



# RIIGIKOHUS

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Home > An overview of the current state and future directions of the Estonian courts

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## **An overview of the current state and future directions of the Estonian courts**

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The recently published yearbook of the Estonian courts [1] provides the reader with a selection of articles on salient legal topics, analysis on the organization and problems of judicial training, a graphic overview of the gender and age-related distribution of the judiciary and statistics on the work of the court system.

A comprehensive overview of the training of Estonian judges was published in the yearbook, examining both its current situation and fields that require further development. Examples of topics include the process of preparing novice judges for the bench, improving the rotation possibilities for judges, along with training of court officers and judicial clerks and the need to work more closely with the Bar Association and Prosecutor's Office when it comes to carrying out training.

Three longer articles treat topics that have recently led to discussion among professionals in the Estonian legal system: the adjudication of pandemic restriction appeals, which tested administrative courts; a Supreme Court decision pertaining to legitimate self-defence; and problems related to identifying people behind defamatory online comments.

After the publication of the yearbook, the Civil Chamber of the Supreme Court issued a ruling upholding the current practice used by Estonian courts, which is that pre-trial taking of evidence is initiated in order to identify the originator of the online post, where the personal data necessary for filing an action are subpoenaed from the website proprietor or communication undertaking. In the opinion of the Supreme Court, both valid Estonian law and the EU General Data Protection Regulation provide sufficient grounds for this approach.

The yearbook also provides a graphic overview of the Estonian judges, describing their gender and age distribution and the generational change caused by a large number of judges reaching retirement age at the same time. As usual, the yearbook also includes summaries of procedural statistics that characterize the work of the judges during the last year.

The yearbook of the courts is available electronically and can be read online **here** [1].



# Yearbook of Estonian Courts 2021

The bench in 2021

Salient legal topics

The year in review

Procedural statistics



## Foreword

*Villu Kõve, Chief Justice of the Supreme Court of Estonia*

This year, the yearbook is a little different from the past ones, somewhat more varied. Readers are treated to an overview of the work of the judges' self-governing bodies, ruminations of a more academic stripe about jurisprudence, such as pandemic restrictions or person intimidating their neighbour, and facets of judges' and court officers' lives outside work are also explored. ...



## The Renewal of the Judiciary

*Kristel Siimula-Saar, Adviser of the Supreme Court Personnel and Communication Department*

In autumn 2021, the Minister of Justice regulation designating the number of judges and their division between courthouses was amended. Under the amendment, if a judge is away from their duties for a longer period, an additional judge can be appointed. ...



## The case of a neighbour victim

*Laura Aiaots, Senior Lecturer of criminal law, University of Tartu, Anneli Soo, Assistant Professor, Tartu Faculty of Law*

The victim is a victim in the context of penal law whose legal rights are protected

[1]

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## Links

[1] <https://aastaraamat.riigikohus.ee/en/>