

Justification of the project regarding the relations between judges and lawyers from the perspective of Opinion no. 16 of the Consultative Council of European Judges

In creating a legal culture, the new conceptual perspectives of the substantive and procedure criminal law allow for a joint training of judges and lawyers.

Thus, the dynamics of relations from the perspective of separate and complementary professional ethics offers the opportunity of developing legal profiles, in which communication dialogue is focused on the actual interpretation and enforcement of the law.

a. Also, **guides of good practices** for applying the steps prior to court hearings and during court hearings and for enforcing court judgments intended to litigants would be drafted (involvement of the National Institute for Professional Training of Lawyers (NIPTL), the Higher Council of Magistrates (HCM) and of Romania's representative in the CCJE).

b. At the same time, a joint ethics guide for judges and lawyers, including ethics requirements targeting both professions, would be prepared, such guide being a premiere in rendering European justice (involvement of NIPTL, SCM, and of Romania's representative in the CCJE).

c. A brochure that would include all topics discussed and presentations given by speakers would be prepared for a consistent harnessing of presentations and discussions (involvement of NIPTL, SCM, and of Romania's representative in the CCJE).

Materials will be published in a bilingual version (English – Romanian and French - Romanian), in a number of copies to be established depending on the budgetary resources.

Groups of approximately 80 judges and lawyers would participate in each conference (judges and lawyers).

Conferences would be video broadcast by our *Juridice.ro* media partner, in order to obtain feedback on the discussed topics also from other legal professions.

Each conference needs to be subject to an evaluation by participants, based on a questionnaire prepared by NIPTL, SCM and Romania's representative in the CCJE.

Therefore, I propose that the experience acquired during the first conducted conference be harnessed in other regional conferences from the perspective of the new Criminal Code and Code of Criminal Procedures and of Opinion no. 16 of the al Consultative Council of European Judges, as follows:

- conference organized by the National Union of Romanian Bars (NURB) NURB, NIPTL, Romania's representative in the CCJE, SCM and Vâlcea Bar, Dolj Bar, Gorj Bar, Olt Bar, Pitești Bar and Craiova Court of Appeals, on the date of **3 October 2014, in Râmnicu Vâlcea**, on the topic: Offences against Administration of Justice, Fraud Perpetrated through IT Systems and Electronic Payment Devices against Safety and Integrity of IT Systems and Data. Theoretical and Practical Aspects regarding Judges of Rights and Freedoms. Ethical Rights and Obligations of Judges and Lawyers;
- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM and Brașov Bar, Tg. Mureș Bar, Ploiești Bar and Brașov Court of Appeal, Tg. Mureș and Ploiești Courts of Appeals, on the date of **31 October 2014, in Brașov**, on the topic: Crimes While on Duty and Offences against Administration of Justice. Theoretical and Practical Aspects regarding Preliminary Chamber Judges. Ethical Rights and Obligations of Judges and Lawyers;
- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM and Alba Bar, Sibiu Bar, Hunedoara Bar and Alba Iulia Court of Appeal on the date of **14 November 2014, in Alba Iulia**, on the topic: Individualization of Punishments. Mitigating Circumstances. Aggravating Circumstances. Waiver of Punishment Application. Offences against Administration of Justice. Guarantees of the Right to Defense during Criminal Prosecution and Trial. Ethical Rights and Obligations of Judges and Lawyers;
- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM and Cluj Bar, Maramureș Bar, Sălaj Bar and Oradea Bar on the date of **16 January 2015, in Cluj**, on the topic: Offences against Individuals: Battery against Fetuses, Trafficking in and Exploitation of Vulnerable Persons, Offences against Administration of Justice and Theoretical and Practical Aspects regarding

Preliminary Chamber Judges. Ethical Rights and Obligations of Judges and Lawyers;

- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM, and Constanța and Galați Bars and Constanța Court of Appel and Galați Court of Appel on the date of **13 February 2015, in Constanța**, on the topic: Offences against Public Order and Peace. Offences against Administration of Justice. Theoretical and Practical Aspects regarding Judges during Criminal Prosecution and Trial. Ethical Rights and Obligations of Judges and Lawyers;
- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM and Timiș Bar and Timișoara Court of Appel on the date of **13 March 2015, in Timișoara**, on the topic: Minority. Liability of Legal Entities. Offences against Administration of Justice. Theoretical and Practical Aspects regarding Judges and Lawyers during the Criminal Trial;
- conference organized by NURB, NIPTL, Romania's representative in the CCJE, SCM and Suceava, Iași and Bacău Bars and Suceava Court of Appel, Iași Court of Appel and Bacău Court of Appel on the date of **27 March 2015, in Suceava**, on the topic: Guarantees of the Right to Defense in the Criminal Trial. Offences against Administration of Justice. Ethical Rights and Obligations of Judges and Lawyers.

Justice Rodica Aida Popa, S.J.D.

Criminal Division of the High Court of Cassation and Justice
Romania's representative in the Consultative Council of European
Judges