



### **COURT STAFF TRAINING**

## Questionnaire on the training needs of court staff



Developed in the framework of the project "Better applying European cross-border procedures: legal and language training for court staff in Europe"

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In partnership with the **European Judicial Training Network** 



and the support of 22 national



PORTUGUESA REPUBLIC OF SLOVENIA MINISTRY OF JUSTICE

National Courts Administration Finland

REPÚBLICA

Centro de Estudios

Jurídicos



## Court Staff Training – Questionnaires



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# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in AUSTRIA



1.	Name of court staff category (to be targeted by this project):
	Rechtspfleger
2.	Has this court staff category received higher education in law prior to accessing the profession?
	<ul><li>☐ Yes</li><li>☒ No</li></ul>
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
	□ Enforcement of court decisions. If yes, in what way?
	"Rechtspfleger" issue European Enforcement Order (EEO) certificates and can rectify or withdraw an EEO certificate if it has been issued by a "Rechtspfleger". If a decision given by a court of a foreign state should be enforced in Austria, the declaration of enforceability or the adjustment of the foreign decision is left to ajudge. The judge stays competent for the whole procedure until the declaration of enforceability or the adjustment becomes legally binding. If there is no need for a declaration of enforceability the whole procedure falls within the competence of the "Rechtspfleger". Only decisions that require the application of foreign law or the refusal of enforcement are left to a judge.
	□ European small claims procedures. If yes, in what way?
	☐ European payment orders. If yes, in what way?
	⊠ Service of documents. If yes, in what way?
whe fore	nin the fields of their competences, "Rechtspfleger" often have to order the service of documents, either or not the addressee lives in a foreign state. Only if a decision requires the application of eign law, the decision is left to a judge. As EU legislative acts are not considered as foreign law chtspfleger" have to apply the Regulation on the service of documents.
	☐ Taking of evidence. If yes, in what way?
	The same goes for the regulation on the taking of evidence.

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Short questionnaire on court staff in AUSTRIA



4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			$\boxtimes$

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening			$\boxtimes$
Writing			$\boxtimes$
Speaking			
Reading			

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

#### Rechtspfleger - Company Register

Personal talks or telephone calls to representatives of foreign head offices concerning entries into the company register regarding foreign subsidiaries/branch offices.

#### Rechtspfleger - Land Registry

As a result of the liberalization of the real estate market a lot of foreign investors (especially in western Austria) buy real estate. The communication with these foreign owners is usually only possible in English.

If an English language death certificate is submitted without a certified translation, the authorization to delete personal rights in the land register is admissible despite the absence of the certified translation.

#### Rechtspfleger – in general

- filling in the forms, reading explanations (e.g. e-justice portal)
- talking to clients
- reading letters from foreign authorities in different cases (not only member states)
- looking for further information (concerning other legal systems) for decisions from other member states


Short questionnaire on court staff in BELGIUM

1. Name of court staff category (to be targeted by this project):



Clerk

- 2. Has this court staff category received higher education in law prior to accessing the profession?

  - No

To become a clerk, you have two possibilities:

- To have a Bachelor or a Master in law degree: in this case, you can directly be appointed as a clerk (after being heard by examiners depending of the concerned court)
- If you don't have any of the abovementioned degrees, you have to pass exams organised by the State and being heard by examiners depending of the concerned court. In that condition you cannot be appointed directly as a clerk, but have to pass all the levels one by one (level D to B).
- 3. In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
  - Enforcement of court decisions. If yes, in what way?

The clerk prepares the forms, checks the documents and the judge signs the form. The judge decides and the clerk fills in the forms and checks if the procedure is properly applied (delays, languages conditions, costs).

These procedures are under the jurisdiction of the judge of peace.

The clerk prepares the forms, check the documents and the judge.

The clerk prepares the forms, check the documents and the judge signs the form. The judge decides and the clerk fills in the forms and checks if the procedure is properly applied (delays, languages conditions, costs).

These procedures is under the jurisdiction of the judge of peace.

The clerk prepares the forms, check the documents and the judge signs the form. The judge decides and the clerk fills in the forms and checks if the procedure is properly applied (delays, languages conditions, costs).

Service of documents. If yes, in what way?

The clerks in the civil courts are appointed as requesting authorities for Belgium. This means that they can fill in and sign the forms and they check the attached pieces.

□ Taking of evidence. If yes, in what way?

The clerks are appointed as requested courts for Belgium. This means that they have to respect the provisions of the Regulation in order to perform the taking of evidence.

Short questionnaire on court staff in BELGIUM



4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc		$\boxtimes$	
Other. Please specify: IT knowledge+implementation in the national system		$\boxtimes$	

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening			
Writing		$\boxtimes$	
Speaking	$\boxtimes$		
Reading			$\boxtimes$

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

To fill in the forms and to make the communication with the foreign counterparts easier. But the survey showed that this aspect of the Regulations are not always well understood by the court staff.

