

INFORMATIVE NOTE

Tirana, 10 September 2025

Regarding the request for disciplinary proceedings seeking the measure of “Temporary Reduction of Salary by up to 40% for up to One Year” against Magistrate Sh.L.

The High Inspector of Justice initiated disciplinary proceedings against magistrate Sh.L., a judge at the Court of First Instance of General Jurisdiction of Sarandë, based on 13 complaints concerning delays by the judge in issuing the reasoned decisions, constituting disciplinary violations provided for under Article 102, paragraph 1, letter “d”, of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.

The extensive investigation report prepared by the HIJ inspectors, which consolidated two proceedings and, during the investigation, modified and expanded the scope of the investigation concerning this judge, identified repeated delays in issuing reasoned decisions, exceeding the statutory deadline by up to four years. The decisions concerned the period from 2021 to 2023. The HIJ inspectors’ report concludes that:

- The magistrate undertook actions/omissions in violation of the procedural deadlines applicable to the reasoning of civil and criminal judicial decisions, exceeding those deadlines to an extent beyond any reasonable logic. The failure to comply with the statutory deadlines does not appear to be an isolated episode, but rather a repeated pattern over three consecutive years and on a scale far exceeding any legal and professional standards regarding permissible delays. Systematic and repeated delays beyond these deadlines constitute a clear indication of failure to comply with his functional responsibilities.
- Notwithstanding the submissions made by the magistrate regarding his workload and the condition of the judicial system, an analysis of the circumstances shows that he has not fully and consistently fulfilled the legal and functional obligations imposed on him concerning the timely reasoning and submission of judicial decisions.
- The magistrate has five years of service as a judge, while the disciplinary violations were identified during his second, third, and fourth years in office, indicating his limited professional experience. Nevertheless, despite his experience in office, the judge has significantly damaged the image of the justice system and public confidence in it.
- The disciplinary violation resulted in the failure to receive, within a timely manner, the expected outcome from the adjudication of a particular case, delays in exercising the right to appeal, and, in some cases, significant delays in the enforcement of judicial decisions as a result of the failure to reason the decisions in a timely manner, in other words, a denial of justice.
- The magistrate’s conduct after committing the violation, following the initiation of the investigation, and throughout the disciplinary investigation/proceedings has been cooperative.

The High Inspector of Justice (HIJ) concludes that the actions/omissions undertaken by magistrate Sh.L. constitute a “Serious Disciplinary Violation” and proposes that the High Council of the Judiciary impose the disciplinary measure of “*Temporary Reduction of Salary by up to 40 percent, for a period not exceeding one year,*” as provided for under Article 105, paragraph 1, letter “c”, subparagraph “i”, and Article 108 of Law No. 96/2016, “On the Status of Judges and Prosecutors in the Republic of Albania,” as amended.