



REPUBLIKA E SHQIPËRISË

**REPUBLIC OF ALBANIA
THE SCHOOL OF MAGISTRATES
STEERING COUNCIL**

No.162/2__ prot.

Tiranë, on _29_.1_2024

DECISION

No. 1, date 29. 1.2024

**ON SOME ADDITIONS AND CHANGES IN THE INTERNAL REGULATION
OF THE SCHOOL OF MAGISTRATES**

Based on law no. 96/2016, *on the status of judges and prosecutor in the Republic of Albania*, of law no. 115/2016, *on the organs of the management of the system of justice*, the Steering Council of the School of Magistrates, gathered on 29.1.2024, decided:

I. To be done these additions and changed in the Internal Regulation of the School of Magistrates approved by decision no. 1, date 31.1.2017, I amended:

1. In Article 10, point “d” and “d/1” are done the following amendments:

“d) Has the general average grade over 8 (eight), as well as average grade over 8 (eight). For those graduated as "Jurist" in programs in foreign languages abroad,

is foreseen a coefficient of difficulty equivalent to 1.2 which will ponderate their factual average grade;

d/1) The general average grade comes from the sum of the grades of all subjects done in the first and second cycle of studies divided by their total number.”

2. In Article 20, point 6 are done the following amendments:

“6. The winning candidates of the first phase enter into the second phase of the competition, which is the professional test. This test has two parts. The first phase has questions on the evaluation of knowledge and capacities on the fields of law, foreseen in the program of admission test. The second part has three case laws of judicial practice, one case law from criminal field (material and procedural) and one case law from civil field (material and procedural) and one case from administrative field (material and procedural). For each case law there are some questions (4 - 5 questions) to assess specific elements of legal reasoning, that not essentially are related (or not) to the proper solution of the case. Test questions are the same for all competitors and are established on draw done by one or by some competitors, for each group of questions classified under relevant grounds.”

3. In Article 23, point 3, are done the following amendments:

“3. In the second phase, professional test is evaluated maximally with 400 points, out of which with 250 points is evaluated the theoretical part which is divided: 50 points for the part of Civil law, of Criminal Law, of Civil Procedure and of Criminal Procedure, and 50 points is evaluated the part of other branches of law, such as: Constitutional Law and Administrative Law, Family Law, Labour Law and Commercial Law, EU Law and Human Rights. The part of case laws is evaluated with 150 points, 50 points for each case law.”

4. In Article 72 of the Internal Regulation of the School of Magistrates are written letters “f”, “g”, “h”, “i”, as follows:

“f. Coordinates the work to make possible the collection and elaboration of the information, intending the preparation of presentations on website, official statements or notifications, as well as in the field of editions.

g) Distributes information materials (in case they are required), as well as is an active part of daily activities organized by the institution, but also participating, with the purpose of reporting and of the presentation of the institution in the real informing dimension.

h) Drafts periodical information on school activities, publications, initiatives, curiosities by the fields of law, the news on the development of technology, quizzes, etc.

i) Realizes an open and transparent communication, in and out of the country, regarding the activity of the institution. ”

5. In Annex 2 ‘the procedure of the organization of the test for the selection of candidates to the school of magistrates,’ are done the following amendments:

“The second phase of the admission test

Rule I:

In this phase will take part only candidates who are winners of the first phase. The second phase of the admission test is done in two days. In the first day the test includes the realization of 5 (five) theses, while in the second day the test includes the realization of 3 (three) case laws.

The manner of the correction of the examination will be anonymous.

In both days of the competition in the second phase, the candidate might have with himself only the identity card. Materials for the making of the competition will be given from the School of Magistrates.

Application:

Answer sheets of the examination will be all sealed. To all the candidates will be given a small envelope, which has inside a letter where will be written the name of the candidate who competes. The small envelope might not be closed up to the moment of the submission of the examination. Its closure will be done in the presence of the administrator of the examination, by being verified once the identity of the competitor and will be sealed from the responsible person nominated by the administrator of the examination.

The large envelope will be closed by the candidate and 5 (five) theses of the Professional Test the first day and 3 (three) theses of cases of practice in the second day of the Professional Test. The envelope will be sealed from the responsible person. Theses which miss in the envelope are evaluated by the Commission with 0 points. The member of the Commission who sees the first the absence of the thesis in the envelope makes such a thing public by keeping a specific process verbal for these absences, which is signed by all the members of the Commission.

