

DECREE-LAW No 27/2009**Of 9 September****Legal regime for justice employees and for the services of the offices of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department**

The specific kind of functions carried out by Courts, the Prosecuting Attorneys Department and the Public Defenders Department demands a special knowledge and training from a certain group of employees who support them, the so-called process servers. A recruitment and training regime ensuring the minimum skills for entering into the career, a career progression regime essentially based upon the individual's merits and a pay regime consonant with the career demands applicable to the process servers are all needed requirements for the judges, the prosecuting attorneys and the public defenders to have administrative assistants who can help them fulfill their functions. This singularity shows that those judicial employees must have a specific career regime, accordingly to Article 28 of Decree-Law No 27/2008 of 11 August.

The content definition of the process servers' duties also leads to the functional definition of the services to which they belong. Therefore, this law lays down not only the legal framework for the process servers but also the one for the services of their offices and the respective staff numbers, which are not established.

Thus,

In terms of Articles 36 to 38 of the Law No 8/2004 of 16 June, 28 and 29, no's 1 and 2 of the Decree-Law No 27/2008 of 11 August and 115, paragraph p) of the Constitution of the Republic, the Government decrees, to be applicable as a law, the following:

**Article 1
Object**

The legal regime for justice employees and for the services of the offices of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department is hereby approved, hereto enclosed and is an integral part of the present decree-law.

**Article 2
Entry into force**

This statute shall enter into force on the day after its publication date.

Approved by the Council of Ministers on 5 August 2009.

The Prime Minister,

Kay Rala Xanana Gusmão

The Minister of Justice,

Lúcia Maria Brandão Freitas Lobato

Promulgated on 24 August 2009.

To be published.

The President of the Republic,

José Ramos-Horta

APPENDIX**LEGAL REGIME FOR JUSTICE EMPLOYEES AND FOR THE SERVICES OF THE OFFICES OF THE COURTS, OF THE PROSECUTING ATTORNEYS DEPARTMENT AND OF THE PUBLIC DEFENDERS DEPARTMENT****CHAPTER 1
JUSTICE EMPLOYEES****Article 1
Definition**

Justice employees are those nominated for staff positions of the Courts' offices and of the services of the Prosecuting Attorneys Department and of the Public Defenders Department.

**Article 2
Personnel groups**

1. Justice employees fall into the following personnel groups:

- a) Process servers;
- b) Computer specialists;
- c) Administrative personnel;
- d) Translators and interpreters; and
- e) Auxiliary personnel.

2. The general public careers regime shall apply to the personnel referred to in paragraphs b), c), d) and e) of the previous number for everything not hereby foreseen.

**Article 3
Process servers**

1. The process servers' group comprises the careers of judicial employees, technicians of the prosecuting attorneys department and assistants to the public defenders department.

2. The judicial employees' career includes the following categories:

- a) First-class chief clerk;
- b) Second-class chief clerk;
- c) Third-class chief clerk;
- d) First-class deputy chief clerk;
- e) Second-class deputy chief clerk;
- f) Third-class deputy chief clerk;
- g) First-class auxiliary chief clerk;
- h) Second-class auxiliary chief clerk;
- i) Third-class auxiliary chief clerk;

- j) First-class judicial clerk;
- k) Second-class judicial clerk;
- l) Third-class judicial clerk.

3. The technicians of the prosecuting attorneys department's career includes the following categories:

- a) First-class technician of the prosecuting attorneys department;
- b) Second-class technician of the prosecuting attorneys department;
- c) Third-class technician of the prosecuting attorneys department;
- d) First-class deputy technician of the prosecuting attorneys department;
- e) Second-class deputy technician of the prosecuting attorneys department;
- f) Third-class deputy technician of the prosecuting attorneys department;
- g) First-class auxiliary technician of the prosecuting attorneys department;
- h) Second-class auxiliary technician of the prosecuting attorneys department;
- i) Third-class auxiliary technician of the prosecuting attorneys department;
- j) First-class clerk to the prosecuting attorneys department;
- k) Second-class clerk to the prosecuting attorneys department;
- l) Third-class clerk to the prosecuting attorneys department.

