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## HIGH JUDICIAL COUNCIL

### DECISION

**NO. 209, Date 11.10.2019<sup>1</sup>**

### **APPROVING THE "METHODOLOGY FOR THE EVALUATION AND SCORING OF NON-JUDGE CANDIDATES FOR THE HIGH COURT"**

The High Judicial Council, based on Article 136 of the Constitution of the Republic of Albania, and Articles 3, 4 and 49 of Law No. 96/2016 "On the Status of Judges and Prosecutors in the Republic of Albania", on the proposal of the Development Committee of Career,

DECIDED:

to adopt the "Methodology for the Evaluation and Scoring of Non-Judge Candidates for the High Court", according to the attached text.

This Decision shall enter into force after its publication in the Official Journal.

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<sup>1</sup> Published on the Official Journal no. 140, date 17 October 2019, <https://qbz.gov.al/eli/fz/2019/140/25721125-df91-4c04-8080-c3f191dbfd1c>



## **METHODOLOGY FOR THE EVALUATION AND SCORING OF NON-JUDGE CANDIDATES FOR THE HIGH COURT**

1. Evaluation, scoring and ranking of candidates for vacancies at the High Court is carried out on the basis of the criteria provided for in Article 136 of the Constitution of the Republic of Albania, as well as on Articles 3, 4 and 49 of the Law no 96/2016 'On the status of judges and prosecutors in the Republic of Albania'.
2. Based on paragraph 12 of Article 49 of the Law no 96/2016, more detailed rules on the criteria and procedure for the evaluation, scoring and ranking of the non-judge candidates at the High Court are determined in a normative sub-legal act, i.e. the decision of the High Judicial Council no. 102, dated 05.07.2019, "On the criteria of evaluation, scoring and ranking of non-judge candidates and the procedure of their selection to be appointed to the High Court"<sup>2</sup>.
3. In the provisions of the Law referred to above and in the Decision of the High Judicial Council no. 102, dated 05.07.2019, the criteria on the evaluation, scoring and ranking of non-judge candidates are classified into three categories:
  - A. Professional merits;
  - B. Moral and ethical merits;
  - C. Organisational and managerial merits.
4. Further breakdown of the legal evaluation criteria is made in the Annex to the Decision of the High Judicial Council no. 102, dated 05.07.2019. It sets out, in more detail, the break down of the evaluation categories into criteria, the list of criteria making up each category, the evaluation indicators for scoring purposes, the maximum scoring of each category and criterion, as well as the documentary sources and some methodological input for evaluating and scoring the candidates.
5. In paragraph 7, Chapter IV of the Decision no. 102, dated 05.07.2019, the High Judicial Council decided to approve the methodology containing explanations on the way how the Council shall reason and assess the candidates for the purpose of their evaluation and scoring, referring to the concrete qualities and data of the candidates, as against the criteria and the indicators listed in the Annex of the Decision.
6. This Methodology on the evaluation and scoring of non-judge candidates to the High Court explains the orientations that the Council takes into account in evaluating and scoring the candidates according to each of the categories of merits.

### **1. PROFESSIONAL MERITS (75 points)**

#### **A. Education and professional background (20 points)**

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<sup>2</sup> Published in the Official Journal no. 98, dated 8 July 2019, <https://qbz.gov.al/eli/fz/2019/98/77d76af6-e366-494c-b200-5da9bf3b90e8>

**Educational background (2 points)**

According to this evaluation criterion, the assignment of points by the Council to each candidate shall be based on the outcomes attained in higher legal education, in the country or abroad, pursuant to the provisions of Article 49, paragraph (6), letter (c) of the Law no. 96/ 2016, and Article 124, of the Law no. 80/2015 “On Higher Education and Scientific Research in Higher Education Institutions in the Republic of Albania” as well as by-laws issued pursuant to this law.

The evaluation criterion of the performance in legal studies refers to the average grade of not less than 8, or equivalent to it if the higher education has been completed abroad. Thus, each candidate shall be assigned one point, starting from the average grade of 8.