At the end of the examination, the small envelope, along with the large envelope is handled in a certain place.

The name will not be written in any answer sheet of the examination.

Not to be written over the seal.

On each envelope are established 2 seals. The surface possessed from the seal might be the half at the end of the cover of the envelope and half on the down part of the envelope, which is immediately after the cover of the envelope.

Not to be left empty spaces between the lines and not to be used other tools (papers, pens,) with the exception of those given from the School. Competitors are not permitted to cover the face, to have ties or hats, or sunglasses in the testing process. It is prohibited the possession of mobiles and of other means.

Examination's duration for both days: 3 hours.

After the completion of the test, will be done the selection of the examination envelopes in the presence of the candidates, thereafter will be done their secrecy.

After the submission of the examination papers, the organizers will put the number into the small and into the large envelope of every candidate. To the examination's commission will be put in disposal only the large envelope with the corresponding number, where are the papers of the examination.

The same procedure will be applied also for the second day of the second phase of the test, of the test with case laws.

Rule V

The second phase of the written test is done in the written form, the Professional Test, is done in the same days for both profiles (judge and prosecutor). In the first day is realized the test with 5 (five) theses from the field of law, foreseen in the program of the admission test and in the second day is realized the test with 3 (three) cases of judicial practice.

Application:

Examination thesis is evaluated maximally with 400 points.

With 250 points is evaluated the theoretical part, which is divided: 50 points for the theoretical part of the civil law, of the penal law, of the civil procedure and of the penal procedure and with 50 points is evaluated the theoretical part of the other branches of the law such as: the constitutional law and the administrative law, family law, labor law, trade law, EU law and human rights.

The part of practical cases is evaluated with 150 points, 50 points for each practical case.

Rule VI

The answer of each thesis will be given in the written form from the corresponding member of the Commission, signed by him and is handled to the administrator of the examination. To be done public into the internet pages a description of the thesis, not the thesis itself, to exclude the possibility of the non-use of its elements in the future examinations.

The commission continues the correction, when is in the full panel and without interruption. In the case the number of the members in the auditorium of correction is less than three members, the correction does not continue up to the completion of the number.

At the end of correction, every member evidences a number of answers which is the double of the number of vacancies for the competitors who have achieved the highest results in his/her part. After this, these answers will be corrected with the method of *cross evaluation*, at least even from another member of the commission. Such a thing is done to avoid the possible mistakes in the evaluation and the collection of points.

Application:

The envelope with the theses of the first day of the test will have relevantly 5 (five) parts which will be corrected relevantly from members of the commission nominated from the Steering Council of the School.

The envelope with the theses of the second day of the test will have respectively 3 (three) parts (case laws) that will be corrected by the same Commission elected by the Steering Council of the School.

6. In the Internal Regulation of the School of Magistrates, after “Thesis model of the first phase,” are added as follows:

‘**THESIS MODEL** (second phase, first day) candidates for magistrate, legal advisor, assistant

Total of points of every thesis is 50 points:

Rubric 1: Questions on concepts

8-10 points (1 or 2 questions)

Rubric 2: Comparative questions

10 – 12 points (1 question)

Rubric 3: Reasoning questions Pyetje

12 – 15 points (1 question)

Rubric 4: analytical reasoning

15 – 20 points (1 question)

7. In the Internal Regulation of the School of Magistrates, “Declaration for the recognition and acceptance of the rules of the admission test in the school of magistrates” are done the following amendments:

DECLARATION FOR THE RECOGNITION AND ACCEPTANCE OF THE RULES OF THE ADMISSION TEST IN THE SCHOOL OF MAGISTRATES

SECOND PHASE

I declare that I have read all the rules of the examination, I understand them completely and I have not given/received assistance during the examination.

Test duration: 4 hours, (Professional Test).

Write your name on the white paper in the small envelope in handwriting and in a readable form (not in capital letters).

The small envelope must **not** be closed by the candidate, up to the moment of the submission of the test. Its closing will be done in the presence of the Administrator of the test, verifying once again the identity of the competitor and will be sealed in the presence of the responsible person nominated by the Administrator of the test.

The large envelope *will be closed by the candidate* and must have inside respectively: 5 (five) theses of professional test in the first day and 3 (three) case laws in the second day.

The envelope will be sealed by the responsible person. *The content of every envelope is under the responsibility of the respective candidate.* Theses that miss in the envelope will be evaluated by the Commission with 0 points.