4. The assistants to the public defenders department's career includes the following categories:

- a) First-class assistant to the public defenders department;
- b) Second-class assistant to the public defenders department;
- c) Third-class assistant to the public defenders department;
- d) First-class deputy assistant to the public defenders department;
- e) Second-class deputy assistant to the public defenders department;
- f) Third-class deputy assistant to the public defenders department;
- g) First-class auxiliary assistant to the public defenders department;
- h) Second-class auxiliary assistant to the public defenders department;
- i) Third-class auxiliary assistant to the public defenders department;
- j) First-class clerk to the public defenders department;
- k) Second-class clerk to the public defenders department;
- l) Third-class clerk to the public defenders department.

5. The offices of senior judicial secretary, secretary-accountant, inspection secretary, senior secretary to the prosecuting attorneys department, senior secretary to the public defenders department, judicial secretary, secretary to the prosecuting attorneys department and secretary to the public defenders department correspond to leading positions, and the nomination

of the persons who will hold them shall be made under a temporary condition for renewable two-year periods.

6. The nomination for the offices referred to in the previous number shall be respectively made by the head of the Courts, of the Prosecuting Attorneys Department or of the Public Defenders Department, upon consultation of the respective judge administrator, district attorney or district public defender, among process servers with a category not less than chief clerk, technician of the prosecuting attorneys department or assistant to the public defenders department or graduates able to prove to be enough skilled for the job.

Article 4 Auxiliary personnel

1. The auxiliary personnel's group comprises the following careers, besides those foreseen by the general regime:

- a) Doorkeeper;
- b) Security guard;
- c) Driver;
- d) Cleaning person; and
- e) Gardener.

2. Recruitment for the categories referred to in the previous number shall be made among individuals able to prove to have the knowledge corresponding to compulsory schooling and that which the law may require to perform the job.

Article 5 Functional contents

1. The functional content description concerning the careers of the process servers' group and the specific categories of the justice employees is reported in Table 1 hereto enclosed as an integral part of the present law.

2. The prescription of the previous number does not affect the directing, coordinating and supervising powers over the dependent services held by the President of the Court of Appeal, the judges administrators, the Attorney General, the Deputy Attorney General, the District Attorneys, the General Public Defender and the District Public Defenders.

CHAPTER 2 NOMINATION FOR POSITIONS OF PROCESS SERVERS' CAREERS

Article 6 General admission requirements

1. In order to be eligible for admission into the process server's career, every candidate shall meet the following requirements:

- a) To fulfill the legal conditions allowing applying for civil service;
- b) To have at least 12 years of school education or the equivalent professional experience;

c) To have successfully concluded the general training for process servers in the terms foreseen by this law.

2. The judicial employees' career starts from the category of third-class judicial clerk, the one of the technicians of the prosecuting attorneys department starts from the category of third-class clerk to the prosecuting attorneys department and the one of the assistants to the public defenders department starts from the category of third-class clerk to the public defenders department.

Article 7
Promotion requirements

1. Promotion to the next category depends on the existence of a vacancy in that category and on the budget availability.

2. The successful attendance of training sessions organized for the process servers' group shall be taken into consideration for the purposes of performance report, performance rating and career promotion.

Article 8
Chief clerk

1. The second-class chief clerk may be promoted to the category of first-class chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class chief clerk may be promoted to the category of second-class chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class deputy chief clerk may be promoted to the category of third-class chief clerk provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 9
Deputy chief clerk

1. The second-class deputy chief clerk may be promoted to the category of first-class deputy chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class deputy chief clerk may be promoted to the category of second-class deputy chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class auxiliary chief clerk may be promoted to the category of third-class deputy chief clerk provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 10
Auxiliary chief clerk

1. The second-class auxiliary chief clerk may be promoted to the category of first-class auxiliary chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class auxiliary chief clerk may be promoted to the category of second-class auxiliary chief clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class judicial clerk may be promoted to the category of third-class auxiliary chief clerk provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 11
Judicial clerk

1. The second-class judicial clerk may be promoted to the category of first-class judicial clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class judicial clerk may be promoted to the category of second-class judicial clerk provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The judicial clerk/intern may be named third-class judicial clerk provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 12
Judicial clerk/intern

1. The process server candidate may be named judicial clerk/intern provided he has successfully concluded the general training course for process servers.