To the effect of ascribing points to each candidate, the Council shall refer to the following scale:

- a) Average grade 8 - 9 = 1 point.
- b) Average grade above 9 = 2 points.

The evaluation of the candidate who has completed the studies abroad shall be made on the basis of the documentation issued by a foreign higher education institution, equivalenced by the ministry responsible for education.

In the case of candidates having completed the second cycle of legal studies, the average grades shall be calculated as an average of both cycles of studies.

**Results in initial training programs (2 points)**

Initial training programs such as the School of Magistrates, School of Advocates, School of Public Administration etc., contribute to enhanced professionalism. This criterion assesses the level of engagement of a candidate in attending initial professional training activities that enable the achievement of greater professionalism in the exercise of professional functions and obligations.

The evaluation sources are the CV and the official information and documents regarding the results, evaluation and progress of studies in initial training programs.

Taking account of the data and information available, the Council shall assign 1 point for the results of studies evaluated less than the maximum level (‘good’ or ‘very good’, according to the program) and 2 points for results evaluated at the maximum level (‘very good’ or ‘excellent’, according to the program).

**Results of professional experience (4 points)**

This indicator evaluates the level of results achieved during the experience of the candidate in the profession as a jurist. Evaluation sources are the CV, and the official information and documents regarding the results, evaluation and progress in the course of experience in the profession.

Taking account of the data and information available, the Council shall assign 2 points for the results achieved in the course of the professional experience as a jurist evaluated less than the maximum level (‘good’ or ‘very good’, according to the type of profile) and 4 points for results evaluated at the maximum

level ('very good' or 'excellent', according to the type of profile).

Where there are no evaluations from official evaluation systems, the Council shall refer to the evaluation opinions of the leading structures of the organisations where the candidates are or were employed (such as the department or the dean's office, the Chamber of Advocates, the Chamber of Notaries, the Chamber of Mediators etc.)

**Other training results, post-university qualifications, scientific grades/titles (8 points)**

To score this criterion, the Council evaluates the results of the other trainings (up to 2 points), post university qualifications (up to 3 points) as well as the scientific grades and academic titles (up to 4 points). The total number of points assigned to the candidate shall anyway not be higher than the maximum number of points available for this criterion (8 points).

In order to attain the most objective evaluation of candidates having obtained academic titles, scientific degrees, or having conducted long-term studies, executive masters and other training courses, account shall be taken of the criteria set out in the law on the higher education (law no 80/2015).

For the 'other training courses', the Council shall assign up to 2 points. It evaluates specifically:

- a) short-term/mid-term training with a duration of up to 2 weeks, in the last 10 years, which are accompanied by a certificate or contain an evaluation component. Taking account of the number, types, topics and overall duration of the training courses in various fields, and the training institutions, the Council assigns 0.5 points for the results achieved during the training courses conducted in Albania and 1 point for the results of training courses conducted in the EU/OECD countries.
- b) Long-term training courses with a minimum duration of 2 weeks, and up to one academic semester, in the last 10 years, which are accompanied by a certificate or contain an evaluation component. Taking account of the number, types, topics and overall duration of the training courses in various fields, and the training institutions, the Council assigns 1 point for the achieved results during the training courses conducted in Albania and 2 points for the results of training courses conducted in the EU/OECD countries.

For 'post-university qualifications', the Council assigns up to 3 points. Specific value shall be given to the executive master's degree with relevance in law, as well as any other long-term specialization study accompanied by a "Specialization Diploma" in the respective field of the programme of studies. Taking account of the number, types, topics of the post-university qualifications the Council assigns up to 2 points for studies with high results (1 point for the average 8-9; 2 points for the average 9.1-10) having been completed in Albania, and up to 3 points (1.5 points for the average 8-9; 3 points for the average 9.1-10), if the studies have been completed in the EU/OECD countries.