Write in the spaces allowed by the thesis. The coming out of spaces will be considered a special sign and causes your disqualification.

It is not permitted to be done notes or to be written the name or even very small signs on the examination paper in the meaning of citations or quotes that make the examination paper identifiable, such as:

- a) Writing with other means (papers, pens) other than those given by the School of Magistrates will be considered special signs;
- b) Writing all the test or part of it in capital letters;
- c) Underlining words or expressions;
- d) The use of the names of participating persons;
- e) The use of the names of text authors;
- f) The use of identifiable data related to the work, family, attended school of the candidate, etc.;
- g) Inclusion of other materials other than answer sheet papers;
- h) The repeated use of the same expression that creates opportunities to be identified;
- i) Every material or intellectual sign that causes the identification of the answer of the competitor by other competitors.

In case of a correction, the word or the expression will be put in brackets, will be lined over under this model: (~~wrong~~).

Every communication with words, gestures and actions, as well as every attempt to see the papers of the participant next to you, noticed by national and international monitors of this process causes the disqualification and the direct exclusion from the test.

Every unnecessary analysis of answers that does not correspond with logical expectations on the asked questions, or that transforms questions on the intention of giving a certain answer, will be considered a violation of ethics and a violation of the seriousness of the admission test.

The candidate undertakes to take the exam 4 (four) hours without interruption for needs of personal character.

Name Surname _____
(In capital letters)

SIGNATURE _____

8. In Annex 14 of the Internal Regulation of the School of Magistrates, rubric IV “main duties”, in letters “c” and “g”, is abrogated the sentence “Points of contact for the Commissioner of General Data Protection.”
9. In Annex 14 of the Internal Regulation of the School of Magistrates, is added the job description for “Scientific secretary for publications and communication,” as follows:

GENERAL JOB DESCRIPTION OF THE SCIENTIFIC SECRETARY FOR PUBLICATIONS AND COMMUNICATION IN THE SECTOR OF STUDIES AND PUBLICATION AT THE SCHOOL OF MAGISTRATES

I DATA FOR JOB POSITION

Job position: Scientific secretary for publications and communication

Institution: School of Magistrates

Reports to: Responsible of the Sector of Studies and Publications

II MISSION

Scientific secretary for publications and communication has the obligation to collect and elaborate the information, intending the most dignified presentation of the

activities that the institution organizes and takes part, by reflecting with transparency the activity of the School of Magistrates. This mission should be accomplished based on the creation and preservation of professional and ethical relations, as well as to take care for the daily communication in harmony with the legislation on the right to be informed and personal data protection.

III

GENERAL PURPOSE OF JOB POSITION

The correct implementation of the right to information, collection and elaboration of information on the activity of the School of Magistrates should be done in the function of transparency and communication, having at the same time the right to personal data protection, on the intention of the presentation of all the activity of the School of Magistrates in dignity and correctness. Assists in the activities organized by the institution, documents, plans, coordinate4s, keeps, makes data analysis and makes reports.

IV

MAIN DUTIES

- a. Coordinates the work to make possible the collection of the information, on the purpose of the preparation of presentations on website, statements or official notifications, in the function of press conferences (if there is the case), as well as of publications and of scientific work;
- b. Makes and updates periodically a newsletter, with information on school activities, editions, initiatives, curiosities from the field of law, innovations on the development of technology, quizzes, etc.;
- c. Attends the activities that the institution organizes and takes part, as well as makes sure that the reflection of presentations to be done on time and to be reflected on the website page of the institution;
- d. Keeps the correct records regarding the accomplishment of the activities of the institution, in and out, as well as documents them, and submits clear and detailed reports in the written form;
- e. Drafts the data, considers the stability of the information that is presented on the website and the indication of public perception as well as provides advices to resolve problems, that come out at work;
- f. Cooperates with a number of professions, including partners and donors;
- g. Makes periodical statistics, as well as prepares periodical relations for the heads of hierarchy;
- h. Shares information materials (when is required) for all institutions;

