



The Code of Judicial Conduct

Preamble

The judicial power in accordance with the Fundamental Law fulfils its constitutional role through a transparent judicial system consisting of independent, impeccable judges.

The judicial profession sets requirements for judges that are based on stricter moral rules than ethical norms generally accepted by society.

The aim of creating a Code of Judicial Conduct is to strengthen the public confidence in the judicial system by laying down ethical norms for judges to follow. It defines guidelines for ethical requirements of the judicial professions, provides support in recognising behaviours carrying ethical risk and protects judges who show demeanour worthy of their profession.

Scope of the Code of Judicial Conduct

The Code of Judicial Conduct applies to all judges appointed in Hungary and it also provides guidelines for lay judges and judicial employees.

It defines the expected code of conduct regarding office activities as well as activities outside the office.

Article 1

Independence

(1) A judge shall exercise the judicial duties free from any influences, as to validate the principle of equal treatment among the parties involved. In the line of work even the appearance of favouring someone should be avoided, not to suggest that the procedure or the decision is based on bias or prejudice. The judge has the freedom to decide within the framework of substantive and procedural requirements, in accordance with their own conscience.

(2) A judge shall avoid unnecessary relations to the legislative and executive power in a way that is obvious to outsiders.

Article 2

Impartiality

(1) A judge shall not be involved in political activity, or take part in political gatherings and shall refrain from political expressions in public. A judge shall not be part of nor have relations to an organisation, a permanent or temporary gathering the aim or activity of which is either in violation of the law, discriminative or is in breach of the public trust regarding the judicial profession.

(2) A judge shall not pursue a task or activity, which by nature or origin would affect his or her impartiality, or prevent the fulfilment of judicial duties.

(3) A judge shall not support any enterprise, charitable or civil organisation which can be linked to political activity.



Article 3

Dignity

(1) Public trust and respect is strengthened by showing law-abiding behaviour both in and outside the office. A judge shall refrain from extremities in behaviour as well as in appearance, which is suitable to the occasion and worthy of the profession at all times. A judge shall avoid public situations which are undeserving of the judicial profession.

(2) A judge shall be patient and courteous with the parties involved in the procedure - besides the necessary firmness - and refrain from remarks that are uncalled for, hurtful labelling and arrogant. A judge shall demand that the parties involved give each other and the court the proper respect.

(3) A judge shall shape private relations and leisure time activities in a way that it does not endanger the dignity and impartiality of the judicial profession, not even by appearance. Private difficulties shall be handled in a calm, discreet and proper manner.

(4) A judge shall use the World Wide Web with due foresight. Information, sound and video recordings about themselves and their relatives shall only be shared in case it does not impair judicial dignity. Opinions can be shared as long as they do not undermine the dignity of the court or the judicial profession and the regulations in relation to press statements.



Diligence

- (1) A judge shall perform the delivery of decisions in the cases allocated to him efficiently, in a timely manner; he shall be prepared, diligent and humble.
- (2) A judge shall pay attention to the proper and economical use of the equipment and sources of the court.
- (3) A judge shall develop his or her general and professional knowledge through self-education and in organised courses.

Article 5

Propriety

- (1) A judge shall not use the prestige of the judicial office to advance the private interests of the judge. While exercising his or her rights he or she shall obey the rules of exercising law in a proper way.
- (2) While adjudicating in a case a judge shall avoid the contact with the parties which might give rise to the suspicion or appearance of favouritism or partiality.
- (3) A judge shall not allow the use of the judge's residence by a member of the legal profession to receive clients or other members of the legal profession.
- (4) Confidential information acquired by a judge in the judge's judicial capacity shall not be used or disclosed by the judge to anyone else; he or she shall not provide or ask for confidential information. A judge shall avoid any communication that may influence the process or the result of a case.
- (5) A judge shall voluntarily comply with the enforceable or provisionally enforceable obligations settled against him.

Article 6

Respect, cooperation

- (1) A judge shall carry out judicial duties with appropriate consideration for all persons without prejudice or discrimination and requires the same from the parties and their representatives.
- (2) While carrying out judicial duties a judge shall try to cooperate with his or her colleagues and the members of organisations or authorities; he or she shall express polite and mutually respectful behaviour.
- (3) A judge shall not criticise the guidelines of a higher level court in front of the parties; he or she shall not express his or her different point of view. A judge shall avoid the humiliation of the lower level court in his decisions; he or she shall not destroy the prestige of the judicial profession. A judge shall not criticise the decisions made by his or her colleagues in any other way. A judge may evaluate or give a constructive opinion on these in scientific, educational or other professional activities.
- (4) A judge shall refrain from manifesting by words any differentiation among the parties, sympathy or condescension.
- (5) A judge shall refrain from comments that would suggest failure to fulfil obligation, decisions made to serve political or other interests on his or her colleagues' side.

Article 7

A judge in leading position

- (1) A judge in leading position shall refrain from any behaviour, comments or acts that may offend the human dignity of subordinates. He or she performs tasks as required from his or her colleagues complying with legal and moral obligations, setting an example.
- (2) Carrying out managerial duties a judge shall be reasonable, fair and consistent with his or her colleagues. In his supervising role he or she shall set the same requirements for all his subordinates.
- (3) A judge shall ensure that the behaviour of his or her judge colleagues live up to their judicial profession.
- (4) Besides the assertion of the interests and aims of the court, a judge shall aim to establish successful cooperation with the other organisational units and to facilitate fast and precise information exchange.

The Code of Judicial Conduct was adopted on 10 November 2014 in the meeting of the National Judicial Council based on the mandate regulated by law and with an attention to the opinion of the judicial organisation.

The Code of Judicial Conduct comes into effect on 1 January 2015.



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