For the 'scientific grades and academic titles' account shall be taken of the number, types and contents of the scientific grades and academic titles. The Council shall assign up to 4 points for:

- a) high performance results, 95-100 points or the equivalent, in the course of the studies of PhD

in law. The Council assigns up to 2 points if the scientific grade 'PhD' has been conducted in Albania, and up to 3 points if the scientific grade has been conducted in EU/OECD countries.

b) the academic title 'Associated professor'. Taking account of the employment field and institutions, the Council shall assign up to 2 points if the candidate has been awarded the academic title in Albania, and up to 3 points if the candidate has obtained it in EU/OECD countries.

c) the academic title 'Professor or Professor Emeritus'. Taking account of the employment field and the employment institutions, the Council shall assign up to 3 points if the candidate has been awarded the academic title in Albania, and up to 4 points if the candidate has obtained it in EU/OECD countries.

### **Language skills (4 points)**

In the evaluation and scoring of the level of knowledge of foreign languages under this criterion, the Council shall consider the knowledge by the candidates of five foreign languages, (English, French, German, Italian and Spanish), pursuant to Article 49, paragraph 6, letter "ç", of the law no 96/2016. As a priority, the Council shall evaluate and score the knowledge of English and French. The level of command of the language by the candidates shall be evaluated up to 1.5 points for each language.

For the evaluation of the knowledge of foreign languages, where necessary, the Council appoints experts of the foreign language, who shall provide an opinion on the degree of the language skills of the candidate.

For the concrete evaluation in points for each candidate regarding the degree of command of foreign languages, the Council shall base its decision on:

a) the international tests and methods, criteria, and level of knowledge of the foreign language which are applied by the higher education institutions, under the provisions of the Law no. 80/2015, specifically Articles 76 and 78, as well as in the Instruction of the Minister of Education no. 52. dated 03.12.2015 "On determining the levels of the foreign languages and international tests, for the admission into the programs of second and third cycle study, at the higher education institutions' (as amended), including the European Joint Framework of References for Languages;

b) the written opinion issued by the experts, who, after the interview with the candidate for this purpose, shall provide their evaluation on the level of command of the foreign language. In addition to the interview, the expert can also base his/her opinion on the candidates' written work in a foreign language.

As against not obtaining the respective points for this evaluation criterion, the candidate may at his/her own discretion choose not to undergo the evaluation of the Council for the foreign languages or the interview.

The Council shall take account of the command of other languages having been declared, wherefore the candidate has not been tested in the course of the interview, provided that they are associated with valid evaluation documents setting out the level of their knowledge. Regarding languages other than English

and French, the candidate shall declare in advance the languages he/she prefers to be evaluated in. In such an instance, the candidate may obtain up 1 point – i.e. 0.5 points for each of two highest levels of knowledge.

At the same time, depending on the data drawn from the professional CV of the candidates and the valid documentation submitted by them, the Council shall, on a case by case basis, determine the candidates, for whom there is no need for a certificate of language knowledge or the verification of the foreign language knowledge through the interview. Such instances may include, inter alia, the completion of higher studies, full university cycle, in an institution abroad.

## **B. General professional qualification (25 points)**

Following the evaluation and scoring the candidates according to their education and professional background (Section A “*Educational and professional background*”), this Section (B) aims to identify those candidates who have performed outstandingly in the respective field of their profession. Therefore, Section B aims to evaluate and score the candidates based on their distinguished and excellent professional results, broadly considered.

In evaluating and scoring each candidate the Council shall assess the quality of professional skills.

### ***Qualitative evaluation***

Among all the works and professional documents produced in the last five years of the career, the candidate selects and submits to the Council the most relevant five according to him/her, showing his/her intellectual and professional capacities to the highest extent.

Additional elements on the quality of the professional results may be drawn from official documents for the results of the professional evaluation process presented by the candidate or requested by the Council from the relevant authorities, and official documents revealing the quality and achievements during the work experience, from national and international institutions.

All five professional documents will be evaluated by the Council on the basis of indicators, such as the following:

#### **1. Originality and/or impact**

The Council, in this case, assesses the level of new knowledge which can be drawn from the five documents submitted by the candidate – instead of summarizing knowledge already available –although the candidate may have drawn arguments from other existing research work to back up his/her arguments.

