



REPUBLIKA E SHQIPËRISË

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

No.821/2___ prot.

Tiranë, on _30_. _11_ 2023

DECISION

No. 44, date 30. 11.2023

**ON THE PUBLICATION OF THE LIST OF CANDIDATES FOR
MAGISTRATE AND CANDIDATES FOR LEGAL ASSISTANT IN THE
PROGRAM OF INITIAL FORMATION**

After the verification of the property and of the figure, and after the approval of the list of candidates for magistrate, that are admitted in the School of Magistrates in the three year initial formation, according to the number of candidates determined by the High Judicial Council and the High Prosecutorial Council as well as based on Articles 248 and 266 of law no. 115/2016, *on the organs of the management of the system of justice*, of Article 53 of law no. 98/2016, *on the organization of the judicial power in the Republic of Albania*, as well as of decisions no. 642; 643; 644; 645; 646; 647; 648; 649; 650; 651; 652; 653; 654; 655; 656; 657; 658, date 26.10.2023, of decisions no. 676, 677; 678; 679; 680; 681 date 8.11.2023 of decision no. 690, date 15.11.2023 of the HJC, and decision no. 363 date 13.11.2023, decision no. 333, date 27.10.2023, 384, date 30.11.2023 of the HPC, as well as of the Internal Regulation of the School

of Magistrates, the Steering Council of the School of Magistrates, gathered on 30.11.2023, decided:

1. To publish the list of candidates for magistrate and of candidates for legal assistant who are admitted in the Program of Initial Formation for the academic year 2022 – 2023 and 2023 – 2024, according to the attached list, an inseparable part of this decision.
2. This decision comes immediately into force!



REPUBLIKA E SHQIPËRISË

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

No.821/4___ prot.

Tiranë, on _30_. _11_ 2023

DECISION

No. 45, date 30. 11.2023

**ON THE FINANCIAL TREATMENT OF CANDIDATES FOR MAGISTRATE AND
LEGAL ADVISOR/ASSISTANT THAT PASS IN DELAY THE PROCESS OF THE
VERIFICATION OF PROPERTY AND FIGURE**

Based on Articles 248, 267, 268 of law no. 115/2016, *on the organs of the management of the system of justice*, of Article 19 of law no. 96/2016, *on the status of judges and prosecutor in the Republic of Albania*, of decision no. 424, date 12.10.2020, *on the verification of property and figure of chancellors, legal advisors and assistants*, of the Internal Regulation of the School of Magistrates, as well as of recommendations of the internal audit according to paper no. 17302/3 prot., date 9.12.

2022, the Steering Council of the School of Magistrates, gathered on 30.11.2023, noticed:

The application of the legal obligation, according to law no. 96/2016, Article 32, “Verification of property and figure,” which foresees that: “....5. *up to 5 September of every year, Councils decide the acceptability of candidates, based on the information that have received on the results of their verification of property and figure7. After the completion of property and of the figure, the Councils approve and publish at the end of the month of September of each year, the final list of candidates for magistrate, that are accepted to the School of Magistrates ...*,” is not accomplished by the High Judicial Council and the High Prosecutorial Council.

Also, the application of the legal obligation, according to law no. 98/2016, *on the organization of the judicial power in the Republic of Albania*, of law no. 115/2016, *on the organs of the management of the system of justice*, as well as of decision no. 424, date 12.10.2020, *on the verification of property and figure of chancellors, legal advisors and assistants*, which foresees that: “...87. *At the end of the procedure of verification, depending on the results, the Council decides regarding the qualification of the winning candidate and allowing him for attend the initial formation in the School of Magistrates, for chancellor, legal advisor in the High Court or legal assistant in the courts of appeal. 88. The Council decides the disqualification of candidate and not allowing him to attend the program of initial formation in the School of Magistrates, for chancellor, legal advisor in the High Court or legal assistant in the courts of appeal, if he does not pass the verification of property or figure...*,” is not accomplished by the High Judicial Council.

In these conditions, the Steering Council of the School of Magistrates, from year 2019, has allowed that competitors declared as winners, even though not yet confirmed from the Councils, to participate regularly in the academic activity of the School, so that not to be violated in their right for the beginning of the three year Program of Initial Formation and the completion of this program according to the academic years when they are declared as winners of the admission competition.

Because the law foresees that their payments with study scholarships should be done only after the confirmation by the councils and the signing of the agreement with the School of Magistrates, the School has started the payment of scholarships for candidates after this moment.

In the application of law no. 114, date 6.11. 2015, *on the internal audit in the public sector, and the agreement of cooperation with no. 3308/2 prot., date 2.3.2022*, for the making of the service of internal audit in the School of Magistrates, was done an audit mission for the period of January 2019 – September 2022, and from the group of audit was presented the recommendation, as follows: *“The School of Magistrates makes agreements of registration for the winning candidates admitted by the HJC and the HPC, as well as preliminary agreements of registration with candidates declared winners in the process of the verification of property and figure, intending the equal treatment of candidates for magistrate that frequent regularly the program. The right of financial profit of candidates for magistrate that attend regularly the program. The right of financial profit of candidates in the process of verification, to start at the same time with admitted candidates, while its execution, to be done after the admission from the HJC and the HPC.”*

Also, candidates have start the legal claim of unpaid scholarships for the period when have not been confirmed by Councils and the Administrative Court has decided for the admission of their application and the reward for the unpaid period of the tuition scholarship (Decision no. 520, date 08.03.2023, of the Administrative Court of the First Instance Tiranë.)

The Steering Council considers that candidates who are confirmed from Councils should profit from the tuition scholarship from the moment when they have started this education process, in despite the moment of being confirmed. The School of Magistrates will be forced to pay school tuitions after having verified even the moment when candidates have interrupted financial relations with the former employer.

Considering the above mentioned, the Steering Council decided:

1. To candidates for magistrate and candidates for legal advisor/assistant, who have attended regularly the education process and have interrupted former financial relations, is recognized the study period and all the continuous evaluations received during this period, as well as profit the tuition scholarship for all the period of initial formation, after the passing successfully of the verification of property and of figure.
2. This decision comes immediately into force!