Short questionnaire on court staff in BULGARIA



1.	Name of court staff category (to be targeted by this project):
	Court Clerks (Registry Service); Court Secretaries; Court Assistants (where applicable)
2.	Has this court staff category received higher education in law prior to accessing the profession?
	□ Yes X No
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
	X Enforcement of court decisions. If yes, in what way?
	Yes, the Court Clerks (Registry Service) and the Court Secretaries are responsible for the proper preparation of the documents and the correct completion of the European Judicial Atlas in civil matters. They must be well aware of the organisation of the judicial system of the recipient-country, so that they cal direct / send the relevant forms correctly.
	X European small claims procedures. If yes, in what way?  Yes, this procedure (regulation) falls within the competences of the Regional Courts in Bulgaria. The Courcelerks (Registry Service) and the Court Secretaries are responsible for the proper preparation of the documents and the correct completion of the European Judicial Atlas in civil matters. They must be we aware of the organisation of the judicial system of the recipient-country, so that they can direct / send the relevant forms correctly.
	X European payment orders. If yes, in what way?
	Yes, this procedure (regulation) falls within the competences of the District Courts in Bulgaria. The Court Clerks (Registry Service) and the Court Secretaries are responsible for the proper preparation of the documents and the correct completion of the European Judicial Atlas in civil matters. They must be we aware of the organisation of the judicial system of the recipient-country, so that they can direct / send the relevant forms correctly.
	X Service of documents. If yes, in what way?
	Yes, the Court Clerks (Registry Service) and the Court Secretaries are responsible for the proper preparation of the documents and the correct completion of the European Judicial Atlas in civil matters. They must be well aware of the organisation of the judicial system of the recipient-country, so that they cal direct / send the relevant forms correctly. For this task can be involved the Court Assistants as well for their knowledge in law, but it depends on the Judge's decision.

X Taking of evidence. If yes, in what way?

Yes, the Court Clerks (Registry Service) and the Court Secretaries are responsible for the proper preparation of the documents and the correct completion of the European Judicial Atlas in civil matters. They must be well aware of the organisation of the judicial system of the recipient-country, so that they can direct / send the relevant forms correctly. For this task can be involved the Court Assistants as well for their knowledge in law, but it depends on the Judge's decision.





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.		Х	
Knowledge of properly filling in the forms provided by the EU legal instruments.			Х
Knowledge about the conduct and the conclusion of the procedure.		Х	
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			Х
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		Х	
Writing		Х	
Speaking		X	
Reading		Х	

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

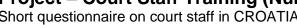
All cross-border civil procedures are in Bulgarian, including the European Judicial Atlas in civil
matters as a fundamental tool / system. Where the need of clarification of information by both
sides is important (by telephone or by email), clerks may accept or transmit information in
English, which includes some basic knowledge of terminology.



Project – Court Staff Training (Number 806998)
Short questionnaire on court staff in CROATIA (Department of Civil Proceedings)

1.	Name of court staff category (to be targeted by this project):
	court`s counselors
2.	Has this court staff category received higher education in law prior to accessing the profession?
	□ No
3.	In cross-border civil procedures, does this court staff category have competences in any of th following (tick all relevant boxes):
	☐ Enforcement of court decisions. If yes, in what way?
	In conducting the whole procedure
	In conducting the whole procedure
	Service of documents. If yes, in what way?
	Initiating a service of documents according to EU Regulation
	□ Taking of evidence. If yes, in what way?
	Initiating a procedure of taking evidence according to EU Regulation

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in CROATIA





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing		$\boxtimes$	
Speaking		$\boxtimes$	
Reading			

6.	Please provide us with a few examples of specific cases/tasks for which the court staff category
	will need to use English as well as for what purpose.

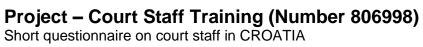
Understanding of content of received documents (acknowledgment of receipt) research of a case law.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in CROATIA (Department of



enforcement)

1.	Name of court staff category (to be targeted by this project):		
	COURT ADVISORS		
2.	Has this court staff category received higher education in law prior to accessing the profession?		
	⊠ Yes		
	□ No		
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):		
	□ Enforcement of court decisions. If yes, in what way?		
	Decision-making process under supervision of judge who is mentor to court adviser		
	European small claims procedures. If yes, in what way?		
	Decision-making process under supervision of judge who is mentor to court adviser		
	Decision-making process under supervision of judge who is mentor to court adviser		
	☐ Service of documents. If yes, in what way?		
	Individually		
	☐ Taking of evidence. If yes, in what way?		
	No		
	· · ·		





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing		$\boxtimes$	
Speaking		$\boxtimes$	
Reading			

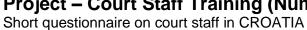
6.	Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.	