In the case of magistrates and advocates, this shall be assessed through the ability to influence the development and establishment of new case law, in elaborating the legal doctrine or new interpretations

of the law, where legal gaps exist or where the law is unclear. In the case of law professors and lecturers, originality and impact are interpreted as contributing to a new viewpoint to existing research. It shall also be evaluated whether the works of the candidates have drawn new conclusions from a series of already published research data. In the case of high-level lawyers in the public administration, originality and impact are interpreted as the ability to influence and contribute to new sound policy decisions in compliance with the law, constitutional principles and international standards, tailored to the local context.

## **2. Analytical and research skills**

Analytical skills refer to the ability to collect and analyze information and to identify solutions through a logical development of legal concepts. A key element to analytical thinking is the ability to identify cause-effect relationships and examine how new concepts, institutes, provisions relate to the original ones, or how they apply in context.

In the case of magistrates and advocates and, to a certain extent, with regard to law professors and lecturers these are assessed through the ability to identify a legal issue, frame it within general doctrinal principles, identify the relevant sources of law and provide arguments regarding the applicable principles and law provisions in order to solve the problem. The Council shall also evaluate the ability of the candidate to identify and interpret harmoniously the various sources of law. Analogously, in the case of senior employees in the public administration analytical skills shall be construed as the ability to anticipate problems by identifying in advance the consequences of policy decisions and provide effective solutions thereto.

Research skills refer to the ability to search for, locate, organise and use information that is relevant to a particular topic. In this respect, the Council assesses the extent to which, in the five works that have been submitted, the candidates make use of and compare different sources from the national legal system and other legal systems. The Council also evaluates how the candidate identifies relevant national and international case law and relevant data in support of a certain decision or interpretation.

## **3. Accuracy, conciseness, logical development, readability, comprehensibility and all-inclusiveness**

By way of these indicators, the Council assesses whether the five documents presented by the candidates contain a clear problem statement; outline preliminarily the problem; develop the legal concepts logically, make correct and consistent use of technical terms. The Council also assesses whether the candidates make use of a simple and direct language, whether grammar and syntax rules are appropriately used, whether the language, paragraphs and sentence structure are carefully selected to express the meaning, and whether headings are worded efficiently in order to guide readers and help them keep the larger picture in focus.

## **4. Streamlined interpretation**

Through this indicator, the Council shall evaluate the ability of the candidate to identify and interpret harmoniously the various sources of law as well as to show and provide arguments for the applicable law

to solve the problem.

### **5. References to the case law**

To the effect of scoring the general professional qualification of the candidates, the Council shall evaluate the skills of the candidates to refer and handle effectively, in the right place and by the type of intent of the act, the consolidated case-law, the unified case-law of the High Court, the case law of the Constitutional Court, the ECtHR, ECJ and the case law overall.

Taking account of what is explained above, the Council shall evaluate the five documents along these indicators, by way of assigning maximum scores, as follows:

<b>Indicator</b>	<b>Maximum points*</b>
Originality and impact	5
Analytical and research skills	5
Accuracy, conciseness, logical development, readability, comprehensibility and all-inclusiveness	5
Streamlined interpretation	5
References to the case law	5
<b>Total</b>	<b>25</b>

\*In the event of plagiarism, where this is established by the evaluating board of the journal or other institution during the evaluation procedure, the overall results of this Section “General professional qualification” shall be scored 0 points.

### **C. Additional professional qualification (30 points)**

Ideally, the High Court shall consist of members with expertise in different areas of law with a renowned professional activity. The different areas of expertise would complement each other to enrich and broaden the scope of coverage of the activities of the High Court.

Therefore, this third criterion for the evaluation of professional merits aims to assess the importance and usefulness of the specialization achieved in the particular professional experience of the candidate, in order to ensure “complementarity of the professional expertise” and to enrich the professional capacities of the High Court with distinguished professionals from the field of (A) civil law, including the commercial and family law, (B) criminal law and (C) administrative law. As such, the perspective of the assessment is different from the evaluation of the “overall professional qualification” in Section B above.

