**THE POLISH NATIONAL SCHOOL OF JUDICIARY AND PUBLIC PROSECUTION**

**LEGAL TRAINING COURSES**

The National School of Judiciary and Public Prosecution organises centralised initial legal training courses for judiciary and prosecution staff – general and specialist trainings: judge’s and prosecutor’s trainings. The Centre of Initial Legal Training in Kraków accomplishes the statutory tasks in this respect. The Centre is responsible for: organising recruitment for the general initial training, conducting the general initial training, organising recruitment for the judge’s and prosecutor’s initial trainings among those who completed the general initial training, conducting the judge’s and the prosecutor’s initial trainings, preparing and administering the judge’s and prosecutor’s exams, and organising the referendary internship for participants in the judge’s initial training.

The first edition, with 300 participants in the general initial training, started on 30 November 2009. Of those who completed the general initial training, 75 graduates were accepted for the judge’s or prosecutor’s initial training. The specialisation training started on 28 February 2011. In August, participants in the training took the judge’s and the prosecutor’s exams. At that time, there were 654 people studying at the National School.

The initial training is a form of professional training aimed at preparing the trainees to perform a chosen legal profession. The initial legal training is conducted in accordance with the curricula adopted by the Programme Board, in cycles of 5-day classes in the headquarters of the National School and several-day apprenticeships, where the trainees deal with issues discussed during classes. At the end of each cycle, the trainees take an exam testing their knowledge of the issues covered and practical skills they have gained.

Trainees are provided with modern facilities located in the centre of Kraków. Classes are held by lecturers of the National School – legal professionals, mostly judges and prosecutors, as well as specialists in other fields. The participants are trained in groups consisting of several people using innovative training methods such as: the so-called case method (analysis of judgements issued by the Supreme Court of Poland, the European Court of Human Rights, the Court of Justice of the European Union and common courts), workshops (analysis of court and prosecution files); analysing and solving cases; and trial simulations. It should be noted that lectures are seldom given in training courses. The trainees have free access to training materials and legal computer programs.

Practice is a crucial element of professional training, taking about 80% of the time of the initial legal training. Each trainee is referred to an apprenticeship at a court, prosecution office or public administration institution located near his/her place of living. During the apprenticeship the trainees acquire skills enabling them to perform the professions of judge’s assistant, prosecutor’s assistant, court referendary, judge or prosecutor. At this time the trainees are supervised by individually assigned mentors: judges, prosecutors and court referendaries. For the duration of the legal training, the trainees are also supervised by a coordinator, who selects candidates for mentors and draws up the final opinion following completion of all apprenticeships and internships.

Each training cycle ends with an exam consisting in preparing a procedural decision based on court or prosecution files. To complete the training, the trainee must pass all tests and obtain a positive opinion from the apprentice. In the last month of the training, the participants in the judge’s and prosecutor’s training take a judge’s exam or prosecutor’s exam, respectively. The judge’s initial training ends with an 18-month internship in the position of court referendary.

The trainees can also take part in English language training, where they can learn legal terminology, and supplementary training courses are offered on the e-learning platform. In addition, they have the opportunity to take part in international exchange programmes for young legal professionals, organised together with international organisations such as the European Justice Training Network (EJTN). The National School organises the Criminal Knowledge Contest for trainees co-organised with the Prof. Jan Sehn Institute for Forensic Research, the Rhetoric Contest and sports activities.

Trainees must participate in classes, apprenticeships, and internships provided for in the relevant training curriculum; they also have to expand their knowledge and practical skills on their own, take tests and exams, and abide by the organisational regulations of the National School and orders issued by its Director. During the training period, they are not allowed to take on another job, with the exception of teaching and/or scientific positions and engaging in scientific, teaching, or publishing activities, provided they do not interfere with the performance of the tasks of a legal trainee.

The trainee is entitled to a scholarship and is provided with health insurance. The participants in the general initial training receive a scholarship in the amount of PLN 3,300 per month, and PLN 3,800 in the case of specialisation trainings. During the referendary internship, the judge trainees receive remuneration equivalent to the lowest basic salary of a court referendary.

During the training sessions in Kraków the trainees are provided with accommodation in single hotel rooms at the Dom Aplikanta.

A participant in the judge’s or prosecutor’s initial legal training who has been struck off the trainee list or who has not taken a job in the profession is obliged to reimburse the amount of the scholarship paid during the specialisation initial training.

**General initial training**

Depending on HR requirements of courts and prosecutor’s offices the recruitment for the general initial training is ordered by the Minister of Justice, who each time sets the limit for places.

Recruitment for the general initial training takes the form of a contest in two stages:

1) test of the candidates’ knowledge of a particular field of law;

2) a written paper to check the candidates’ skills, including the use of legal arguments, interpretation rules, and qualifying the states of the case.

Candidates who have passed the test with at least the minimum number of points set by the Minister of Justice are accepted for the second stage of the contest; however, the number of candidates cannot exceed twice the number of the limit of places at the general initial training.