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in CROATIA (Department of



Land Registry)

Yes     □ No	1.	Nan	ne of court staff category (to be targeted by this project):
<ul> <li>✓ Yes</li> <li>No</li> <li>In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):</li> <li>☐ Enforcement of court decisions. If yes, in what way?</li> <li>No</li> <li>☐ European small claims procedures. If yes, in what way?</li> <li>No</li> <li>☐ European payment orders. If yes, in what way?</li> <li>No</li> <li>☐ Service of documents. If yes, in what way?</li> <li>No</li> <li>No</li> <li>No</li> <li>No</li> <li>No</li> </ul>	cour	t cou	nselors
□ No  In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes): □ Enforcement of court decisions. If yes, in what way?  No □ European small claims procedures. If yes, in what way?  No □ European payment orders. If yes, in what way?  No □ Service of documents. If yes, in what way?  No	2.	Has	s this court staff category received higher education in law prior to accessing the profession?
In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):  Enforcement of court decisions. If yes, in what way?  No  European small claims procedures. If yes, in what way?  No  European payment orders. If yes, in what way?  No  Service of documents. If yes, in what way?		$\boxtimes$	
following (tick all relevant boxes):  Enforcement of court decisions. If yes, in what way?  No  European small claims procedures. If yes, in what way?  No  European payment orders. If yes, in what way?  No  Service of documents. If yes, in what way?  No			No
European small claims procedures. If yes, in what way?  No  European payment orders. If yes, in what way?  No  Service of documents. If yes, in what way?  No	3.		
□ European small claims procedures. If yes, in what way?  No □ European payment orders. If yes, in what way?  No □ Service of documents. If yes, in what way?  No			Enforcement of court decisions. If yes, in what way?
No  ☐ European payment orders. If yes, in what way?  No ☐ Service of documents. If yes, in what way?  No		No	
No  ☐ European payment orders. If yes, in what way?  No ☐ Service of documents. If yes, in what way?  No			
□ European payment orders. If yes, in what way?  No □ Service of documents. If yes, in what way?  No			European small claims procedures. If yes, in what way?
□ European payment orders. If yes, in what way?  No □ Service of documents. If yes, in what way?  No			
No  ☐ Service of documents. If yes, in what way?  No		No	
□ Service of documents. If yes, in what way?  No			European payment orders. If yes, in what way?
□ Service of documents. If yes, in what way?  No			
No		No	
			Service of documents. If yes, in what way?
☐ Taking of evidence. If yes, in what way?		No	
☐ Taking of evidence. If yes, in what way?			
			Taking of evidence. If yes, in what way?
Yes, evaluating documents, hearings, investigations, expertise			e avaluating documents, hearings, investigations, expertise



6.



4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.		$\boxtimes$	
Knowledge of properly filling in the forms provided by the EU legal instruments.		$\boxtimes$	
Knowledge about the conduct and the conclusion of the procedure.		$\boxtimes$	
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc		$\boxtimes$	
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing		$\boxtimes$	
Speaking		$\boxtimes$	
Reading			

Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.
Using foreign legal literature

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in FINLAND



Ν	ame of court staff category (to be targeted by this project):
	ourt staff who handles international matters or are interested in to handle
	em in the near future as this court staff category received higher education in law prior to accessing the profession?
	Yes
×	l No
	cross-border civil procedures, does this court staff category have competences in any of the llowing (tick all relevant boxes):
$\boxtimes$	Enforcement of court decisions. If yes, in what way?
	ourt staff don't make any decisions, they prepare matters for judges. They check e.g. that all requirements e fulfilled, all documents needed are included etc.
$\boxtimes$	European small claims procedures. If yes, in what way?
	ourt staff don't make any decisions, they prepare matters for judges. They check e.g. that all requirements e fulfilled, all documents needed are included etc.
_	
$\triangleright$	European payment orders. If yes, in what way?
	ourt staff don't make any decisions, they prepare matters for judges. They check e.g. that all requirements e fulfilled, all documents needed are included etc.
×	Service of documents. If yes, in what way?
aı de	ourt staff don't make any decisions, they prepare matters for judges. They check e.g. that all requirements e fulfilled, all documents needed are included etc. And e.g. in service of summons cases they prepare ocuments to be ready for, they find out which way the service of summons can be done (EU-country, country elonging to Haag.contract or other).
$\geq$	Taking of evidence. If yes, in what way?
	burt staff don't make any decisions, they prepare matters for judges. They check e.g. that all requirements e fulfilled, all documents needed are included etc.
<u>u</u>	





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5.	<ol> <li>In regard to English language skills, which of the following</li> </ol>	skills need to be improved and practised
	further?	

