The "Life of a File" short film

In Hungary, the system of ordinary courts has four tiers.

The lowest tier consists of the district courts, which are jointly called local courts. Regional courts proceed at the county level and regional courts of appeal proceed regionally. There are separate courts for administrative cases. The supreme judicial body is the Curia (formerly the Supreme Court), which ensures legal standardisation amongst courts. It does so by way of legal standardisation procedures and also in part through its judicial activities.

The aim of this short film is to show the life of a file at the Curia, or what roads case documents take when a decision is made.

The application for review has to be submitted to the court of first instance, because that is where the documents generated during the proceeding are found.

As a result of the submitted application for review, the administration offices of the court of first instance refers the case documents to the Curia. At the Curia, the case file receives a serial number, also known as an application number, and a blue document folder. This is the number that has to be referred to in submissions and when requesting information on the case. The office then submits the documents to the head of the division.

The division is a body of judges assigned to a particular type of case, led by the head of division.

There are three divisions at the Curia: the civil, criminal, and the administration and labour divisions.

Based on the pre-determined case distribution order, the head of division assigns the case to the proceeding chamber (based on the subject of the case or, in criminal cases, on the order of receipt).

The Curia rejects the application for review or, in criminal cases, the motion for review, if the law excludes the possibility for review or if the application for review does not meet the requirements laid down by law.

The Curia then calls upon the parties to amend or supplement the motion for review. If the party does not comply, the Curia will reject the application for review, or may also reject the application *ex officio*. A substantive examination will be performed if the request is met.

In civil cases, there is no possibility for correcting mistakes or deficiencies regarding the content of the application for review after the deadline for submitting the application. In this case, there is no opportunity for submitting missing information.

The substance of a civil case can be examined either by holding or foregoing a hearing; in criminal cases, the case is examined at a closed chamber hearing or at a public hearing. Simultaneously to issuing the notification on having decided on the case without holding a hearing or the subpoena for the hearing, the president of the chamber sends the application for

review to the adversary. This is the latest possible time that the adversary can learn of the submission of the application for review. Where the substance is to be examined in a criminal case, the Curia sends the application to the Prosecution Service for the purposes of obtaining a motion before appointing the case.

After the decision on the substance has been passed, it has to be put into writing. Court recorders and clerks help the work of judges when drawing up the decision in writing. Subsequently, there are some other technical steps that must be taken before the client receives the Curia's decision. Following the decision's printing and reproduction, in civil and in administrative and labour cases, the documents are returned by the Curia to the court of first instance, or the court of appeal, as applicable, which delivers the decision to the clients. In criminal cases, the Curia itself delivers the decision to the parties. The Curia anonymises the decisions that close cases, meaning it deletes all data which could be used to identify the parties, and then publishes such decisions on the central judicial website, in the Collection of Court Decisions.

For more information, visit www.kuria-birosag.hu.