



12/28/18

ETHICS

Representatives of the third state have special responsibilities

The profession of judge and public prosecutor comes with great expectations. In the eyes of those who take hold of it, it is far more than a livelihood. It has to do with law and justice. It is about social order and fair coexistence. Judges and prosecutors are often held in particularly high esteem. But a lot is also asked of them. They should be role models and meet high standards of seriousness, empathy, honesty, inner independence and neutrality, competence, diligence and diligence. You should complete many procedures in the best possible way. On the other hand, there are often the difficulties of everyday working life: too many files, too little time, too little help and support; big pressure.

In this situation, it is important to reflect on the tasks that have been entrusted to us and how we can master them with the resources that are available to us.

The German Association of Judges has therefore set up the "Judicial Ethics" network, in which members from many different areas of the judiciary and regions of Germany are represented. The network has set itself the task of discussing questions of professional ethics as comprehensively as possible and in this way providing suggestions for reflection on the work of judges and public prosecutors. The question of self-image is part of the foundation of everyday professional life. Thinking about this has major implications for how we manage our work and meet the demands that come with it.

In April 2013, the Federal Assembly of Representatives of the German Association of Judges adopted the discussion paper "Ethics of judges in Germany - Theses on the discussion of professional ethics in judges and public prosecutors in the German Association of Judges". In doing so, it was deliberately avoided formulating guidelines or a "code". Rather, it is about those values that characterize the profession and characterize a self-confident and responsible judge or public prosecutor.









Das Diskussionspapier geht von der Grundannahme aus, dass der Beruf des Richters und Staatsanwalts wegen der besonderen Stellung der Justiz als dritter Staatsgewalt nicht als bloßer Bestandteil des allgemeinen öffentlichen Dienstes verstanden werden darf. Er verlangt eine innere Unabhängigkeit, die verantwortungsvoll gelebt werden muss. Erforderlich ist ein Amtsethos, das Richter und Staatsanwälte von bloßen „Rechtsanwendern“ unterscheidet. Hierzu gehört das (selbst-)kritische Bewusstsein, dass gesetzliche Regelungen mit Wertungen ausgefüllt werden, die auch von persönlichem Vorverständnis und sich wandelnden Verhältnissen beeinflusst werden.

Darüber hinaus hat der Deutsche Richterbund eine Sammlung von Beispielsfällen aus der Praxis zusammengestellt, die zeigen, wie sich die theoretische Wertediskussion im Berufsalltag widerspiegelt.

We invite you to join us in the discussion on "Judicial ethics in Germany" and look forward to your contributions and suggestions.

The question of self-image is part of the foundation of everyday professional life.

DOCUMENTS

-  Judge ethics in Germany - Brochure of the DRB
 -  Judicial Ethics in Germany - Brochure in English
 -  Judicial independence: maintaining a task that is not self-fulfilling, Kreth, DRiZ 7/2009
 -  Judge's oath and judicial ethics, Titz, DRiZ 2/2009
 -  Ethik im Ausland, Titz, DRiZ 2/2009
 -  Richterliche Ethik im Netzwerk des DRB, Burghardt, DRiZ 2009,102
 -  Richter und parteipolitisches Engagement, Burghardt, DRiZ 2010,351
 -  Übersicht über Fortbildungsangebote in Bund und Ländern
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- > Opinion of the Consultative Council of European Judges (CCJE) on the principles and rules governing the professional conduct of judges; in particular professional standards, irreconcilable behavior and impartiality
- > Compendium of federal and state regulations on the professional conduct of judges and public prosecutors