	Not important	Quite important	Very important
Listening			
Writing			$\boxtimes$
Speaking		$\bowtie$	
Reading			$\boxtimes$

6.	Please provide us with a few examples of specific cases/tasks for which the court staff category
	will need to use English as well as for what purpose.

matters in all categories, but the judges make the decisions. For example, if there is a foreign
judgement, court secretary checks its requirement for enforcement and prepares resolution which a judge checks and signs. Court staff need to know little bit more than the basic about all to be
able to prepare things.



Project – Court Staff Training (Number 806998)
Short questionnaire on court staff in GERMANY (North Rhine-Westphalia)

1.	Name of court staff category (to be targeted by this project):				
	Rechtspflegerinnen und Rechtspfleger (judicial officers)				
2.	Has this court staff category received higher education in law prior to accessing the profession?				
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):				
	□ Enforcement of court decisions. If yes, in what way?				
	They need to recognise in certain cross-border enforcement procedures that asupplementary regional court certification is required. Judicial officers working inregional courts have the task to grant this certification. Furthermore, judicialofficers grant enforcement clauses in certain cases, p.e. regarding legalsuccessors and enforceability depending on fulfilling a certain condition.				
	☐ European small claims procedures. If yes, in what way?				
	⊠ European payment orders. If yes, in what way?				
	Judicial officers check their enforceability.				
	Service of documents. If yes, in what way?				
	They organise and initiate the delivery of court documents in foreign countries.				
	☐ Taking of evidence. If yes, in what way?				
	Their task is mainly to assist the judges in taking of evidence. For example, they organise the translation of court documents and initiate their delivery. In doing so, they need to ensure the compliance of formal requirements in taking of evidence.				





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening			
Writing		$\bowtie$	
Speaking			
Reading			$\boxtimes$

Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

Judicial officers need to understand the foreign court's documents because in some cases the foreign court does not need to translate their documents into German. The procedure's language is English in these cases.

Furthermore, it can be useful if a judicial officer can fill out certain documents, p.e. certificates o
delivery, in English so that the document does not need to be translated by a sworn translator.
•

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in GERMANY (Baden



Württemberg)

Rec	htspfleger
Has	s this court staff category received higher education in law prior to accessing the profession?
	Yes No
	cross-border civil procedures, does this court staff category have competences in any of the owing (tick all relevant boxes):
$\boxtimes$	Enforcement of court decisions. If yes, in what way?
	Lohnpfändungen aufgrund eines europäischen Zahlungsbefehls // wage garnishment on the basis of European payment order Vollstreckungssachen, insbesondere Pfändungs- und Überweisungsbeschlüsse // enforcement proceedings, in particular attachment and transfer orders Kostenfestsetzungsanträge im Europäischen Verfahren für geringfügige Forderungen // requests for
-	the fixing of costs in a European small claims procedure Klauselerteilung nach dem AVAG // Granting of clauses Bestätigung nach §§ 1079 ff. ZPO // Confirmation according to the German Code of Civil Procedure
_	Bescheinigung nach §§ 1110 ff. ZPO // Certificate according the the German Code of Civil Procedure
Plea	ase click here to fill in text.
	European small claims procedures. If yes, in what way?
	this procedure the judges are responsible. Rechtspfleger/innen are rarely involved inthis. ere are, however, some points of contact when for e.g. creating the "Form D".
$\boxtimes$	European payment orders. If yes, in what way?
nec con ver	chtspfleger/innen are solely responsible for the examination of the application and its ressary requirements. Furthermore, they fill out the form and check if the claim can be firmed. In addition, they create the respective final decision (Abschlussverfügung). Forthe fication of the payment order as well as the legal proceedings the judge is ponsible.
$\boxtimes$	Service of documents. If yes, in what way?
inco out the forr	civil cases Rechtspfleger are responsible for the service of documents in the event of an oming request for legal assistance, in proceedings under the Auslandsunterhaltsgesetz also for going requests. Rechtspfleger will either fill out the form for the service themselves or will check already existing form on its completeness and correctness. They also have to decide which in together with which annex, in which language, if necessary with translations, apostilles etc. to be used in each case.
	Taking of evidence. If yes, in what way?
Red	chtspfleger/innen are not dealing or are dealing to a very small extent with this subject.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in GERMANY (BWL)



6.

