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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

**(VENICE COMMISSION)**

**in co-operation with the  
CONSTITUTIONAL COURT OF THE REPUBLIC OF SLOVENIA**

**THIRD CONFERENCE  
OF SECRETARIES GENERAL OF  
CONSTITUTIONAL COURTS  
AND COURTS OF EQUIVALENT JURISDICTION**

**Bled, Slovenia, 29-30 September 2005**

**S Y N O P S I S**

In co-operation with the Constitutional Court of Slovenia, the Venice Commission organised the third Conference of Secretaries General of Constitutional Courts and Courts of Equivalent Jurisdiction in Bled on 29 and 30 September 2005.

The Conference brought together 33 secretaries general of constitutional courts from all over Europe, as well as the Supreme Court of Israel and the Constitutional Court of the Republic of Korea.

The reports and discussions focused on three themes.

The first was the organisation of the work of law clerks within courts and the role they played in the preparation of final judgments.

All participants agreed that law clerks provided valuable and essential assistance with drafting and making court decisions. Their tasks varied little in substance from one court to the next.

There were, however, significant differences in the ways in which their work was organised in the various courts. While some courts employed law clerks on a temporary basis, others employed them solely on a permanent basis and still others combined both systems. The advantages and disadvantages of each type of organisation were discussed, providing valuable insights into how the relevant arrangements could be improved and adapted to the specific needs and characteristics of each court.

The discussions went far beyond the mere structural presentation of courts and the preparation of judgments. There was also in-depth debate of the recruitment conditions for law clerks, career management, recourse to experts, the real or supposed influence of the persons concerned in shaping final judgments and the steps taken to guarantee maximum transparency in the delivery of judgments.

The role of information technology in the judgment process was the theme of the second working session.

The steady growth in the appeals lodged with constitutional courts in general meant there was an ever-greater need for the support by information technology. The courts were benefiting greatly from the use of the possibilities offered by information technology and the Internet.

The relevant tools facilitate case management within the courts, with large numbers of courts having dedicated software for managing cases from the moment appeals were lodged right through to the delivery of the judgments. In several courts, provision was even made for lodging appeals online, or this was being planned. Some courts were also planning totally computerised case management, abandoning the use of paper documents.

The delivery of judgments is no longer possible today without the use of court databases. The question of making them accessible to the public was mentioned, and seemed to be on the agenda in many courts.

Internet access also plays a major role in access to all domestic and international legislation and case-law (e.g. [www.codices.coe.int](http://www.codices.coe.int)) and in raising the profile of the courts and their judgments.

This growing and vital role of information technology in the management of courts and cases has a significant impact on budgets, with an increasing share of appropriations having to go on information technology expenditure.

The two days of discussions were closed with a roundtable on relations with the media. This issue, which had already been discussed at previous conferences, remained a key concern for secretaries general, who were having to cope with a steadily increasing pressure from the media.

The conference stood out for the excellent way it was organised by the Constitutional Court of Slovenia, the quality of preparation and presentation of the reports and the open and frank discussions which were mutually enriching the Conference was conducive to strengthening useful contacts between the secretaries general with a view to optimising and improving court management.

The participants underlined the importance and quality of the conference and hoped that the Venice Commission would facilitate exchanges of views between them on a regular basis, in particular through conferences.

The Commission will therefore shortly be establishing a special section for secretaries general on its website, giving them access to the restricted site on constitutional justice, a confidential discussion forum and regular information updates on the Commission's activities in the field of constitutional justice.

The reports, the programme and the list of participants are available on the Venice Commission website ([www.venice.coe.int](http://www.venice.coe.int)), in the Constitutional Justice section (CDL-JU documents).

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