Committee for Judicial Expertise
EU register



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Key Recommendations WG3



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On a Member state level

- Minimal requirements for Quality Assurance System
 - Legally based judicial or administrative authority
 - Certification of individual judicial experts
 - Accreditation of Judicial Expert Service Providers
 - Regular (re)assessment of individual judicial experts and Judicial Expert Service Providers

- The creation and maintenance of a register on judicial expertise in each EU member state
 - Minimal details of each individual judicial expert in register



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Key Recommendations WG3



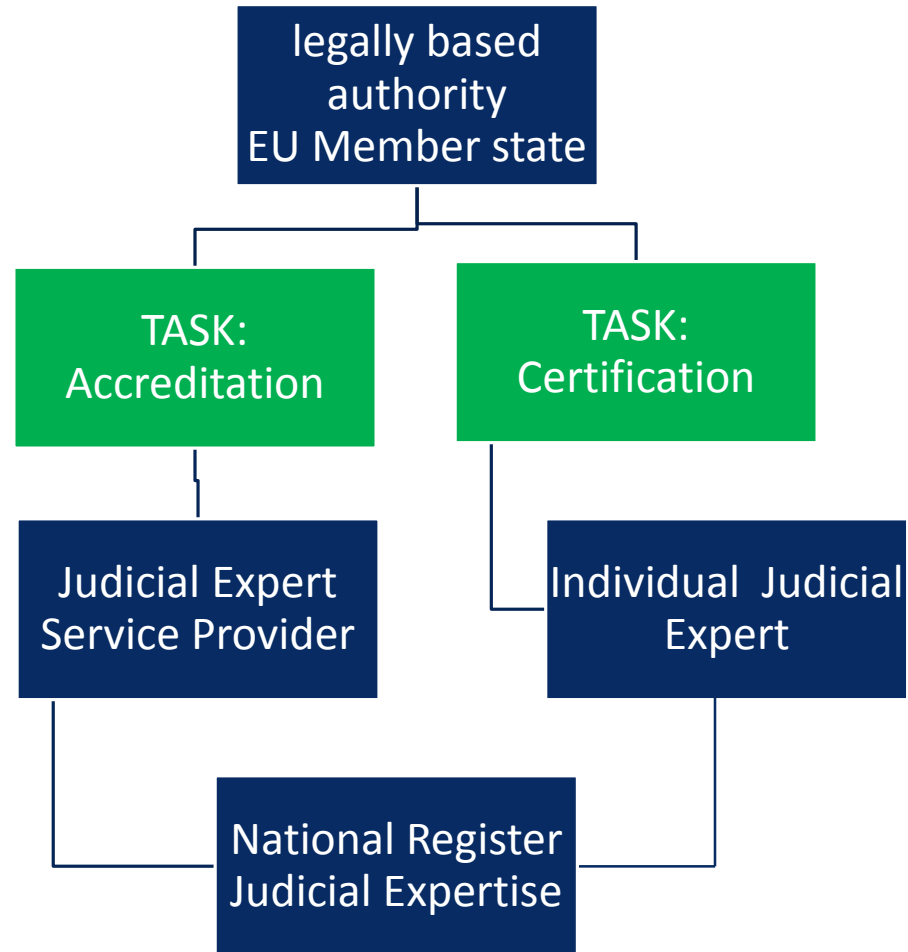
Shaping Expertise across European Justice Systems

On a European level:

- Development of a EU Register of Judicial Expertise
- Development of an Independent EU Advisory Committee for Judicial Expertise



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Legal authority: basics



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- Legally based framework
- Involvement of individual judicial experts, Judicial Expert Service Providers, professional bodies, judges, lawyers and other.
- Public (EU) funding



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Legal Authority: tasks



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- Set basic quality standards
 - applicable for all judicial experts
 - certification of individual judicial experts
 - accreditation for Judicial Expert Service Providers
 - for specific fields of expertise (In addition to general CEN/ISO standards)
- Hold and maintain a register of certified individual judicial experts and accredited Judicial Expert Service Providers
- Set the basic curriculum for the judicial training of judicial experts
- Set procedures for the assessment and re-assessment of individual judicial experts and Judicial Expert Service Providers
- Set a Code of Conduct which applies to all judicial experts



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**Quality most not only be done, but also
seen to be done !**





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Criteria for accreditation



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Judicial Expert Service Providers should:

- have implemented a quality management system:
 - develop or accept the competency requirements
 - guarantee that its employees comply with these requirements
 - Training and assessment of judicial experts
 - Periodic (re)assessment
 - employ individual judicial experts who have signed a statement

- have safeguarded that its results cannot be influenced by improper pressure or interests.