4.	Which of the following skills are deemed important for the fulfilment of this court staff category's
	asks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.		$\boxtimes$	
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc		$\boxtimes$	
Other. Please specify: - Information on effective service in EU countries or third countries (especially Switzerland) Information on jurisdiction (judges, Rechtspfleger, service units)			

5.	In regard to English language skills,	which of the following	skills need to be	improved and practised
	further?			

		Not important	Quite important	Very important
Listening				
Writing				
Speaking				
Reading				

Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

### Project – Court Staff Training (Number 806998) Short questionnaire on court staff in HUNGARY



assi	stant judge
Has t	his court staff category received higher education in law prior to accessing the profession?
	<u>Yes</u> No
	oss-border civil procedures, does this court staff category have competences in any of the following (tick all ant boxes):
	Enforcement of court decisions. If yes, in what way?
Yes	s. Issue a certificate, deem the decision implementable, make out order for enforcement.
□	European small claims procedures. If yes, in what way?  D. Notary is in charge.
	European payment orders. If yes, in what way?
INC	o. Notary is in charge.
	Service of documents. If yes, in what way?
Ye	s. Delivery of document is scope of assistant judge.
	Taking of evidence. If yes, in what way?
	es. Taking evidence and hearing witnesses: scope of assistant judge.

#### Short questionnaire on court staff in HUNGARY



4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			Х
Knowledge of properly filling in the forms provided by the EU legal instruments.			х
Knowledge about the conduct and the conclusion of the procedure.		х	
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc		х	
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		Х	
Writing		х	
Speaking		Х	
Reading		Х	

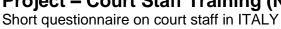
6.	lease provide us with a few examples of specific cases/tasks for which the court staff category will need to us
	inglish as well as for what purpose.

In cases when procedure is initiated in inappropriate form (e.g. rectification - supplying missing evidence),	when
hearing foreign witnesses.	

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in ITALY



1.	Name of court staff category (to be targeted by this project):				
	"PER	SONALE GIUDIZIARIO" that includes: BAILIFFS, CLERKS, judicial assistants, judicial trainees, judicial "operators"			
2.	Has	s this court staff category received higher education in law prior to accessing the profession?			
	$\boxtimes$	Yes No			
3.		cross-border civil procedures, does this court staff category have competences in any of the owing (tick all relevant boxes):			
	$\boxtimes$	Enforcement of court decisions. If yes, in what way?			
	Baili exed	iffs have competences in enforcement proceedings cause they are instructed by the judge for the cution			
		European small claims procedures. If yes, in what way?			
	Cle	rks are competent for the tasks reserved for them by national law			
	$\boxtimes$	European payment orders. If yes, in what way?			
	Cle	rks are competent for the tasks reserved for them by national law			
	$\boxtimes$	Service of documents. If yes, in what way?			
		EP (office for notifications, enforcement and protest) as: Transmitting agencies (UNEP at the judicial offices) Receiving agencies (UNEP Rome)			
	$\boxtimes$	Taking of evidence. If yes, in what way?			
		ans courts are competent for the performance of taking of evidence according to Regulation 1206/2001. Clerks are involved in this activity.			





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.		$\boxtimes$	
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.	$\boxtimes$		
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc	$\boxtimes$		
Other. Please specify: applicable law		$\boxtimes$	

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing			$\boxtimes$
Speaking		$\boxtimes$	
Reading			$\boxtimes$

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

In cross-border disputes, it may happen that one of the parties lodges documents in English; the registrar must understand its contents in order to proceed with its obligations.

Italy provided the Commission with the information pursuant to art. 2, par. 4 of article 2 reg. 1393/2007: the languages that may be used for the completion of the standard form set out in Annex I are also english and french.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in LATVIA



1.	Name o	of court staff category (to be targeted by this project):
	Assistar	it to Judge
2.	Has this	s court staff category received higher education in law prior to accessing the profession?
		Yes No
acc		ramework does not determine that Assistant to Judge must receive higher education prior to e profession, but the necessity of higher education is stated in the job description of this court y.
3.		s-border civil procedures, does this court staff category have competences in any of the g (tick all relevant boxes):
		Enforcement of court decisions. If yes, in what way?
	$\boxtimes$	European small claims procedures. If yes, in what way?
		s include the preparation of draft documents (the final documents are signed only by judge)as well ng the documents.
	$\boxtimes$	European payment orders. If yes, in what way?
		s include the preparation of draft documents (the final documents are signed only by judge)as welling the documents.
	$\boxtimes$	Service of documents. If yes, in what way?
		s include the preparation of draft documents (the final documents are signed only by judge)as welling the documents.
	$\boxtimes$	Taking of evidence. If yes, in what way?
		s include the preparation of draft documents (the final documents are signed only by judge)as well ng the documents.