The tests and tasks as part of the written work, including their forms, are prepared by the contest team appointed by the Minister of Justice who also approves the tests and tasks developed by the contest team.

When the recruitment is completed, the tests and tasks are published on the website of the National School.

Following the contest, the contest board appointed by the Minister of Justice presents to the Director of the National School the list of candidates who qualified for the general initial training. A place on the list depends on the number of points scored by candidates at both stages of the contest.

Based on the list, the Director of the National School determines the list of candidates who have qualified for the general initial training and takes individual decisions as to acceptance of a candidate. Candidates have the right to appeal against that decision to the Minister of Justice. The decisions on acceptance of candidates to the initial training are subject to control by a relevant administrative court.

A trainee must meet the statutory requirements, in particular: he or she must have Polish citizenship, enjoy full civil and civic rights, is regarded as a person of integrity, must have a clean criminal record and must be a graduate of legal studies in the Republic of Poland with a Master’s degree, or a graduate of legal studies abroad at a university that is recognised in Poland.

The general initial training lasts 12 months and starts no later than 3 months after the date the list of candidates qualified for the general initial training is announced. The Minister of Justice determines the exact starting date.

The participants in the general initial training can apply for continuing the judge’s or prosecutor’s training, or take up work as a court referendary, prosecutor’s assistant or judge’s assistant; however, to be employed in the last position one has to take part in a contest established under the Act on the System of Common Courts.

In 2013 the Minister of Justice announced recruitment for the latest, 5th edition of the general initial training, with a limit of 180 places.

**Specialisation training – judge’s and prosecutor’s training**

Within 14 days from the completion of the general initial training, the Director of the National School shall announce a list of candidates who have qualified for further training in the Public Information Bulletin.

The list includes the names of the trainees and the number of points they have scored during the general training, and an ordinal number indicating the position of each trainee on the list. It is the number of points scored by each trainee from the tests and apprenticeships that determines their place on the list.

The trainee’s place on the list determines whether he or she may continue with specialisation training and gives them the right to choose which specialisation before those who are lower on the list.

The Minister of Justice sets the acceptance limits to the specialisation training.

It is the Director of the National School who individually decides whether a trainee will or will not be accepted for specialisation training; however, candidates have the right to appeal against the decisions, similar to the case for acceptance for the general training.

**Judge’s training**

The judge’s training lasts 48 months and starts no later than 2 months after the announcement date in the Public Information Bulletin of the list of candidates qualified for the general judge’s training.

As part of the judge’s training, the trainees participate for 30 months in classes held in the National School and attend apprenticeships, and then they are sent for the court referendary internship, which lasts for 18 months.

In the 30th month of the judge’s training the trainees take the judge’s exam, which comprises a written and an oral part. Practical tasks for the written part and cases for the oral part are prepared by the examination team appointed by the Minister of Justice. The exam is taken before the examination board, appointed in the same mode as the examination team. Court referendaries with 3 years’ experience in that position or court assistants with 5 years’ experience can also take this exam.

Within 30 days of passing the exam, the Director of the National School sends the trainee to the court referendary internship, and subsequently the president of a relevant court of appeal appoints him or her to a position of court referendary in a given court for an unspecified time.

Similar to during the apprenticeship, during the internship a trainee has a mentor whose task is to show the trainee the activities within his or her scope of responsibilities, and immediately after completion provide the internship coordinator with a written opinion along with an assessment of the internship.

Based on the assessments by the apprenticeship and internship mentors, the coordinator draws up a final opinion along with assessment, being the arithmetic average of the grades given by particular mentors.

After completion of the judge’s training, the graduate continues his or her employment as a court referendary. Having completed the training, the graduate acquires the right to apply for the position of a local court judge.

**Prosecutor’s training**

The prosecutor’s training lasts 30 months and starts no later than 2 months after the announcement date in the Public Information Bulletin of the list of candidates qualified for the general judge’s training.

The purpose of the prosecutor’s training is to prepare the trainees to perform the profession of prosecutor. The training and apprenticeship therefore take place not only in courts and prosecutor’s offices but also in forensic pathology institutions, the Prof. Jan Sehn Institute of Forensic Research in Kraków, police units, including the police school, and treasury control offices.

In the last month of the training, the trainees take the prosecutor's exam before the examination board appointed by the Minister of Justice. The exam comprises a written and oral part. Practical tasks for the written part and cases for the oral part are prepared by the examination team appointed in the same mode as the examination board. A prosecutor’s assistant with 6 years’ experience in that position can also take the exam.

Within 14 days after passing the exam, the Director of the National School prepares and submits to the Minister of Justice a list of trainees who have passed the prosecutor’s exam.

The Minister of Justice offers the trainees who have passed the prosecutor’s examination the opportunity to take up the position of assessor of a common organisational unit of the prosecution – according to the order of trainees on the list. The Public Prosecutor General appoints assessors of common organisational units of the prosecution. Assessors are entitled to perform prosecution activities provided for under the relevant act of law. Completion by a graduate of the prosecutor’s training part of the assessor internship entitles him or her to apply for the position of prosecutor.