



REPUBLIC OF SLOVENIA
Ministry of Justice

**Judicial Forum: Relations between Ministry of Justice and Judiciary
Bled, 7 and 8 March 2002**

BAVARIA
Mr. Peter Kuspert
"Head of section" organisation, Bavarian Ministry of Justice
(Unofficial translation)

In Germany we are just dealing with a certain project that aims to a new analytic system of staffing demands. For this purpose we have worked together with an external business consulting enterprise, which managed the project. There have been, overall in Germany, about three thousand judges, public prosecutors and legal officers, which took part voluntary in this project and noted the time they needed to terminate cases or legal products that have been defined before. As a result of this exploration, it will be possible to calculate the average time; the judge or the public prosecutor or the legal officers needs for special sorts of cases. From the statistics we know how many cases come to our courts every year. So we can calculate the requirement of posts for judges and public prosecutors in the single authorities and we hope that our parliament will believe us that we need these posts.

What may be surprising to you in this subject is that generally there was the great willingness among the judges and prosecutors to take part in the exploration. They told us, they would be glad if the personal requirement is not only estimated, as it was in the past, but also explored in an analytic way.

There was also no suspicion that the ministries could use the results for individual control, because we invited the representatives of the courts and of the professional federations of judges to work together with us on the project. In general I would say that we have special relationship to our authorities, which I would characterized it, as a climate of the good cooperation. That means, that we never have to enforce our regulations and measures by confrontation. We are discussing all-important decisions, which are worth planning and also projects for the future, very intensive with the heads of the courts and offices of public prosecutors. I can't remember any case in the last year in which the ministry would have overruled our authorities in important questions or have had made a decision against the explicit objection of our authorities. That doesn't mean that we always have the same opinion, infect we do have different views in several questions, but we have always found bearable compromises.

I would like to give you another example of what I have just said:

We are running a huge project in computerizing most of our working plat forms in the Bavarian justice system (which are concerning about 13000 work places). Computerizing means to equip them with the full-connected personal computers and to develop special programs for every branch of the courts, in order to support the workload. Those programs have woken a lot of questions concerning the finances and the personnel organization. We

have established comities on different levels in which are on the one hand members of the ministries and on the other hand members of the courts. They work together and discuss all the problems and prepare the decisions that have to be done.

I think we have very good experiences with this method and I can say, that there is really good climate of confidence.

Thank you!



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It is no doubt that our presidents of the courts are no specialists in organization of affairs. For this reasons we have some legal officers that have got special education in organization of the affairs. They are located on the courts. Their duties are supporting the president in these affairs and in supervising the subordinated authorities in some of the organisational questions. I think this is the solution we can live with.

The supplement to my colleague!

Judges or prosecutors, promoted to presidents or better planed to be promoted for presidents, have to participate on two seminars concerning social competence. These seminars contain management skills and skills concerning personal leading.