



Best Practices in training of judges and prosecutors

Category of practice: **Implementation of Training Tools to Favour the Correct Application of EU Law and International Judicial Co-operation**

Type of practice: **Best Practice**

Institute: **European Judicial Training Network (EJTN)**

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Title of practice	THEMIS
Key features:	<p>The THEMIS competition was created by NIM Romania and CEJ Portugal in 2006 and was absorbed in the EJTN framework in 2010.</p> <p>It is aimed at judges and public prosecutors' trainees, grouped in national teams of three people. A person is considered to be a trainee if he or she is so regarded under its national law and if he or she has not attended initial training activities for more than two years. Any country where the concept of 'trainee' does not exist may participate with a team composed of magistrates (judges and/or public prosecutors) who, at the date of the beginning of the competition, are in their first year of service, such year commencing with the date when they first took up their appointment as a judge or public prosecutor, irrespective of whether or not they are in the same employment at the time. The current format of the competition is as follows:</p> <p>THEMIS comprises 2 different stages: the semi-finals and a Grand Final. The 4 semi-final stages allow a maximum of 11 teams each, with the winners and runners-up of each category competing in the Grand Final.</p> <p>When registering for the semi-finals, participant teams select a topic that falls under one of the four thematic categories of the competition. Each one of the four semi-finals addresses one of the categories. These are: a) International Co-operation in Criminal Matters; b) International Judicial Co-operation in Civil Matters; c) Interpretation and Application of Articles 5 or 6 of the ECHR and d) Magistrates' Ethics and Deontology.</p> <p>Each team prepares a written paper on any subject that falls within the category selected for their semi-final. This is sent to all jurors (3 per topic) with the necessary anticipation.</p> <p>During the semi-final, each participating team has a maximum of thirty</p>

minutes to make an oral presentation of its paper. This presentation involves all team members and any audio-visual technology may be used.

Immediately after this presentation, another participant team (chosen randomly) is entitled to ask three questions to the presenting team. After these answers, the jury starts a discussion with the team about the contents of the paper and the oral presentation, lasting another 30 minutes. Each team member must play a broadly equal part in the discussion.

In each of the semi-finals, the jury selects a team as category winner and another as a category runner-up. Both teams selected in this way will move on to the Grand Final, which comprises eight teams in total.

The Jury of the Grand Final is composed of 5 jurors and the thematic category to be addressed during the event is chosen randomly from the four indicated above.

During the final, each finalist is asked to prepare a written report on a common legal practical question that is given to them, by the jury, immediately after the opening ceremony of the grand final. This written report must be finished and delivered to THEMIS organisers by a given deadline.

Each team is required to take part in a debate, in front of the Jury, with another participant team where each is asked to take opposite stances on a given case study or topic. This is provided to them two weeks before the final. Each pair of teams will debate a different case.

At the end of each working day and according to the timetable set by the organisers, every team prepares and hands to the jury an observation file concerning each of the debates in which the team has not participated during that day. This file should contain constructive feedback, the team's opinion on the approach taken by the debating teams and any other constructive comments they wish to make.

The Jury assesses the participants' overall performance in the written report, the debate and the observation files according to the following criteria (where appropriate):

- Originality
- Reference to the relevant case law of the Court of Justice of the European Union and of the European Court of Human Rights
- European Union standards in the field of ethics and deontology of judges and prosecutors
- In-depth analysis of the latest European debates on both ethics and EU Law
- Anticipation of future solutions

	<ul style="list-style-type: none"> - Critical thinking - Communication skills - Clarity, attractiveness and persuasiveness of oral skills and consistency. <p>The Jury then declares one of the competing teams to be the THEMIS winner.</p> <p>The project aims to develop abilities related to the future profession of the participants, such as communication skills, debating abilities, critical and analytical thinking, logical reasoning and proper legal writing.</p> <p>The event also aims to further develop the professional contacts, experiences and relationships between entry-level trainees and their teaching staff. The event gives a unique opportunity to trainees to discuss their own ideas on the chosen subjects with well-known experts in an international forum.</p>
<i>Available direct internet link</i>	http://www.ejtn.eu/en/About/THEMIS11/
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<i>Other comments</i>	<p>The model of the semi-final, as described above, has remained practically unchanged since its creation. In the end it consists of a seminar constructed in reverse.</p> <p>In this case, it is up to the participants to select and present the subjects they want to deal with (although these must be chosen from a restricted number of generic pre-selected ones), while it is up to the experts (the jurors) to lead the follow-up discussion highlighting the main elements of the presentation.</p> <p>This BEST PRACTICE is ideally transferable to national level either in the form of a national pre-competition related to the EJTN THEMIS competition (national heats) or may be applied to any other area of training where the trainees' presentation and argumentation skills need to be developed.</p>

Source: Pilot Project - European Judicial Training: "Lot 1 – Study on best practices in training judges and prosecutors", carried out by the European Judicial Training Network (EJTN)