- i. Uses technological knowledge and modern methods of communication and transmission of the information;
- j. Acts as coordinator and enforces skills and administration liabilities of the coordinator for the right to information under the law on the competences of the coordinator on the right to information, as well as is a contact point for the Commissioner of Personal Data Protection;
- k. Takes care for the drafting in time and in quality of the written answers to the applications, appeals according to the legislation on the right to information;
- l. Takes care to keep and to store a special register where are written all the correspondences: date, subject that makes the appeal, the abbreviation of the application or of the appeal, etc., and updates them;
- m. Prepares strategic draft documents and/or policies of the institution regarding the way of the further development and the continuous improvement of relations and communication providing uniformity and non-discrimination in the treatment of the interested persons, as well as in harmony with the legislation on the right to information, representing it to the head of hierarchy;
- n. Prepares every other document that is required by the head of hierarchy;
- o. Engages in the summarization of the information for the preparation of the 3 month newsletter taking part in the collection of transcript data;
- p. Makes photos of every activity that does the institution, in and out, intending the reflection along with the presentation to the website, in internal spaces, etc., in the dynamic of the daily activities of the institution.

V

MAIN RESPONSIBILITIES

- Monitors and attends the realization of the basic duties based on School Regulation;
- Takes care for the recognition of the acts and regulations of the institution and of all the acts for the accomplishment of duties, object of the ground;
- Takes care for the asking of opinions, the analysis of issues, of relations and communication by simple or electronic post; prepares speeches representing skills that generate new and efficient ideas;
- Takes care for the information regarding the activities of the institution;
- Provides information according to law *on the right to information*, and the law *on the protection of personal data*;
- Attends and takes measures to search, elaborate, store, document, use and exchange information in and out of the institution;

- Takes part in the drafting, planning of the annual plan for the sector in cooperation with other specialists and heads of the Sector;
- Gives contribution in the drafting of strategic documents of the institution regarding the manner of further development and continuous improvement of relations and communication to provide uniformity and nondiscrimination in the treatment of the interested ones, as well as in harmony with the legislation on the right to information.

VI

THE RESOLUTION OF PROBLEMS (complexity and consequences)

To the Scientific secretary for publications and communication is required to follow the solution of problems and matters object of the area of the activity of the Sector of Studies and Publications.

VII

DECISION – MAKING

No decision – making.

MANAGERIAL AREA

Reports and responds to the Responsible of the Sector of Studies and Publications. Assures and informs the head of the Sector in relation to the search, elaboration, preservation, usage and exchange of information in and out of the institution; formulates and applies the plans approved regarding the activities that the institution organizes and takes part; assures the presentation of professional standards in the duties that makes; informs the heads of hierarchy; gives contribution in the drafting of the annual draft project on the activity of the institution.

IX

SUPERVISION

Supervises and reflects in time the activities that are organized by the institution or where the institution takes part, as well as the daily activities of the applications for information in the respect of the legislation for the protection of personal data and the right to information.

X

STAFF UNDER DEPENDENCE

The position of the scientific secretary for publications dhe komunikimin does not have any servant under direct dependence.

XI

WORK CONDITIONS

To the Scientific secretary for publications and communication may be asked to work out of the official timetable, on Saturdays, on Sundays and on official holidays, as well as out of the workplace.

XII

SPECIAL REQUIREMENTS

The Scientific secretary for publications and communication might have university education in judicial sciences, communication science, social science, journalism, language – literature, public relations, etc., and no less than 1 (one) year of work experience. To have knowledge at least of a foreign language (the rank of preferences English, Italian, French, etc.). To use the basic work programs in computer.

Next: Strategic opinion and planning: To anticipate the requirements for the future, capacities and problems, as well as to transmit them in practical and realizable plans remaining sensible for the necessities of the Chancellor, head of hierarchy, academic staff and candidates for magistrate and wide institutional matters.

Communication: To negotiate effectively; to demonstrate presentation capacities and capacities of communication; to choose those methods of communication that provide effective results, as well as to be comfort and effective in a representation role (including the usage of a foreign language).

Personal efficiency: To demonstrate elasticity, stability and confidentiality in situations when is under pressure; to offer objective councils to the head of hierarchy; to follow full of energy and consistency the established strategies, to be quickly adapted and to be sensible on new requirements and changes.

Intellect, creativity and judgment: To be concentrated on matters and essential principles; to analyze the data and the unclear concepts rigorously and to be collaborative with other sectors.

Expertise: To have deep knowledge and experience; to know to use even other sources of expertise; to understand legal procedures of the field that covers and how to act in them, to exploit the best experiences of other public/private institutions.

XIII

SIGNATURE

The servant: Scientific secretary for publications and communication

Direct superior: Responsible of the Sector of Studies and Publications

Approved by: Director of the School of Magistrates

II. This decision comes immediately into force!