

**International Association of Judges; Annual Meeting in Siofók, Hungary
1st Study Commission; September 27th to October 02nd 2006**

Questionnaire
**HOW CAN THE APPOINTMENT AND ASSESSMENT (QUALITATIVE AND
QUANTITATIVE) OF JUDGES BE MADE CONSISTENT WITH THE PRINCIPLE OF
JUDICIAL INDEPENDENCE¹**

Country: ...Norway.....

We do not consider the question of the initial appointment of the "judge", because we want to discuss the question of appointment together with the question of assessment. We therefore deal with the appointment of judges to another position/function. The question of (first) appointment has already been discussed by the First Commission several times².

1. Are there assessments on the occasion of the appointment (of a judge) to another position or function? All positions must be applied for, even by appointed judges. All applicants will be assessed.

2. Are there assessments on other occasions? No.

3. Who is in charge of the assessments?

There is an independent Nomination Committee established by law with 7 members: 3 judges, 1 advocate, 1 lawyer working in then public sector and 2 not lawyers.

4. Please describe how an assessment is conducted? Three or more members of the Nomination Committee have interviews with the applicants. There is no formal procedure for this interview. Then there is a discussion in full committee, giving a nomination of 3 candidates. The nomination is by majority vote. The Government (The King) will finally appoint the judge, and must pick their candidate among the tree nominated by the committee.

5. Has this assessment a quantitative character (eg. number of cases undertaken; files completed)? Please describe. What figures are taken into consideration? No. In extreme cases it could be an argument against a judge applying for a new position that he/she is slow in proceeding cases.

6. Has this assessment a qualitative character (eg. someone assesses how well the judge performs at various tasks)? Please describe. What aspects are taken into consideration?
Yes, in general terms.

7. Do the number and/or the outcome of the cases handled by the judge play any role in the assessment? Please explain. No.

8. Is the duration of a case dealt with by a judge an item which is considered in an assessment? In what way? Please, explain. No.

9. How are judges who sit in court assessed?

There is no assessment.

10. What are the consequences of these assessments?

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11. Is there any connection between assessment and remuneration?

No.

12. Do you see any infringement on the independence by virtue of the assessment of judges in your country? Please, explain. No

13. What topic do you suggest for next meeting?

¹ De quelle manière la nomination et l'évaluation (qualitative et quantitative) des juges est-elle mise en concordance avec les principes de l'indépendance judiciaire?

² See General Reports of the 1st Study Commission of the I.A.J. of 2001 (Madrid) and 1999 (Taipei).

Binningen, April 13th 2006

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<p>Please send the answers to this questionnaire by E-Mail to the presidency of the First Study Commission and to the Secretariat of the IAJ not later than by 30-06-2006</p>
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