



REPUBLIC OF NORTH MACEDONIA
ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS
"PAVEL ŠATEV"

No. _____

SKOPJE

RULEBOOK
on Practicing the Function of a Judge or a Public Prosecutor

GENERAL PROVISIONS

Article 1

Training participants who have completed the initial training and acquired the status of candidates for judges and public prosecutors shall practice the function of a judge or a public prosecutor, in compliance with this Rulebook, until they are elected as judges and public prosecutors.

Article 2

(1) After completing the initial training and acquiring the status of a candidate for a judge and a public prosecutor, the Academy shall refer the candidate to the appellate territory where they underwent the second stage of their initial training for the purpose of practicing the function of a judge and/or a public prosecutor until they are elected.

(2) Candidates who have acquired the status of a judge and a public prosecutor shall practice the function under the mentorship of a judge or a public prosecutor assigned to them by the Academy for Judges and Public Prosecutors.

Article 3

The practice of the function of a judge or a public prosecutor shall be carried out every workday, within the office hours of the Court or the Public Prosecutor's Office where the practice is taking place, with a daily break of 30 minutes.

LOCATION WHERE THE PRACTICE IS CARRIED OUT

Article 4

Candidates for judges and public prosecutors shall carry out their practice in the Court of First Instance or in the Basic Public Prosecutor's Office where they underwent the second stage of their initial training, according to the schedule provided by the Academy for Judges and Public Prosecutors.

CONTENTS AND DURATION OF THE PRACTICE

Article 5

(1) The practice of the candidates for judges shall be conducted alternately, according to the schedule provided by the Academy, as follows:

- in the different departments of the Court, so that the candidate shall carry out their practice in the Civil Department for one month, and in the Criminal Department for one

month, in compliance with the Programme for Practicing the Function of a Judge or a Public Prosecutor, ensuring that all legal areas of the Court's work are covered during this practice in the Court;

- in the Public Prosecutor's Office, for a total duration of one month, in compliance with the Programme for Practicing the Function of a Judge or a Public Prosecutor, ensuring that all legal areas of the Court's work are covered during this practice in the Public Prosecutor's Office.

(2) The practice of the candidates shall last until their election as a judge or public prosecutor.

(3) If the candidate, having completed their practice in compliance with Paragraph 1 of this Article, has not yet been elected as a judge or a public prosecutor, the practice shall be repeated. However, the candidate shall be assigned to another judge or a public prosecutor under whose mentorship they shall work.

Article 6

(1) During their practice, the candidate for a judge and a public prosecutor shall perform the tasks entrusted to them by the judge or the public prosecutor under whose mentorship they are carrying out their practice, with a view to achieving quality and efficient practice, which shall exclusively fall within the Programme for Practicing the Function of a Judge or a Public Prosecutor.

(2) The mentor shall ensure the regular attendance of the candidate at the workplace. In cases of an ad-hoc audit by the Academy, if an unannounced absence of a candidate is established, or the candidate is found to be performing work tasks outside the Practice Programme or in another Court, Public Prosecutor's Office, or institution, the mentor shall be exempted, and the Judicial Council of the Republic of North Macedonia or the Council of Public Prosecutors of the Republic of North Macedonia shall be notified accordingly.

Article 7

(1) During their practice in the Court, depending on the department and the type of cases, the candidate shall work under the mentorship of a judge designated to those types of cases, who shall be appointed by the Academy for Judges and Public Prosecutors.

(2) When determining the type of cases, the judge under whose mentorship the candidate is working shall choose the cases with the sole purpose of achieving quality and efficient practice and training of the candidate for a judge who, according to their status, shall be required to perform the tasks of a judge in order to efficiently take over and successfully perform the future function of a judge. For this purpose, the judge shall provide the candidate with access to the entire documentation and to all stages of the proceedings.

Article 8

(1) During their practice in the Public Prosecutor's Office, the candidate shall work under the mentorship of a public prosecutor who shall be appointed by the Academy for Judges and Public Prosecutors.

(2) When determining the type of cases, the public prosecutor under whose mentorship the candidate is working shall choose the cases with the sole purpose of achieving quality and efficient practice and training of the candidate for a public prosecutor who, according to their status, shall be required to perform the tasks of a public prosecutor in order to efficiently take over and successfully perform the future function of a public prosecutor. For this purpose, the public prosecutor shall provide the candidate with access to the entire documentation and to all stages of the proceedings.