2. The judicial clerk/intern shall not be part of the process server's career and may be dismissed at any time by giving him a prior notice of not less than three months in advance of the proposed termination date, whenever he does not prove to be sufficiently capable of or reliable for serving as a justice employee.

3. Nomination as a judicial clerk/intern shall cease after 3 years in case the nominated one does not prove to meet the needed standards for admission into the process server's career.

4. After a year of effective service, the judge administrator shall gather information from the concerned person's immediate superior and other judicial employees with higher seniority in order to rate the performance of the judicial clerk/intern.

Article 13
Temporary judicial clerk

1. Whoever has at least completed year 11 of schooling or equivalent and has proved through selection tests to have a good command of at least one of the country's official languages and the ability to carry out the duties of a judicial clerk may be recruited by competition as a temporary judicial clerk, as long as the service's needs compel thereto and upon decision of the Court of Appeal's President.
2. Nomination referred to in the previous number shall be made for a period not higher than one year renewable once.
3. The temporary judicial clerk with at least six months service shall be preferred for admission to the general training course for process servers.
4. The temporary judicial clerk shall not be part of the process server's career and shall keep bound to the services just as long as his nomination will last.

Article 14
Technician of the prosecuting attorneys department

1. The second-class technician of the prosecuting attorneys department may be promoted to the category of first-class technician of the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
2. The third-class technician of the prosecuting attorneys department may be promoted to the category of second-class technician of the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
3. The first-class deputy technician of the prosecuting attorneys department may be promoted to the category of third-class technician of the prosecuting attorneys department provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 15
Deputy technician of the prosecuting attorneys department

1. The second-class deputy technician of the prosecuting attorneys department may be promoted to the category of first-class deputy technician of the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
2. The third-class deputy technician of the prosecuting attorneys department may be promoted to the category of second-class deputy technician of the prosecuting attorneys department provided he has at

least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class auxiliary technician of the prosecuting attorneys department may be promoted to the category of third-class deputy technician of the prosecuting attorneys department provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 16
Auxiliary technician of the prosecuting attorneys department

1. The second-class auxiliary technician of the prosecuting attorneys department may be promoted to the category of first-class auxiliary technician of the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
2. The third-class auxiliary technician of the prosecuting attorneys department may be promoted to the category of second-class auxiliary technician of the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
3. The first-class clerk to the prosecuting attorneys department may be promoted to the category of third-class auxiliary technician of the prosecuting attorneys department provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 17
Clerk to the prosecuting attorneys department

1. The second-class clerk to the prosecuting attorneys department may be promoted to the category of first-class clerk to the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
2. The third-class clerk to the prosecuting attorneys department may be promoted to the category of second-class clerk to the prosecuting attorneys department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.
3. The clerk to the prosecuting attorneys department/intern may be named third-class clerk to the prosecuting attorneys department provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 18
Clerk to the prosecuting attorneys department/intern

1. The process server candidate may be named clerk to the prosecuting attorneys department/intern provided he has successfully concluded the general training course for process servers.

2. The clerk to the prosecuting attorneys department/intern shall not be part of the process server's career and may be dismissed at any time by giving him a prior notice of not less than three months in advance of the proposed termination date, whenever he does not prove to be sufficiently capable of or reliable for serving as a justice employee.

3. Nomination as a clerk to the prosecuting attorneys department/intern shall cease after 3 years in case the nominated one does not prove to meet the needed standards for admission into the process server's career.

4. After a year of effective service, the district attorney shall gather information from the concerned person's immediate superior and other process servers with higher seniority at the same office in order to rate the performance of the clerk to the prosecuting attorneys department/intern.

Article 19
Temporary clerk to the prosecuting attorneys department

1. Whoever has at least year 11 of schooling or equivalent and has proved through selection tests to have a good command of at least one of the country's official languages and the ability to carry out the duties of a clerk to the prosecuting attorneys department may be recruited by competition as a temporary clerk to the prosecuting attorneys department, as long as the service's needs compel thereto and upon decision of the Attorney General.

2. Nomination referred to in the previous number shall be made for a period not higher than one year renewable once.

3. The temporary clerk to the prosecuting attorneys department with at least six months service shall be preferred for admission to the general training course for process servers.

4. The temporary clerk to the prosecuting attorneys department shall not be part of the process server's career and shall keep bound to the services just as long as his nomination will last.

