

Past Present Future

It started with a simple observation: Even though judicial experts play an essential role in civil and criminal justice, there is no common European definition of what an "expert witness" or "judicial expert" means and how they are practising. As the courts base their decisions on the outcomes of expert opinions, it is essential to ensure a high level of professional and ethical skills of judicial experts.

A number of cases in the medical, insurance, and energy fields have shown how hard it is to appoint an expert who is able to give evidence impartially and independently especially in their homeland countries.

An efficient justice in Europe requires that experts who give their opinions to courts respect the fundamental professional principles of independence, impartiality, integrity and exhibit a high level of professional competence. These requirements help to achieve the goals of transparency and fair trial that the European Court of Justice and the European Court of Human Rights have set out.

In addition to these procedural requirements, it is also important for parties that their cases can be dealt with by a responsible professional, acting in accordance with ethical standards at reasonable cost. As for the Courts, it seems essential that they can rely on an expert capable of reacting quickly and efficiently to respond to the court's questions within an allocated time.

Their importance is not limited to the judicial procedures specific to each Member State; globalisation and the establishment of a common European market have considerably increased the number of transnational judicial cases. Judicial experts therefore find themselves involved in these cross-border legal disputes. This situation displays difficulties in terms of "mutual trust" among citizens in justice systems and in the decisions of judges of other Member States. As a result, it is essential to establish transparent, quality-assured processes for registering experts and for judicial expertise.

Finally, the project is also rooted in the need to facilitate citizens' access to justice through increased digitalisation of this sector.

These different objectives are summarised by Bernd Scheiff, President of the Higher Regional Court of Cologne, who expresses his deep attachment "to the Find an Expert II project, which aims to enable a Europe-wide search for judicial experts, with the development of uniform standards for experts and their registration procedures".

"The Find an Expert II project aims to lay the legal and professional foundations for the creation of a European directory of judicial experts. This register, or directory, will be useful not only for cooperation between courts and other judicial institutions in European states, but will also enable anyone involved in legal and economic activities to search for qualified experts".

Official project partners



Find an Expert II

AIMS OF THE PROJECT

To improve and converge these aspects across Europe, EEEI and EuroExpert have decided to work together on the following aspects:

Minimum criteria for a person to be qualified as a judicial expert.

Requirements for experts to be registered in and stay on a directory.

The list of requirements to be met by the bodies in charge of keeping expert registers.

Convergence ways between the nomenclatures of expert areas of practice in the Member States.

A demo IT-tool based on six pilot Member States to interconnect national registers and to implement a European search engine.



Co-funded by the European Union

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union. Neither the European Union nor the granting authority can be held responsible for them.

Method based on the organisation of a Consensus Conference

The work was organised in groups with very distinct tasks with the contribution of magistrates, experts, lawyers and representatives of the European Ministries of Justice.

The work carried out throughout the project is based on different values and tools:

- We encourage volunteers to work together to bring in the heterogeneity of European situations.
- The working groups began by drawing up an inventory of expert registers in the various European countries, using questionnaires. These were completed and checked by local correspondents.
- Based on this information, the working groups worked on their respective tasks via videoconference (24 meetings) and face-to-face meetings (11 meetings).

Work package 2, **Item 1:** Definition of minimum criteria (recommendations) for a person to qualify as a **judicial expert** (competence, specific knowledge on procedural rules and ethics).

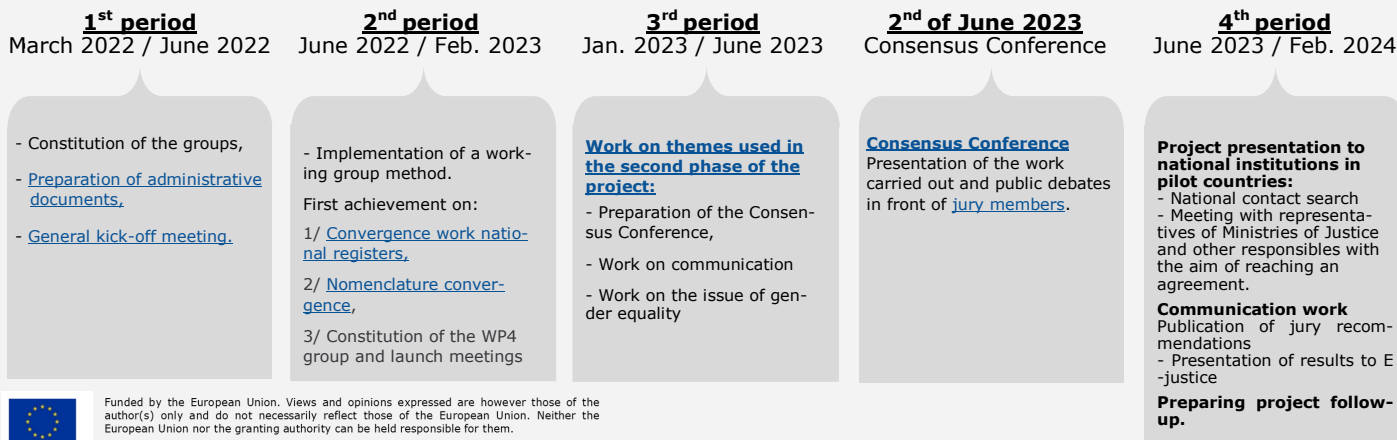
Item 2: [Definition of requirements to be met by bodies in charge of keeping experts' directories.](#)

Item 3: Requirements for experts to be registered in and stay on a directory.