Depending on their profile, the candidates may obtain a maximum of 30 points. In scoring the candidates,



the Council will consider the type of expertise, the depth and duration of special or profiled engagement in specific areas of law, and the international extension of the commitment, as demonstrated by the professional activities of the candidate and the exercise of institutional functions, related to the exercise of professional duties.

Renowned jurists can be seen from their previous special experience in Albania, in international institutions or in EU / OECD countries. Depending on the professional background and specialization of the candidates, the Council shall differentiate scoring between candidates, for instance, on the basis of: the length of engagement in the relevant area; relevant publications and the impact of the professional results in the respective field of specialisation; consultancies in the specific area of specialization; and participation in scientific conferences or teaching, or prizes and honour titles awarded.

**Length of commitment in the specific field (6 points)**

Duration (No. of years)	Points
1-3	1
Over 3-6	2
Over 6-9	3
Over 9- 12	4
Over 12-15	5
Over 15	6

Considering the variety of engagements in the specific field (for example as a professor, lawyer, judge, advisor, etc.) the Council may assign one additional point. In any case, the total points assigned cannot be higher than the maximum number of scores assigned to this indicator (6 points).

**Relevant publications and the impact of professional results in the specific field (6 points)**

The Council shall assign up to 2 points for the relevant publications in specific fields, such as monographs, articles in scientific newspapers, reports, guides, commentaries etc. The Council shall take account of the number of publications, as well as the impact of professional outcomes in that field, such as the use of publications as part of study programs, in the practice of institutions, or as a reference in the work of other authors.

The Council may may assign up to 2 additional points, where the relevant publications and the impact of the professional outcomes of the candidate in the specific field have been conducted in EU/OECD countries.

The Council shall assign up to 2 additional points for the impact of relevant publications of the candidate in the development of the doctrine and judicial case law in the relevant field.

**Consultations and contributions in drafting the legislation (6 points)**

When evaluating this indicator, the Council shall assign up to 4 points for consultations in the respective field of law and for contributions in drafting the legislation, based on documented information. The Council shall evaluate the role, quantity and quality of the involvement and the impact in the specific activity.

The Council shall assign up to 2 additional points for the international extension of the commitment, by evaluating whether the consultation in the respective field of law has been carried out in EU/OECD countries.

**Participation in international conferences, teaching, prizes and titles (12 points)**

To score the candidates the Council shall specifically evaluate the speeches delivered in national scientific conferences, in the specific field of specialisation, based on the transcripts submitted by the candidate, by assigning up to 2 points, while taking account of the number of speeches and the role of the speaker.

The Council shall assign up to 2 additional points where the speeches delivered in the specific field - being established through the transcripts handed in by the candidate - have been held in international scientific conferences in the EU/OECD countries, while taking account of the number of speeches and the role of the speaker.

The Council shall also evaluate the teaching experience addressed to professionals (such as judges, prosecutors, advocates etc.) in the specific field of specialisation, taking account of the number of engagements, their duration, the institution and the role as lecturer/trainer. It shall assign up to 4 points.

The Council shall assign up to 2 points for the experience of the candidate as lecturer, in full or part time positions, or as a 'visiting professor / invited academic personnel' in the specific field of specialisation, in the EU/OECD countries.

The candidate shall be assigned up to 2 points for special honour prizes and titles in the EU/OECD countries.

**2. MORAL AND ETHICAL MERITS (15 points)**

**A. Moral and ethical integrity**

The assessment of moral merits can be problematic, because such characteristics are extremely difficult to define. A common criticism is that assessments of moral merits tend to have high failure rates, are subjective, and the use of very stringent scoring may result in the rejection of honest candidates.