Article 20
Assistant to the public defenders department

1. The second-class assistant to the public defenders department may be promoted to the category of first-class assistant to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class assistant to the public defenders department may be promoted to the category of second-class assistant to the public defenders

department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class deputy assistant to the public defenders department may be promoted to the category of third-class assistant to the public defenders department provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 21
Deputy assistant to the public defenders department

1. The second-class deputy assistant to the public defenders department may be promoted to the category of first-class deputy assistant to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class deputy assistant to the public defenders department may be promoted to the category of second-class deputy assistant to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class auxiliary assistant to the public defenders department may be promoted to the category of third-class deputy assistant to the public defenders department provided he has at least 3 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

Article 22
Auxiliary assistant to the public defenders department

1. The second-class auxiliary assistant to the public defenders department may be promoted to the category of first-class auxiliary assistant to the public defenders department provided he has at least two years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class auxiliary assistant to the public defenders department may be promoted to the category of second-class auxiliary assistant to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The first-class clerk to the public defenders department may be promoted to the category of third-class auxiliary assistant to the public defenders department provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 23
Clerk to the public defenders department

1. The second-class clerk to the public defenders department may be promoted to the category of first-class clerk to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

2. The third-class clerk to the public defenders department may be promoted to the category of second-class clerk to the public defenders department provided he has at least 2 years service in the previous category, has then been rated "Good" and has been approved in specific tests.

3. The clerk to the public defenders department/intern may be named third-class clerk to the public defenders department provided he has a minimum of one year of effective service and has then been rated at least "Good".

Article 24

Clerk to the public defenders department/intern

1. The process server candidate may be named clerk to the public defenders department/intern provided he has successfully concluded the general training course for process servers.

2. The clerk to the public defenders department/intern shall not be part of the process server's career and may be dismissed at any time by giving him a prior notice of not less than three months in advance of the proposed termination date, whenever he does not prove to be sufficiently capable of or reliable for serving as a justice employee.

3. Nomination as a clerk to the public defenders department/intern shall cease after 3 years in case the nominated one does not prove to meet the needed standards for admission into the process server's career.

4. After a year of effective service, the district public defender shall gather information from the concerned person's immediate superior and other process servers with higher seniority at the same office in order to rate the performance of the clerk to the public defenders department/intern.

Article 25

Temporary clerk to the public defenders department

1. Whoever has at least year 11 of schooling or equivalent and has proved through selection tests to have a good command of at least one of the country's official languages and the ability to carry out the duties of a clerk to the public defenders department may be recruited by competition as a temporary clerk to the public defenders department, as long as the service's needs compel thereto and upon decision of the Minister of Justice.

2. Nomination referred to in the previous number shall be made for a period not higher than one year renewable once.

3. The temporary clerk to the public defenders department with at least six months service shall be preferred for admission to the general training course for process servers.

4. The temporary clerk to the public defenders department shall not be part of the process server's career and shall keep bound to the services just as long as his nomination will last.

CHAPTER 3

TRANSFER, SWAP AND DISTRIBUTION

Article 26

Transfer

1. Process servers may request for a transfer two years after having started their jobs, entered their offices or accepted their placements.

2. The employee's performance rating or, in case of equal conditions, his seniority in his current category are reasonable factors to be weighed up in deciding on the transfer.

3. The transfer depends on the availability of a vacancy at the intended transfer destination.

Article 27

Swap

1. Regardless of the requirements being laid down in the previous article, process servers of the same category may swap one another's positions provided they have already stayed at least two years at the workplace they want to leave.

2. In case of more than one person interested in the same swap, it shall be preferred the one who has the best performance rating or, in case of equal conditions, the one with the higher seniority in the category.

Article 28

Declared vacancies

In case of nominations for a limited period, the head of the concerned institution may declare as vacant, for internal convenience, the positions left unoccupied.

Article 29

Distribution

1. The competent services of the Court of Appeal, of the Attorney General's House and of the Public Defenders Department shall carry out the process servers' distribution in order to fill the vacant positions and those which will become vacant.

2. The distribution shall be made in February each two years, unless otherwise decided by the heads of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department.