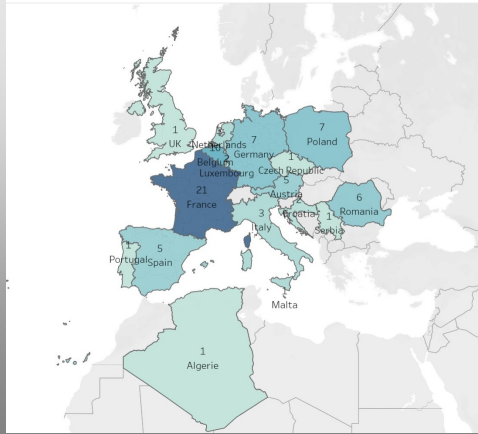
Work package entitled "convergence of nomenclatures", is in charge of collecting various nomenclatures from Member States, proposing a nomenclature specific to the project and studying possible convergences between national nomenclatures and the project nomenclature.

Work package 4, entitled "[IT tool](#)", is working on the development of a Prototype IT tool.

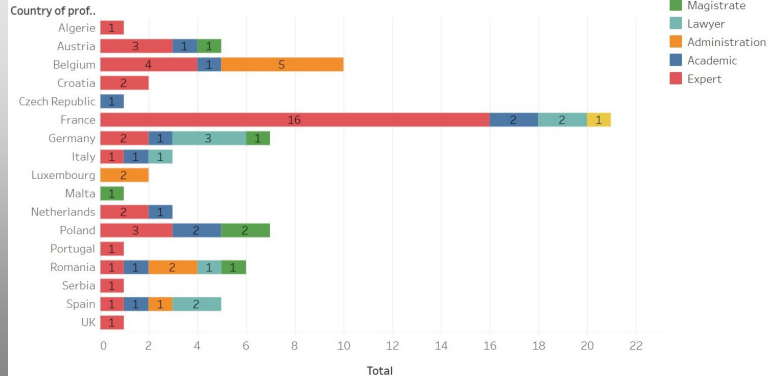
Calendar



By country



Occupation by country



As much as possible, gender equality was respected in the various work groups

The Consensus Conference

1/Definition: What is a “Consensus Conference”?

A standardised method to scientifically pilot a collective debate to discuss controversial issues and provide public recommendations”. The method used in this project has been adapted for the field of justice from a method widely used in the field of health. This is the third time a consensus conference has been implemented by the EEEI for European projects.

2/ Conducting the Conference

The Consensus Conference took place on 2nd June, 2023 at the Cologne Higher Regional Court.

This Conference is an essential stage in the project. After listening to the presentations of the work of working groups there was ample time for a public debate with questions and answers. This debate took place in the presence of the members of the jury, nine personalities from the judicial arena and stakeholders: representatives from the Ministries of Justice of Luxembourg, Romania and Belgium, the Presidents of the Court of Naples and the Court of Appeal of Florence.

3/ The Outcome

At the end of the Conference, the jury retired for sessions of deliberation. The members of the jury made recommendations based on the work presented and the debates that took place. This should make sure that they were compatible with the realities in practice.

Organisation



Results expected at the end of the project Find an Expert II

The aims are to propose, as a component of a broader consensus process across Europe, (i) a set of criteria for the registration of qualified judicial experts, (ii) recommendations on how to assess the competence and qualities of experts candidates (iii) recommendations for the management and publication of expert registers at national level. In addition, we propose (iv) a common nomenclature of experts' fields of expertise that can be mapped and connected to the nomenclatures of all Member States ([Presentation of nomenclatures](#)), and (v) an IT [Prototype of an initial version of a possible European register of judicial experts](#). An additional goal is to start research on gender equality issues within the population of judicial experts.

Follow-up with Find an Expert III

Following the previous projects, [Find an Expert 3](#) will involve the implementation of the IT tool corresponding to the prototype defined above with several FIND AN EXPERT II pilot countries like Belgium, France, Luxembourg and Romania. We will investigate the possibility of implementing it in Poland and Italy, where the situation is more complex due to historical factors. If possible, we will add two or three additional countries that were not pilot countries in FIND AN EXPERT II (Austria and Germany are under consideration as well as the Netherlands and the Czech Republic).

The European Judicial Experts search tool will make it possible to contact the most appropriate experts to entrust them with certain assignments, and/or those requiring compliance with more stringent and/or complex criteria of competence or independence.

It will also provide an essential frame of reference to enable European Judicial Experts to exchange information digitally with other participants in the European judicial system, such as magistrates, court clerks and lawyers, and to move towards a platform for digitalised exchanges of cross-border judicial expertise (e-expertise).

Two partner organisations of the project (project management/administration):



5, Résidence Petite Place
78000 Versailles – France
contact@experts-institute.eu
<https://experts-institute.eu/en/>



Hohenstaufenring 48-54
50674 Köln /Germany

[EuroExpert: https://euroexpert.org](https://euroexpert.org)



Co-funded by the
European Union

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union. Neither the European Union nor the granting authority can be held responsible for them.