The Bangalore Principles set out that there are no degrees of integrity defined as such.<sup>3</sup> Integrity is a

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<sup>3</sup> UNODC, Commentary on the fundamental principles of Bangalore on Judicial Ethics September 2007, [https://www.unodc.org/documents/corruption/publications\\_unodc\\_commentary-e.pdf](https://www.unodc.org/documents/corruption/publications_unodc_commentary-e.pdf)

hallmark that the judge has in full or not at all. Integrity is absolute. In the judiciary, integrity is more than a virtue; it is a necessity.

To score this criterion, the Council shall evaluate whether the candidate approves, respects and supports the fundamental values of the work of the judge, such as (1) avoidance of impropriety, (2) honor and dignity, and (3) responding to the expectations of the public, demonstrating personal qualities of wisdom, honesty, a sense of humanity, courage, seriousness and prudence. The candidate must be aware that professional conduct, private life and conduct in society have an impact on the image of justice and public trust.

One of the biggest challenges of the Council shall be to find the respective sources and the determination of their reliability. The Council members will need to verify the information received. For these reasons, the scoring of this evaluation criterion shall be made in a descending order, based on the assumption that the candidate has full ethical and moral integrity. According to this approach, the candidate shall start the evaluation procedure with a total of points referred to each indicator of this criterion (i.e. 5 points per indicator), and if sufficiently reliable sources indicate a deficiency in the moral and ethical integrity indicators, the Council shall only assign 1 point. In order to avoid that a person with excellent cognitive skills, but with low moral and ethical integrity, is ranked among the higher positions, the ranking scheme presents a fairly high range of points for this criterion (1-15 points).

Regarding this, the work of the Council shall be led and supported by the Bangalore Principles on judicial ethics and the respective commentary,<sup>4</sup> as well as the principles of judicial ethics being developed by the European Network of Judicial Councils (ENJC).<sup>5</sup>

#### **Avoidance of improper conduct (5 points)**

Avoidance of impropriety is fundamental to integrity. The Council shall assess whether the candidate, in the exercise of his/her e functions and duties, avoids any conduct that demonstrates absence of respect, self-restraint, sensibility, attention, or carries out inappropriate and offensive conduct - thus not only conducts that are formally qualified as contrary to the law.

At the same time, in its evaluation the Council takes into account whether the sources of evaluation contain information on behaviour such as:

- The candidate shows excesses and extravagance in the exercise of his / her profession;
- The candidate exercises and has (in the past) exercised the profession with bias;
- The candidate seeks, through intervention, to gain an undeserved advantage for himself or others;
- The candidate accepts gifts or advantages for himself or for relatives, when exercising his or her

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<sup>4</sup> Id.

<sup>5</sup> Report on judicial ethics of the WORK GROUP OF ENCJ 2009-2010,  
<https://ëëë.ency.eu/images/stories/pdf/ethics/judicialethicsdeontologiefinal.pdf>

duties or profession.

**Honour and dignity (5 points)**

Regarding honour and dignity, the Council assesses whether the candidate transmits personal and professional values and is considered a role model for others. In evaluating the candidate and assigning points, the Council shall consider whether the sources of evaluation contain information on such conduct as:

- lack of attention and interest in the respect and dignity of individuals;
- abuse of public property;
- misuse of working time, staff and resources for private purposes;
- bullying (for example, the progressive and systematic mistreatment of colleagues or subordinate staff, through verbal abuse, gossip, social exclusion, or the spread of rumours);
- poor attendance (absenteeism);
- use of prohibited substances;

**Reputation (5 points)**

In general, the purpose of this indicator is to assess whether and to what extent a candidate can be recognized as meeting the expectations of citizens and society regarding a judge's professional qualities, such as reservation and discretion, care and respect, and personal qualities such as wisdom, loyalty, humanity, seriousness and prudence.

Reputation, as such, is built on integrity and professionalism, which are also valued in other evaluation criteria. A good reputation fosters confidence building and its growth, but reputation goes well beyond the concrete performance of the individual given that an essential part of the reputation is related to perception. Therefore, in order to avoid overlaps with the assessment made in relation to other indicators, the Council shall only consider here the evaluation of aspects that have not been previously assessed.