Article 9

(1) The candidate's practice in the Court shall involve direct participation and practical initiation, commencing with the operation of the existing administrative system (ACMIS), review of charges, access to information, organization of paperwork, management of case flow overseen by the mentoring judge, scheduling court hearings, case analysis, strategic planning, drafting court decisions, attendance at court hearings under the guidance of the

mentoring judge, and engagement with witnesses, experts, parties to the proceedings, and third parties.

(2) As part of the practice of the function of a judge, the judge under whose mentorship the candidate is working shall establish and maintain equal and collegial relations with the candidate and regularly hold meetings where experiences will be exchanged and discussions will be had as to finding the right solutions in relation to the cases currently being processed.

Article 10

(1) The candidate's practice in the Public Prosecutor's Office shall be implemented through direct involvement and practical induction of the candidate, beginning with operating the existing administrative system, familiarizing with the procedures for internal case circulation in the public prosecutor's offices, accessing information, organizing the paperwork, independently drafting the public prosecutor's decisions under the supervision of the public prosecutor under whose mentorship the candidate is practicing, managing the case flow of cases handled by the public prosecutor under whose mentorship the candidate is working, attending the examination of suspects and witnesses by the public prosecutor and the main hearing, and attending the investigative actions taken by the public prosecutor under whose mentorship the candidate is practicing, attending the interrogation of the parties by the public prosecutor under whose mentorship the candidate is practicing, attending plea bargains.

(2) As part of the practice of the function of a public prosecutor, the public prosecutor under whose mentorship the candidate is working shall establish and maintain equal and collegial relations with the candidate and regularly hold meetings where experiences will be exchanged and discussions will be had as to finding the right solutions in relation to the cases currently being processed.

CANDIDATES' RIGHTS AND OBLIGATIONS

Article 11

The candidate shall, not later than the 5th day of the current month, submit a report to the Academy for Judges and Public Prosecutors on the tasks carried out in the previous month, as well as an attendance sheet, which, in addition to being signed by the candidate, shall also be signed by the judge or the public prosecutor under whose mentorship they are working.

Article 12

The candidate shall be obliged to notify the Academy for Judges and Public Prosecutors of any annual leave days or sick leave days used during their practice.

Article 13

For the candidate applying for the position of a judge or a public prosecutor pursuant to an advertised vacancy, the judge or the public prosecutor under whose mentorship they have worked shall draft a written opinion on the level of success with which the candidate has completed the practice and on the candidate's qualifications to perform the function of a judge or a public prosecutor, which shall be submitted to the Judicial Council or the Council of Public Prosecutors.

Article 14

If the judge or public prosecutor, under whose mentorship the candidate for a judge and a public prosecutor is undergoing practice, is elected to a higher position or is otherwise unable to fulfill their duties as a judge or public prosecutor, they shall notify the Academy accordingly, and the candidate shall be referred to another judge/public prosecutor under whose mentorship they shall resume practice.

Article 15

(1) During the practice of the function of a judge or a public prosecutor, candidates for judges

and public prosecutors shall have all the rights and obligations arising from the Employment Contract that the candidate has concluded with the Academy, as well as from the provisions of the Law on the Academy for Judges and Public Prosecutors, the Law on Labour Relations, the Law on Judicial Service, and the Law on the Public Prosecutor's Office.

(2) If the practice of the candidate for a judge and a public prosecutor has not been carried out with a view to achieving quality acquisition of skills for performing the function of a judge and a public prosecutor, the candidate may, with a reasoned written request, ask the Academy to appoint another judge/public prosecutor under whose mentorship they shall carry out the practice, of which the President of the Court/the public prosecutor of the Public Prosecutor's Office shall be duly notified.

TRANSITIONAL AND FINAL PROVISIONS

Article 16

(1) This Rulebook shall enter into force on the day of its adoption.

(2) This Rulebook shall be published on the website of the Academy.

(3) With the entry into force of this Rulebook, the Rulebook on Practicing the Function of a Judge/a Public Prosecutor No. 02-130/8 dated 28.02.2023 shall be repealed.

Academy for Judges and Public Prosecutors
"Pavel Šatev" – Skopje
President of the Management
Board
Judge Bekim Mehmedi