Article 30

Requests

1. The application for the positions to be filled when the distribution occurs shall be presented through a request.
2. The requests having been lodged at the competent services until 31 January or within 10 days from the publication date of the pertinent notice shall be taken into consideration.
3. Candidates shall meet the admission requirements for the desired positions until the deadlines referred to in the previous number have been reached.
4. Requests shall be valid for one sole distribution.

CHAPTER 4 RECRUITMENT AND TRAINING

Article 31 General training

1. General training for process servers includes the following stages:
 - a) Aptitude test;
 - b) Internship;
 - c) Final test.
2. General training's internship shall last for at least 18 months.
3. The participant whose explained or unexplained absences exceed 10 percent of the total length of time assigned for the general training's internship shall be automatically excluded.

Article 32 Opening

1. The opening of the general training course for process servers shall be made by means of a joint dispatch from the heads of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department.
2. The dispatch referred to in the previous number shall indicate the top limit number for candidates to be admitted into the training course and the foreseeable number of places for each of the mentioned institutions and shall be published in the State's official gazette.

Article 33 Selection for the training course

1. Selection for the training course shall be made through written and oral testing aimed at assessing the general knowledge of the candidates and their potential for absorbing additional knowledge during the course.
2. The written and oral tests grades shall rank from 0 to 20 points, and the final grade for the selection testing shall correspond to the arithmetic mean of the two separate grades.

3. The candidates who have gotten a final grade less than 10 points shall be excluded.

4. The candidates having been approved shall be ranked accordingly to their final grades and, in case of equal conditions, the older candidate shall be preferred.

Article 34 Goal, content and place of the training course

1. The general training for process servers shall include the fundamentals necessary for the process server's technical, ethical and humanistic preparation whose learning is important for a judicial clerk, a clerk to the prosecuting attorneys department or a clerk to the public defenders department to properly carry out their duties.

2. The course plan for the general training comprises the fundamentals for professional deontology, judiciary organization, justice employees' legal regime, civil procedure and criminal procedure, as well as the basics of the country's two official languages, Portuguese and Tetum.

3. The internship covers a theoretical 6-month stage to take place at the Legal Training Center and a practical 12-month stage to take place at the offices of the first instance judicial courts, of the Prosecuting Attorneys Department and of the Public Defenders Department.

4. At the internship's practical stage, the candidates will be placed at the offices where that training occurs by their order of preference and accordingly to the ranking position they have gotten at the theoretical stage.

Article 35 Report on achievement during internship

1. Once the internship's theoretical stage is over, the training supervisor shall draw up a reasoned report on the participant's achievement, giving him a quantitative grade from 0 to 20 points.
2. Once the internship's practical stage is over, the training supervisor shall draw up a reasoned report on the participant's achievement, grading him "Able" or "Not able".
3. The participant who has been graded less than 10 points at the theoretical stage or "Not able" at the practical stage shall be excluded.

Article 36 Final test

1. Participants graded "Able" at the practical stage shall undergo a final test on the subjects dealt with during the theoretical stage and any others covered under the duties of judicial clerk, clerk to the prosecuting attorneys department and clerk to the public defenders department, as well as on the Portuguese and Tetum languages, to take place within

30 days at the latest after the submission of the report on achievement.

2. The final test shall be graded from 0 to 20 points.
3. The participants who have been graded less than 10 points shall be excluded.
4. The participants who have been approved shall be deemed to be able and shall be ranked accordingly to their grades.
5. The participants who have been approved shall fill the existing vacancies for judicial clerk, clerk to the prosecuting attorneys department and clerk to the public defenders department by their order of preference and accordingly to their grades, the older ones being preferred in case of equal conditions.

Article 37
Student grant

1. Participants to the general training for process servers shall be entitled to receive a student grant corresponding to one third of the basic salary of a third-class clerk, unless otherwise quantified by the training course opening dispatch or by a subsequent dispatch from the same entities.
2. Every candidate who is an employee of the public administration under a permanent condition shall be entitled to attend the course under a requisition regime and to opt for the basic salary of his original career.

CHAPTER 5
CAREER PROGRESSION

Article 38
Competition opening for admission to the test for career progression

1. The competition for progression within the process servers' career shall be open by dispatch from the head of the Courts, of the Prosecuting Attorneys Department or of the Public Defenders Department, as the case may be, accordingly to the existing number of vacancies and the service's needs.
2. The competition opening dispatch shall indicate the number of vacancies to be filled and the corresponding categories.

