

lay assessors

The aldermen and laywomen for the term of office from 2019 to 2024 have been elected.

The election for the next term of office will take place in 2023. As soon as the application procedure begins, you will find further information here.

Competent Department

- [Statistisches Landesamt Bremen - Wahlen](#)

Basic information

Lay assessors ...

participate in the main hearing on an equal footing. They participate in the verdict as well as in all other decisions concerning the proceedings and thus bear the same responsibility as professional judges.

have an influence on the proceedings and the reaching of a verdict. In the taking of evidence, the lay judges have the right to put questions to the accused, witnesses and experts, they decide on applications for evidence and make their own suggestions for the taking of evidence. Decisions on the question of guilt and on the legal consequences of the offence require a two-thirds majority. The following applies both in the lay judges' court and in the criminal divisions of the Regional Court: no one can be convicted against the votes of both lay judges. Lay jurors must form an opinion on every decision; abstentions are not permitted.

are not liable, but criminal breaches of duty are punishable. The lay assessors cannot be held civilly liable for a "wrong" judgement that has been overturned or amended on appeal or revision. They are only held liable for damages if they have committed criminal breaches of duty (for example, for bribery, obstruction of justice or persecution of innocent persons).

have protective rights as employees. Lay assessors may not be restricted or disadvantaged by the assumption or exercise of their office. They must be released from work by their employer for the period of their office. In addition, the termination of the employment relationship because of the activity as a juror is inadmissible.

Requirements

Only German nationals are entitled - but also obliged - to assume the office of alderman. Anyone who has been elected to the office is only entitled to refuse for certain reasons regulated by law. Aldermen and laywomen must be proficient in the German language.

Aldermen and laywomen must be at least 25 years of age and not older than 69 when they take up office. For the term of office 2019 to 2024, the decisive date according to which the age is to be calculated is 1 January 2019.

Applicants must be resident in Bremen at the time the list of candidates is drawn up. A secondary residence under registration law is also sufficient if the applicant is predominantly resident in Bremen.

Aldermen and laywomen must be in good health, i.e. mentally and physically fit to exercise the office. They must not have suffered a deterioration of assets (insolvency, over-indebtedness, private insolvency).

Aldermen and laywomen should generally have the following skills:

- social competence
- Knowledge of human nature and empathy
- logical thinking and intuition
- job experience
- Freedom from prejudice even in extreme situations
- knowledge of the basic principles of criminal procedure, the importance of crime and punishment and the role of aldermen
- courage to judge people, sense of responsibility for intervening in the lives of others
- Sense of justice, thinking in just categories
- Stability and flexibility in representing your own opinion
- Communication and dialogue skills

In addition, youth jurors should be competent in educational matters.

Excluded are persons,

- who have been sentenced to a custodial sentence or juvenile sentence (including suspended sentences) of more than six months for an intentional offence
- who are the subject of an investigation into an offence which may result in the loss of the ability to hold public office,
- who violated the principles of humanity or the rule of law, worked as full-time or unofficial employees of the GDR State Security Service or actively fought against the constitutional order

Furthermore, persons from top political offices and judicial or law-related professions such as public prosecutors, public prosecutors, police officers, lawyers, notaries public, court

enforcement officers, employees of the penitentiary system, court assistants, juvenile court assistants or probation officers are excluded from the office of lay judge.

Procedure

Procedure of the election

The presidents of the district or local courts shall determine the number of principal and auxiliary jurors required for the coming term of office in their district and the corresponding figures in the juvenile justice system on the basis of the days on which the courts meet and the requirement that principal jurors are not to be called upon for more than twelve days of meetings.

The municipal authorities shall publicise the election, organise public relations work, accept applications and compile lists of candidates. The local councils decide on the inclusion of applicants on the suggestion lists. For the city of Bremen, the municipal council is the city council and for the city of Bremerhaven, the municipal council. The youth welfare committees decide on the inclusion of applicants on the suggestion lists in the juvenile justice system.

The suggestion lists are then made available to the public. Anyone may object to individual proposals. The lists (with the objections if necessary) are sent to the competent district court. The chairman of the lay assessor election committee shall prepare the meeting.

The lay jury selection committees decide on objections to the lists of nominations and elect the lay jurors who are to act as principal and auxiliary jurors in adult and juvenile criminal cases at the local and regional courts for the next five years.

The aldermen and laywomen elected are examined for possible obstacles to their election and the lists of the principal and auxiliary jurors in general and juvenile criminal cases are sent to the respective court.

The Local and Regional Courts shall draw lots for the principal jurors assigned to them for all dates of the trial of the panels for the year 2019; the auxiliary jurors shall not be given any dates. They are used when a principal alderman is unable to attend or when substitute aldermans are needed in particularly large proceedings. The auxiliary jurors are drawn by lot for the entire coming term of office in a fixed order on the list of auxiliary jurors. The selected candidates will be notified of their assignment by the respective courts. The applicants who have not been selected will be informed by the municipal authorities.

More information

Information on the exercise of the office of lay judge

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