To assign the available points the Council shall assess the degree to which the following perception prevails:

- the behavior of the candidate creates the conviction that his / her decisions are driven by motives other than fair and reasoned law enforcement;
- the candidate does not perform his / her professional duties in a careful and efficient manner; he is not considered a person devoted to work, with a practical mindset, and is not a model for others in engagement;
- the candidate does not perform the profession honestly, that is, the candidate exceeds the powers entrusted to him/her, as well as performs activities that result beyond legal boundaries in relation to legal status and professional duties;

- the candidate lacks a sense of humanity;
- the general conduct of the candidate is not considered appropriate in relation to the professional duties and general expectations of a High Court judge.

The Council shall focus on the CV of the candidate; official documents showing achievements on the level of ethics and moral qualities in work experiences; official information specifically obtained or made public by state institutions; information and opinions received from public institutions that are related to the justice system, civil society organizations active in the protection of human rights or created to protect the interests of users of the justice system; other documents and information that are publicly available or are submitted to the Council; as well as in the interview with the candidate.

The circumstances that were evidenced and were evaluated as not proven by the Council during the verification phase of the legal conditions and criteria of candidacy, cannot be considered and used during the evaluation, scoring and ranking phase. The data emerging out of the evaluation sources shall be objectively analysed in order to avoid the subjective attitude of the rapporteur or of the Council member, which is based on the personal acquaintance with the candidate.

### **3. ORGANISATIONAL AND MANAGERIAL MERITS (10 points)**

The judge should have good organisational skills, in order to be productive. The candidate for judge at the High Court can not be effective if he/she does not have the skill to organise, manage and effectively control the workload. In each profession and office, productivity is a function of time management, which indicates how well the candidate has made use of the time, independent of whether he/she he is working alone or in a group with others.

To assign the points under this criterion, the Council shall rely on data emerging from sources such as: the CV of the candidate, the interview with the candidate, official documents indicating achievements regarding organisational merits and other personal merits during the work experience; official information requested specifically for this purpose or made public by state institutions, information and opinions received from public institutions that are related to the justice system, civil society organizations involved in the protection of human rights or created for the protection of the interests of users of the justice system, as well as information and other documents publicly accessible or submitted to the Council.

#### ***Quality of the program and vision presented (2 points)***

The Council assesses here the quality, depth and originality of the evaluations and objectives identified by the candidate in the program and vision document, for the purpose of achieving a qualitative and effective organization and functioning of the High Court in the exercise of the functions specified in the Constitution and the law.

In relation to this indicator, the Council shall assess the following:

- a) the level of the understanding that the candidate has on their role as a judge at the High Court

and on the role of the High Court as such;

- b) the vision of the candidate in relation to the main challenges that the High Court is faced with, from both substantive and organizational perspectives;
- c) the opinions and suggestions of the candidate on how to address such challenges.

**Decision-making skills (4 points)**

The Council assesses here the level of skills acquired in the experiences, positions and responsibilities covered, regarding the aspects related to the management, planning and administration of the affairs.

The Council may decide to assign additional points to candidates who have held leadership positions or who have carried out functions involving decision making with direct effect on third parties.

**Communication skills (2 points)**

The skill of effective communication assumes an important role in the delivery of the functions of the judge. In order to assign the points under this criterion, the Council shall assess the skills of the candidates to express themselves comprehensively and concisely. The Council shall also assess whether a candidate is able to communicate with other subject and third parties in a non-discriminatory and balanced manner, and with respect.

Information of this kind may be drawn especially from the interview, as well as from documentary sources.

**Work in teams and in a multidisciplinary environment (2 points)**

The appropriate candidate to be a judge at the High Court shall have the competences and skills to work in panels with other judges, to exchange views freely and effectively with colleagues and the flexibility to be able to reach a common solution where there are differing opinions.

The candidate should demonstrate a methodical approach to work, as well as the skill to be part of a working community, i.e., the skill to work in teams with colleagues and staff members.

In order to assign points for this indicator, the Council shall evaluate the experience of the candidate during his/her career, with team work, and in international and multidisciplinary environments.