

## **THE SUMMARY OF THE ACTIVITIES OF THE NATIONAL COURTS ADMINISTRATION FOR 2006**

2006 year was the fifth year of the activities of the National Courts Administration (later referred as Administration). The National Courts Administration was established and started to perform its duties when after the decision of the Constitutional Court of 14<sup>th</sup> March, 2002 the Law on the National Courts administration was adopted. Mr. Alvaro Gil-Robles, the Human rights commissioner of the European Council in his report of 23-26 November, 2003 has emphasized that “the National Court Administration, created in March 2002 and in charge of providing the necessary assistance to the institutions of the judiciary, completes the modernisation of Lithuania’s judicial framework.”

When performing the duties, vested by the legislation of the Republic of Lithuania, the Administration has been preparing the material for the meetings of the Judicial Council and the General Meeting of Judges, subject to their request gathered information about the enforcement of the decisions and resolutions of courts self-governance institutions, analyzed the activities of courts, which is not related to the administration of justice, administered personal files of judges and the register of judges, who seek career, gathered, analyzed and summed up the statistics of the courts.

One of the main functions of the Administration is to service the institutions of the self-governance of courts and various other commissions set up by the Judicial Council. The service and assistance to these institutions and commissions is particularly important for the fulfilment of their functions because duties of members in the commissions are additional (the time for these activities is limited).

The Administration has performed important functions in assisting in the process of the formation of the body of judges. The appointments, promotion, transfer and dismissing of judges is the exceptional competence of the President of the Republic of Lithuania (in cases regulated by the Constitution and the law – of the Seimas of the Republic of Lithuania). However when administering the list of candidates for judicial office in the district courts and their personal files, personal files of judges and the register of judges, who seek career, the Administration determines whether a person fulfils the requirements of the law and whether all documents are presented, sends inquires to the competent authorities and workplaces about the reputation of a person, personal and objective characteristics. The Administration also generalizes the information, helps to find the information that is needed, therefore helps the President, the Judicial Council and other competent authorities in fulfillment of their functions.

The Administration also administered the record of vacancies of judgeships, analyzed the need of judges, the process of change and career of judges, made proposals for their optimization. The cooperation with the advisers of the President of the Republic of Lithuania was present, systematic information about free vacancies of judgeships and about candidates to these vacancies was presented. The information about judges, chairmen of courts, vice-chairmen of courts whose term of office expires was presented to the President of the Republic of Lithuania and the Judicial Council.

After the analysis, the Administration explained the spheres of courts administration that need to be improved, made proposals, prepared the draft legislation, and notified information that was needed to the institutions of the Republic of Lithuania and the European Union. When maintaining the permanent and ad hoc working groups set up by the Judicial Council, which dealt with various issues on the courts, the Administration made different analysis, generalizations, which were needed for the working groups in order to fulfill their tasks, prepared conclusions, projects of proposals and helped the working groups in their job.

The Administration analyzed the influence of environmental factors to the activities of the institution and the courts in the process of the strategic planning. It discussed and anticipated how financial, material and work resources should be applied for the achievement of goals. With the help of this activity, it tried to achieve that the resources of the institution and the activity should be planned in such a way that the concrete result should be achieved in some time. In achieving

these goals the economic financial indicators, their change in the previous years were analyzed in 2006; the information about the need of the courts for 2007 year was gathered, it was systematized, analyzed; the drafts of the allocation of assignments for courts were prepared; letters to the Government of the Republic of Lithuania and the Seimas on the sponsorship of courts were prepared.

The Administration also consulted the courts of the Republic of Lithuania on the organization of works on construction and maintenance, on questions of calculation of estimations, afforded practical and methodological help to the courts on the formation of budget, use of the resources, analyzed the financial report of courts.

Since the Administration is responsible for the official statistics of the courts, every half-year it gathered, checked and systematized the statistics of the courts. This statistics was presented to the Judicial Council, the ministry of Justice, courts, working groups, the department of Statistics and other institutions. The statistical information is the main index by which the activities of judge, the court are valued. This information is also used in considering the change of number of judges in the court.

The Internal Audit division of the Administration was successful in its activities in 2006. Not only did it check and evaluate whether the internal control system is created and implemented in audited institutions, whether it is adequate and efficient, whether their activities comply with the laws and other regulatory legal acts, whether the information about the financial and property activities is particular and reliable, but also consulted on the activities of the institution, the status of internal control, the implementation of strategic or other activity plans and programs, possible or identified activity risk, also on elimination of identified shortages.

The Administration personnel in 2006 were constantly involved in interdepartmental working groups and working groups set up by the Judicial Council drawing up proposals for new draft legislation or improvements of current legal acts, as well as put forward proposals and comments about legal acts drafted by other institutions.

The Administration was actively cooperating with the institutions of the foreign countries and international organizations, was involved in the activities of the European Network of Councils for the Judiciary and the working groups, which are set up by it. The European Network of Councils for the Judiciary is the organization, which connects the EU institutions of the courts self-governance and their administration which are independent from the governmental and legislative institutions. The participation in the activities of the network, the exchange of experience with other courts self-governance institutions of the progressive countries helps to secure the independence of the judiciary which is the guarantee that other state authorities will not influence the judiciary and it will perform the function to secure the human rights and freedoms which is laid down in the Constitution.

It is anticipated that the new Law on Courts will enter into force in the middle of 2007. Therefore in the near future lots of work and challenge will be required from the courts self-governance institutions and the Administration. The Administration is ready to admit these challenges and successfully pursue.