Article 39
Candidates to the specific test

Process servers may go through with the test for career progression provided they hold the category, the seniority and the performance rating required for progression into the category to which the test applies.

Article 40
The specific test

1. The specific test includes a written part and an oral part and aims at assessing the candidates' knowledge

on the subjects related to the functional content of the category to which they apply, their degree of command of the Portuguese and Tetum languages and of the subject of professional deontology and their capability for the position they are aspiring to.

2. The specific test shall be graded from 0 to 20 points.
3. Getting a grade less than 10 points causes a candidate not to be approved.

Article 41
Rank for career progression

1. The promotion of the candidates approved in the specific test shall be made accordingly to the rating resulting from the following formula:

$$R=(2xST+PR+S)/4$$

Where:

R=rating;
ST=grade gotten on the test for career progression;
PR=employee's performance rating, with the following quantitative equivalence:
Very good=20;
Good=15;
S=seniority in the current career category (in terms of full years).

2. In case of identical ratings, the higher seniority in the current career category shall be decisive.
3. The candidates shall fill the existing vacancies by their order of preference and accordingly to the rating referred to in No 1.

Article 42
Acceptance and entrance into office

1. The nominated employee shall sign his declaration of entrance into office, committing himself thereby to faithfully carry out the duties conferred to him, within 5 days from the nomination date, unless otherwise determined.
2. The senior judicial secretary, the senior secretary to the prosecuting attorneys department and the senior secretary to the public defenders department shall enter into office in the presence of, respectively, the President of the Court of Appeal or the judge administrator of such court, the Attorney General and the General Public Defender.
3. The remaining justice employees shall enter into office in the presence of the judge administrator, the District Attorney and the District Public Defender, in case they have gotten respectively placed in a court, in the Prosecuting Attorneys Department or in the Public Defenders Department.
4. In case the employee does not sign the declaration of entrance into office without a justification, his nomination, if the first one, shall be made null and void without further formalities, preventing the

absent person from being nominated for the same office for the next two years.

5. In the remaining cases, the unjustified lack of signature on the declaration of entrance into office shall be interpreted as desertion from duty.

6. The absence justification, together with the needed evidence, shall be offered within five days from the removal of the fair impediment.

Article 43 Replacement

1. Without detriment to the duty of assistance towards their services irrespective of the position process servers with a higher category hold, they shall be replaced, in their absences and impediments, by a process server with the immediately lower category, in terms defined by the respective superior.

2. The replacement lasting for a period higher than 30 days shall entitle the substitute to earn the same pay as the replaced person for the position he fulfills.

3. The time period corresponding to the service provided under a replacement regime shall count for seniority purposes within the original category.

Article 44 Cease of duties

Process servers cease their duties:

- a) On the date they reach the age for retirement;
- b) On the date they have been notified of the dispatch freeing them from duty or concerning their new situation.

CHAPTER 6 AVAILABILITY, SUPERNUMERARIES AND LEAVES

Article 45 Availability

1. The justice employee who waits for being placed into a vacancy in his category shall be deemed to be in a situation of availability:

- a) Once his interim office, his nomination for a limited period or his requisition is finished;
- b) In the remaining cases foreseen by law.

2. The situation of availability shall not originate the loss of seniority or of any pay corresponding to the respective category.

3. The employee who stands in the situation of availability shall be nominated as soon as there is a vacancy for a position in his category.

4. The employee who stands in the situation of availability shall enjoy an absolute preference as to the nomination for any vacancy in his category or in a category to which he may move upon his request.

5. As long as the employee stands in the situation of availability, he may become attached to any service consonant with his category, regardless of the career to which he belongs.

Article 46 Supernumeraries

1. The justice employee whose position become extinct shall move to the situation of supernumerary within the staff positions of the office where he was placed.

2. The supernumerary employee shall be nominated as soon as there is a vacancy for a position in his category.

3. The supernumerary employee shall enjoy an absolute preference as to the nomination for any vacancy in his category or in a category to which he may move upon his request.

4. As long as the employee stands in the situation of supernumerary, he may become attached to any service consonant with his category, regardless of the career to which he belongs.