Short questionnaire on court staff in LATVIA



4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing			$\boxtimes$
Speaking		$\boxtimes$	
Reading			$\boxtimes$

- 6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.
  - To understand a document obtained from foreign court, its nature;
  - To send forms;
  - To find a foreign competent authority or to contact with it;
  - To search and obtain information about correct application of cross-border procedures. For example, find out on the websites of the relevant institutions of other countries whether, by sending court documents to another country for the purpose of handing out to the party, the legal framework determines and the relevant country agrees that the documents can be delivered directly to the party itself or it must be done through the relevant competent authority;
  - To prepare documents within cross-border procedures;
  - To learn about the legal framework and case law of other countries;
  - To read the relevant case law of EU Court of Justice and international courts (especially European Court of Human Rights).

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in LITHUANIA



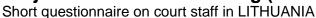
	Name of court staff category (to be targeted by this project):
	Assistant to a judge
) 	Has this court staff category received higher education in law prior to accessing the profession?
	<ul><li>✓ Yes</li><li>□ No</li></ul>
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
	Judge's assistants check (examine and evaluate) the parties' requests to issue certificates required for the enforcement of judgments by Lithuanian courts abroad, prepare appropriate forms for the enforcement of Lithuanian decisions in other EU Member States in accordance with EU regulations, in particular, but not limited to Brussels Ibis, European Enforcement Order regulation, etc.
	Inspects European small claims received by the court, assesses whether they meet the requirements of the European small claims procedure under Regulation (EC) No 861/2007, prepares and sends to the parties the appropriate forms in accordance with Regulation (EC) No 861/2007.
	Examine the applications for the European order for payment, assess whether it complies with the European order for payment procedure and whether the European order for payment can be issued; if the European order of payment can be issued, prepares and sends to the parties the European order for payment and other forms under Regulation (EC)) No 1896/2006.
	(25)) NO 1030/2000.
	⊠ Service of documents. If yes, in what way?
	Prepares Lithuanian courts' as transferring agencies (within the meaning of Article 2 of Service Regulation (EC) No 1348/2000) requests for service of documents. Takes in and examines Service of Documents Regulation by the courts of other EU Member States for persons residing or staying in Lithuania received by Lithuanian courts' as receiving agencies (within the meaning of Article 2 of Serviceof Documents regulation (EC) 1348/2000), fills in the appropriate forms according to the Service of Documents Regulation (EC) No 1348/2000 on behalf of the receiving agency, communicates with the transferring and receiving agencies of other EU Member States regarding the service of documents, organizes the execution of the Requests for service of documents of other EU Member States and the service of judicial and extrajudicial documents in Lithuania (but do not serve the documents themselvesbecause it is done by a judge - it is already a procedural action, so the assistant to a judge onlyperform preparatory-technicalactions).

Short questionnaire on court staff in LITHUANIA



Prepares requests on behalf of Lithuanian courts as transferring agencies (within the meaning of Article 2 of Service Regulation (EC) No 1206/2001). Receives and checks requests from the courts of other EU Member States in the Lithuanian courts as receiving agencies (within the meaning of Article 2 of Taking of evidence regulation (EC) No 1206/2001), fills in appropriate forms according to Taking of evidence regulation (EC) No 1206/2001, on behalf of the Receiving Agency, communicates with the transferring and receiving agencies of other EU Member States regarding the taking of evidence, organizes the execution of the Requests for the taking of evidence from other EU Member States and the taking of evidence in Lithuania (but does not collect the evidence itself. This is done by the thejudge as it is already a procedural action. The assistant to a judge only perform preparatory-technical actions).







4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.		$\boxtimes$	
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc		$\boxtimes$	
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing			$\boxtimes$
Speaking		$\boxtimes$	
Reading			

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

English is needed for:

- filling in the forms according to the regulations and understanding the received forms due to the fact that according to most regulations Lithuania accepts standard forms in English;
- searching information in the European e-justice portal, on the national pages of EU member states, etc. (since not all information is available in all EU languages)

-	effective	communication	n with t	transmitting	and	receiving	agencies	(courts)	in other	EU
Mer	nber State	es, both in wr	iting, inc	cluding e-ma	ail and	verbally	(e.g. by	phone),	especially	through
vide	oconferer	ncing for the tak	ing of ev	vidence (in p	articul	ar for the	personal	interview)	).	

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in THE NETHERLANDS





1.	Name of court staff category (to be targeted by this project):						
	The court staff of the District Courts and Courts of Appeal						
2.	Has this court staff category received higher education in law prior to accessing the profession?						
	<ul><li>✓ Yes</li><li>□ No</li></ul>						
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):						
	⊠ Enforcement of court decisions. If yes, in what way?						
	In interim injunctions and notifications.						
	Consumers credit and other cases which are dealt with in the Subdistrict Courts						
	⊠ European payment orders. If yes, in what way?						
	Electronic contracting, EU basic law on Private law, general terms and conditions						
	Service of documents. If yes, in what way?						
	Legality of signatures, birth certificates						
	☐ Taking of evidence. If yes, in what way?						
	International legal assistance requests, hearing of Dutch witnesses in foreign cases						





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify: Knowledge of EU Law			$\boxtimes$

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing		$\bowtie$	
Speaking		$\boxtimes$	
Reading			$\boxtimes$

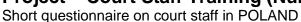
6.	Please provide us with a few examples of specific cases/tasks for which the court staff category
	will need to use English as well as for what purpose.

