



Best Practices in training of judges and prosecutors

Category of practice: **Innovative Training Methodology**

Type of practice: **Good Practice**

Country: **Estonia**

April, 2014

Title of practice	Self-reflection on Decision Writing
<i>Key features:</i>	<p>This training methodology addresses the need for training on judicial opinion writing with individual feedback to the participants, in order to facilitate their actual learning of the skill.</p> <p>In Estonia, when applied to continuous training, the methodology comprises two stages:</p> <p>Firstly, an introductory seminar is held for a relatively small group of participants, led by an experienced judge and focusing on the techniques and legal requirements of writing final judicial decisions.</p> <p>Secondly, in the feedback phase, each participant is invited to send one reasoned final judgment to two readers – other judges or academics with high-level reasoning skills – for their appreciation.</p> <p>This appreciation is double-blind – the readers do not know whose opinion they are reading and the author does not know who the readers were when they receive the feedback.</p> <p>The readers’ feedback focuses on the legal reasoning and argumentation found in the judgment, not on whether the reader agrees with the final outcome or not.</p>
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Other comments

The double-blind evaluation scheme for written documents has only been used by training institutions for preliminary or final exams.

During initial training, trainers (at the judicial academies) and mentors (at courts), who provide the feedback on the written simulations of legal opinions or final decisions issued by the trainees, are usually aware of who has written them. It may also be argued that such a system allows a better interaction between trainee and trainer while facilitating the latter's task (this task can only be performed properly if the qualities and deficiencies of the person requiring training are known in advance).

However, the above **GOOD PRACTICE** may be an interesting experiment in the area of continuous training.

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)