Article 47 Leaves

The process server enjoying a leave on loss of pay or a special leave on loss of pay may request his return into service and shall fill one of the existing vacancies or the first in his category to come up at his original service, but he may apply to an internal competition for the category he holds or, as he meets the needed legal requirements, for a higher category, as long as he goes through therewith after expressing his wish to come back into effective service.

CHAPTER 7 NOMINATION FOR A LIMITED PERIOD, REQUISITION AND ASSIGNMENT

Article 48 Nomination for a limited period

1. Without detriment of the other cases foreseen under this statute, and whenever the particular needs of the service justify it, the justice employee may be nominated for a limited period for the following services:

- a) Superior Council of Judicature, Attorney General's House or the equivalent top organ for the Public Defenders Department;
- b) Dependent services of the Ministry of Justice.

2. The time period corresponding to the service provided under a nomination for a limited period shall count as effective service rendered within the original category or position.

3. In case there is no special provision, nominations for a limited period shall be made for a three-year period and may be ended at any time.

Article 49
Requisition and assignment

1. Whenever the particular needs of the service justify it, justice employees may be requested or assigned.
2. Requisition shall be made under the general terms of law.
3. Assignment shall be made for a period not higher than one year renewable once.

CHAPTER 8
RIGHTS, DUTIES AND INCOMPATIBILITIES

Article 50
Vacation and resting days

1. In each calendar day, the justice employee is entitled to a vacation time identical to that foreseen in the general regime for the civil service added with as many resting days as the number of days of shift work rendered on a holiday the previous year.
2. The period of vacation and resting days shall be taken, although in an interpolated way, during the judicial vacation time, unless otherwise permitted upon a justified reason.
3. Until the end of May each year, the heads of office shall organize, upon previous consultation of the employees, the staff's vacation schedules, herein including the resting days not yet taken, which have to be ratified by the respective judge administrator, district attorney or district public defender.
4. In case the service's needs impose it, the judge administrator, the district attorney or the district public defender to whom the employee reports may determine his return into service, without detriment of his entitlement to take the full yearly vacation and resting time.
5. The justice employee shall report to his superior his absence for vacation and for taking his resting days, indicating the place where he may be found.

Article 51
Travel expenses

1. The justice employee is entitled to get back the travel expenses incurred for him and members of his household, as well as the freight charges for his personal effects, whenever he is promoted, transferred or placed at a court's office for whatever reason but a disciplinary one.
2. The reimbursement amount referred to in the previous number may not be higher than the employee's basic salary.
3. The provision laid down in No 1 shall not apply to such cases where the move is due to a swap.
4. The expenses reimbursement request shall be presented within three months at the latest from the date of the incurring of such expenditure.

Article 52
Special entitlements

Process servers are especially entitled for:

- a) Freely accessing public places and moving therein for professional reasons;
- b) Being exempt from court costs in any legal proceedings of which they are a main or an accessory party, on account of the fulfilling of their functions.

Article 53
Residence

The justice employees shall reside at the place where the court they serve is located.

Article 54
Absence

1. Justice employees may not go out of their office during business hours unless for a professional reason.
2. The process server who takes part in a judicial act may not go out of his office before that one has been finished, unless he has been replaced by another process server under permission from the magistrate who chairs the mentioned act.
3. In case employees have been given due permission to be absent from work, they shall previously inform their superior thereof and indicate the place where they may be found.
4. In case the urgent absence need does not allow the employee's superior to be previously informed, the employee shall inform him as soon as possible and present the respective justification.
5. The senior judicial secretary, the senior secretary to the prosecuting attorneys department, the senior secretary to the public defenders department, the judicial secretary, the secretary to the prosecuting attorneys department and the secretary to the public defenders department shall report to the competent services until the 5 of each month all absences from work occurred in the previous month as far as the justice employees under their direction are concerned.

Article 55
Duties

1. Justice employees are liable to the general duties of the public administration's employees.
2. Justice employees are also bound to the following specific duties:
 - a) Not to make any declarations or comments on legal proceedings, without detriment to the rendering of information strictly resulting from their functions;
 - b) To aid with the overall service, irrespective of the position they fulfill and the career to which they belong;
 - c) To aid in the interns training;

d) To attend the training sessions to which they have been called;

e) Process servers heading offices shall be faithful receivers of the archive, the valuables, the files, the movables and the objects related to them;

f) Process servers referred to in the previous paragraph shall also be faithful receivers within their services of the movables, the objects and the materials made available by the State for the use of Judges, Prosecuting Attorneys and Public Defenders.

g) Process servers referred to in the previous paragraph shall draw up and check the inventory after entering into office.