The court staff need to have good knowledge of English for different kinds of cases but especially the commercial cases. They also need it for giving presentations about their work to judges from abroad.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in POLAND



Cou	ne of court staff category (to be targeted by this project):
	s this court staff category received higher education in law prior to accessing the profession?
	Yes No
	cross-border civil procedures, does this court staff category have competences in any of the owing (tick all relevant boxes):
	Enforcement of court decisions. If yes, in what way?
	European small claims procedures. If yes, in what way?
	European payment orders. If yes, in what way?
$\boxtimes$	Service of documents. If yes, in what way?
1. fi EU	urt staff: Ils out the forms on base on EU Regulation 1393/2007, and sends it to appropriate authority in countries
2. tr	ransmits application receives from abroad to addressee in Poland.
$\boxtimes$	Taking of evidence. If yes, in what way?
	urt staff: Fills out forms on base EU Regulation 1206/2001 and sends it to appropriate authority in EU





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not	Quite	Very
	important	important	important
Listening			
Writing			$\boxtimes$
Speaking			
Reading			$\boxtimes$

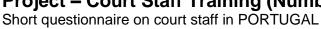
- 6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.
  - 1. To fill EU forms concerning service of documents and taking evidence.

2.	To deal with documents receives from other EU country.
	·

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in PORTUGAL



1.	Name of court staff category (to be targeted by this project):
	Escrivão-adjunto
2.	Has this court staff category received higher education in law prior to accessing the profession?  ☐ Yes ☐ No
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
	In some cases, it is responsible for enforcing decisions, applying coercivemeasures in order to enforce the decision
	Help applicants complete forms through forms; verify that the application meets the requirements of the Regulation and refer the request to the judge; notifications via the mandatory forms.
	Help applicants complete forms through forms; verify that the application meets the requirements of the Regulation and refer the request to the judge; notifications via the mandatory forms.
	Service of documents. If yes, in what way?
	It is responsible for service of documents complying with the rules laid down by Regulation (EC) 1393 with the specific characteristics of each Member State concerned.
	☐ Taking of evidence. If yes, in what way?
	It is responsible for the requests os taking os evidence complying with the rules laid down by Regulation (EC) 1206 with the specific characteristics of the requested Member State concerned.





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening			$\boxtimes$
Writing			$\boxtimes$
Speaking			$\boxtimes$
Reading			

6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.

One of the examples where there are great difficulties in communication is when we are in the scope of taking of evidence through videoconference.

Court Staff needs to test equipment in advance, and most of the times they don't have the skills of the most common language such as English, which becomes an obstacle.

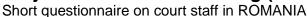
Sometimes the courts receive requests for information in English and Court Staff must know what it is about and return or respond accordingly.

If he does not know an English minimum will be unable to execute the request.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in ROMANIA



Clerk	KS
Has	this court staff category received higher education in law prior to accessing the profession?
	Yes No
	cross-border civil procedures, does this court staff category have competences in any of the owing (tick all relevant boxes):
$\boxtimes$	Enforcement of court decisions. If yes, in what way?
Cler	ks have competences in using the e-justice portal and identifying the relevant applicable legal
	rument. They are competent to identify the correct forms and to fill in the European orcement Order.
$\boxtimes$	European small claims procedures. If yes, in what way?
lanç	rks have to identify the correct forms and to properly fill in the answer forms; they find out guages that should be used and they know and calculate the terms before a final judgement iven.
$\boxtimes$	European payment orders. If yes, in what way?
they	ks are competent in using the e-justice portal and identifying the relevant applicable legal instrument; ridentify the correct forms and fill them in. Clerks distinguish the terms before an European payment eris issued, they calculate the terms for statement of opposition, they determine languages to be used.
$\boxtimes$	Service of documents. If yes, in what way?
Cle	rks are competent in using the e-justice portal and identifying the relevant applicable legal
and	rument; they identify the correct forms and fill them in, identify the competent transmitting receiving agencies, languages to be used, bear of costs, possible means of munication and they establish the date of sevice.
$\boxtimes$	Taking of evidence. If yes, in what way?
Cle	rks are competent in using the e-justice portal and identifying the relevant applicable legal
and	rument; they identify the correct forms and fill them in, identify the competent transmitting receiving agencies, languages to be used, possible means, bear of costs, steps to follow irect taking of evidence by the requesting court.