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Individual Judicial Expert: Certification



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- Have sufficient knowledge, experience and skills in their field of expertise;
- Have sufficient knowledge, experience and skills in the field of law concerned and are sufficiently familiar with the role of the expert in this field.
- Continuing Professional Development;
- Provide evidence of expertise and recent assignments
- Give in writing, and orally if required, a verifiable, well-reasoned and well-documented report;
- Complete an assignment within the stipulated or agreed period;
- Professional attitude;





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Individual Judicial Expert: Certification



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- The adoption of a Code of Conduct;
- An official certificate should be delivered by the authorities giving proof of good behaviour and morals;
- An individual judicial expert should sign a statement that they comply with a Code of conduct and generally accepted best practices that are in line with the EU Code of Conduct for judicial experts;
- Personal reference;
- Adequate professional indemnity insurance for the activities of judicial experts.



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Assessment procedure

➤ *Who is going to be assessed?*

- Judicial service provider
- Individual judicial expert

➤ *By whom?*

Joint committee

- subject matter experts
- legal experts (judges, lawyers)

➤ *When?*

Every five years

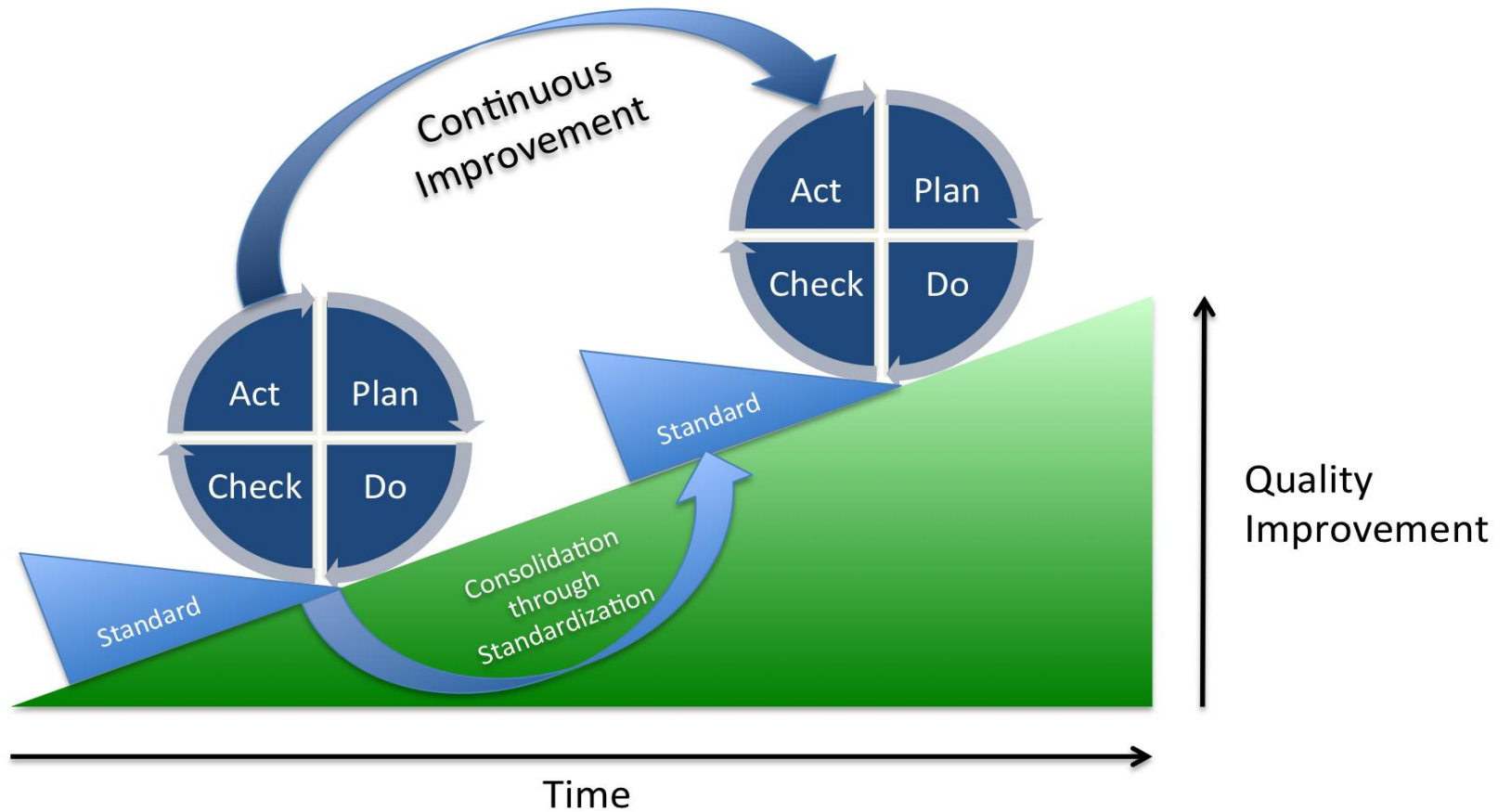




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Reassessment

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Reassessment



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- Every five years
- CPD
- Feedback
 - Direct: courts
 - Indirect: judicial decision





