

Berlin '88

Questionnaire relating to the matter treated
by the 1st Commission.

I. What are the requirements for the appointment as a magistrate
(as a judge or in the public prosecutor's department)

- Minimum age ?
- Required diplomas ?
- Preliminary period of probation - standing at the Bar -
working in a government department ?

Term of this period of probation - salary ?

- Teaching at a university ?
- Special school, preparing for the magistracy ?

II. Proceedings as to a first appointment to a court (or to the
body of public prosecutors) ?

- Directly appointed by the Head of State ?
- Directly appointed by a Minister ?
- Appointed after having been presented (by whom) ?
- Appointed after an election (by whom) ?

Does a preliminary examination exist ?
Who organises it ? What are the subjects ?

III. Proceedings as to the next appointment, e.g. to an
appellate court, the Supreme Court ?

- Directly appointed ?
- Appointed from the various candidates who have been
presented (by whom) ?
- Appointed after an election ?

IV. Updating courses.

- Do periodical refresher courses exist ?
- Are these courses compulsory for all magistrates ? How
are they organised and by whom ?
- Do you think refresher courses are absolutely necessary ?

V. What is the rank of magistrates in the whole of public offices ?

- What about their salary ?
- Who decides on this matter ? The Parliament ?
 The Government ?
- Give an example of the salary, taking into account the following elements :
 1. What is the monthly salary (before taxes) of a judge sitting in a court of original jurisdiction, who is 35 years old, married, and has one dependent child; what amount of taxes and welfare expenses are deducted from this salary ?
 2. What is the monthly salary (gross) of a magistrate sitting in an appellate court, who is 50 years old, married, and has two dependent children; what amount of taxes and welfare expenses are deducted from this gross salary ?

VI. If there are any other problems you would like us to treat on this matter, please mention them here.