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

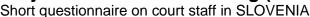
	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify: Knowledge of English or other language		$\boxtimes$	

5. In regard to English language skills, which of the following skills need to be improved and practised further?

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing			$\boxtimes$
Speaking		$\boxtimes$	
Reading			

- 6. Please provide us with a few examples of specific cases/tasks for which the court staff category will need to use English as well as for what purpose.
  - Filling in forms spaces that are not automatically translated into English when using European tools;
  - The informal exchanges of information in cases where European proceduresdo not foresee;
  - When one of the parties or the persons to be heard during a trial does not knowthe Romanian language, if the parties agree, the clerk can make the translationoffice;
  - Providing the necessary information regarding the files to the parties or to theirattorneys when they do not know the Romanian language.

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in SLOVENIA





INali	ne of court staff category (to be targeted by this project):
<u>Lega</u>	ıl assistants (samostojni sodniški pomočniki in sodniški pomočniki)
Has	this court staff category received higher education in law prior to accessing the profession?
	Yes No
	ross-border civil procedures, does this court staff category have competences in any of the owing (tick all relevant boxes):
$\boxtimes$	Enforcement of court decisions. If yes, in what way?
Yes,	they have to fil out forms and give some explanations.
$\boxtimes$	European small claims procedures. If yes, in what way?
Yes	, they have to fil out forms and partly determine the manner of enforcement.
$\boxtimes$	European payment orders. If yes, in what way?
Yes	, they have fil out forms and partly determine the manner of enforcement.
$\boxtimes$	Service of documents. If yes, in what way?
Yes	, they have to fil out forms.
$\boxtimes$	Taking of evidence. If yes, in what way?
Voc	, they have to assist judges.
	Legar Hass





Which of the following skills are deemed important for the fulfilment of this court staff category's tasks in cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other. Please specify:			

5.	<ol> <li>In regard to English language skills, which of the following</li> </ol>	skills need to be improved and practised
	further?	

	Not important	Quite important	Very important
Listening		$\boxtimes$	
Writing		$\bowtie$	
Speaking		$\boxtimes$	
Reading			

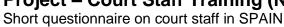
6.	Please provide us with a few examples of specific cases/tasks for which the court staff category
	will need to use English as well as for what purpose.

egal assistants need to use English for writing various documents, filling in forms, reading the	
ocuments and for communication.	
	-
	-

# **Project – Court Staff Training (Number 806998)**Short questionnaire on court staff in SPAIN



1.	Name of court staff category (to be targeted by this project):
	Judicial Counsellor ("Letrados de la Administración de Justicia" in Spanish language)
2.	Has this court staff category received higher education in law prior to accessing the profession?
3.	In cross-border civil procedures, does this court staff category have competences in any of the following (tick all relevant boxes):
	Judicial Counsellors are competent in the enforcement cases in Spain. They are in charge of the execution
	According with the Civil procedure Law, the Judicial Counsellor after the court order has been issued by the Judge, shall issue an order with the measures of the enforcement (seizure freezing of bank accounts,)
	⊠ European small claims procedures.If yes, in what way?
	The Judicial Counselor is in charge of the admission and processing of the small claims proceeding
	The Judicial Counselor is in charge of the admission and processing of the payment orders, pronouncing the respective resolution
	Service of documents. If yes, in what way?
	According with the statements of Spain of the Regulation 1393/2007, Judicial Counsellors are the competent authority to transmiting and receiving the documents and to serve them
	□ Taking of evidence. If yes, in what way?
	Judicial Counsellors transmit the RogatoryLletters to taking evidence abroad





4. Which of the following skills are deemed important for the fulfilment of this court staff category's tasksin cases with EU law aspects:

	Not important	Quite important	Very important
Ability to identify the EU legal instrument applicable in a concrete case.			$\boxtimes$
Knowledge of properly filling in the forms provided by the EU legal instruments.			$\boxtimes$
Knowledge about the conduct and the conclusion of the procedure.			$\boxtimes$
Knowledge of all other technical aspects regarding the procedure, such as language to be used, bearer of the costs, etc			$\boxtimes$
Other.Please specify: In general, about the Regulations and Directives of UE			$\boxtimes$

5. In regard to English language skills, which of the following skills need to be improved and practised further?

		Not important	Quite important	Very important
Listening			$\boxtimes$	
Writing			$\boxtimes$	
Speaking			$\boxtimes$	
Reading				$\boxtimes$

6.	Please provide us with a few examples of specific cases/tasks for which the court staff category
	will need to use English as well as for what purpose.

On many occasions some information provided by the International Agreements and Treaties is in English (e.g. Statements of MS in E-justice, Hague Convention,), so it is necessary to have skills reading and understanding this language.
one reading and anasteriang and ranguage.