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Information on the Register



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- Uniformity EU wide
 - Harmonization on education and fields of expertise
- Publically accessible
 - NB privacy issues: different levels of access



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Information on the Register



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	National	Courts
Name	X	
Contact information	X	
Gender	X	
Country	X	
Registration number	X	
Registration data (since)	X	
Certified for Field of Expertise	X	
Specialties (not certified)		X
Certified for Branch of law	X	
Proficiency in languages	X	
CV (for comparison reasons)		X
Member of Professional body	X	
Could be used as guide for noncertified experts or certified experts from other EU countries	X	
Case experience		X



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EU Advisory Committee: TASKS



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- Basic EU quality assurance system
- Development and maintenance of quality standards
 - EU Code of Conduct
- Monitoring developments in EU member states
- Advise National Authorities
- EU Web Portal

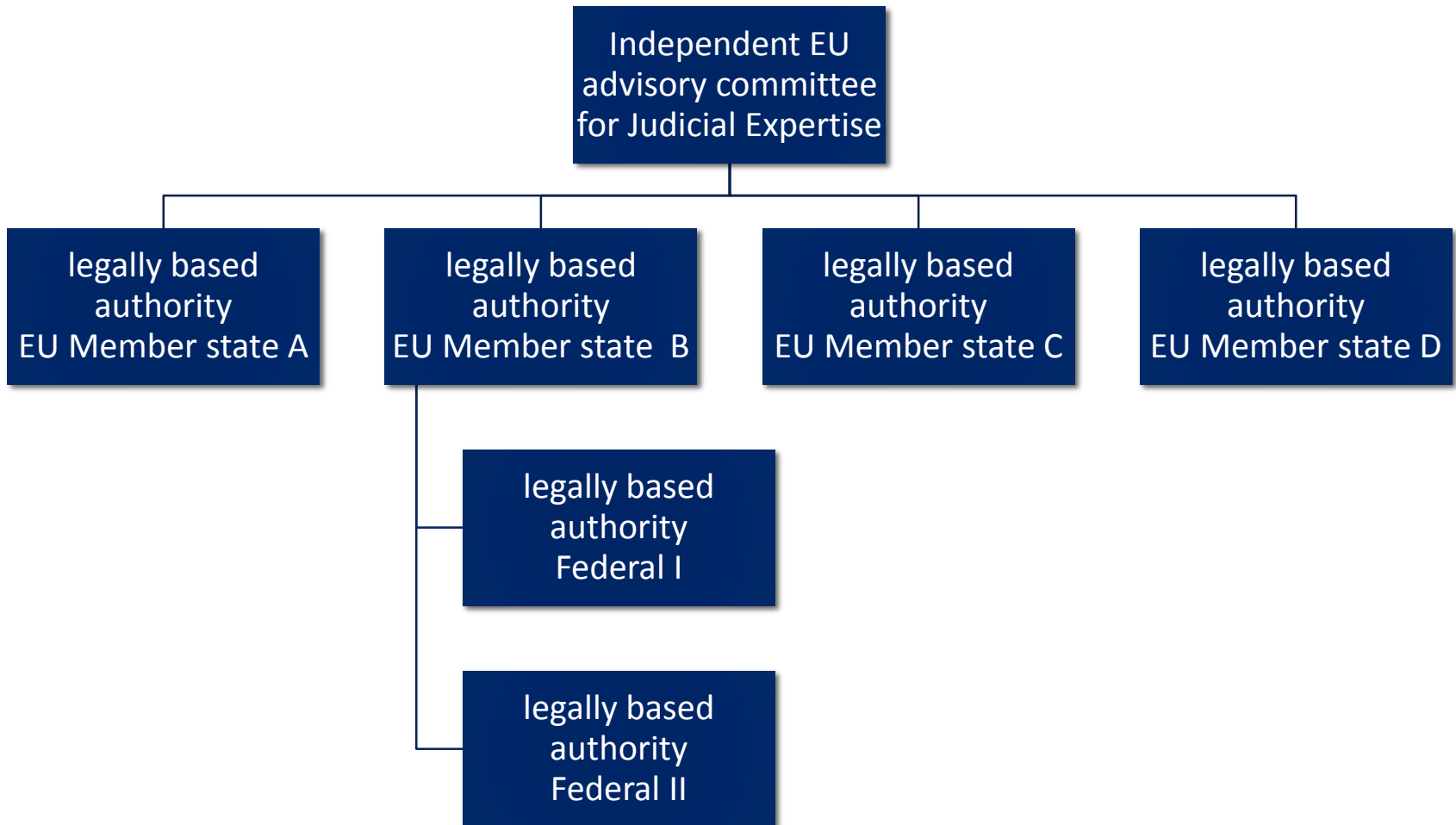


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EU Advisory Committee Judicial Expertise



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Contact



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