3. Judicial employees shall wear a cloak following the model approved by the President of the Court of Appeal, to be provided by the office from the courts' budget, at the court sessions and hearings they have to attend.

Article 56 **Incompatibilities**

1. The incompatibilities regime for the civil service shall apply to the process servers.

2. Process servers shall also be forbidden to:

a) Perform his duties at the same court or jurisdiction as any judge or prosecuting attorney to whom they may be attached by marriage or cohabitation, blood relationship or affinity in any degree of the direct line or until the second degree of the collateral line;

b) Serve as a member of a jury.

CHAPTER 9 **PERFORMANCE RATING AND** **PERFORMANCE INFORMATION**

Article 57 **Performance rating**

1. Process servers shall be rated "Very Good", "Good with Distinction", "Good", "Satisfactory" or "Not Satisfactory", accordingly to their merits.

2. Competence for rating justice employees belongs to the Superior Council of Judicature, the Superior Council of the Prosecuting Attorneys Department or the equivalent top organ for the Public Defenders Department, as per the institution where the process server renders his service.

Article 58 **Effects**

1. The "Non Satisfactory" rating shall involve the process server's suspension and the opening of an inquiry for ineptitude in performing his responsibilities.

2. Suspension shall last until the final decision of the inquiry or of the subsequent disciplinary proceeding and shall not involve the loss of pay or seniority.

Article 59 **Elements to be considered**

1. Process server's rating shall take into account the following elements:

- a) His preparation and capability to perform his job;
- b) The quantity and quality of the work accomplished by him;
- c) His technical and intellectual preparation;
- d) His spirit of initiative and collaboration;
- e) His ability to carry out procedural acts;
- f) The efforts he puts into his work;
- g) His professional relationship with his superiors, colleagues and the public;
- h) His punctuality and assiduity;
- i) His personal development with regard to the Portuguese and Tetum languages and to professional deontology;
- j) His participation to training sessions relevant for his job and the level of success gotten therein.

2. Managing and organizing abilities within their service shall count as a relevant element in rating employees nominated for leading jobs.

3. Performance ratings shall always take into consideration the job context, namely the working conditions and workflow, reports, results of inspections or disciplinary proceedings, as well as any additional elements owned by the institution to which the employee renders his service.

Article 60 **Periodicity**

1. As a general rule, process servers shall be rated each three years.

2. The rating granted more than three years ago shall remain valid, unless the delay is imputable to the process server.

Article 61 **Inspections**

Process servers' rating shall follow an inspection carried out by the Superior Council of Judicature, the Superior Council of the Prosecuting Attorneys Department or the equivalent top organ for the Public Defenders Department.

Article 62 **Nomination for a limited period**

Process servers nominated for a limited period shall be rated in case the inspective organ has enough elements or is able to get them and orders the indispensable inspection.

Article 63 **Previous consultation**

Before being granted the respective rating, justice employees shall be notified to give their opinion, within 10 working days, on the content of the respective inspection report.

Article 64 **Performance report**

1. Without detriment to what is provided in the previous articles, by the end of each year it shall be issued a performance report on each process server aimed at assessing the way how he has served during that time period, in terms mainly of productivity, commitment and assiduity.

2. At the Court of Appeal, Attorney General's House and General Public Defender's House, the performance report shall be issued by the one indicated by the President of the Court of Appeal, the Attorney General or the General Public Defender, and, at the courts, District Attorneys' Houses and District Public Defenders' Houses, it shall be issued by the respective judge administrator, District Attorney or District Public Defender, upon consultation, in every case, of the head of the office and the one of the section, if any, and once other elements deemed to be relevant have been gathered.

3. For the purposes of the performance report, the process server may be rated "Very Good", "Good with Distinction", "Good", "Satisfactory" or "Not Satisfactory", accordingly to the criteria laid down in No 1.

4. The performance report shall only become effective after being ratified by the head of the Courts, of the Prosecuting Attorneys Department or of the Public Defenders Department, as the case may be.

5. In case, for the purposes of the present decree-law, the performance rating has to be taken into account but the process server is not yet rated or has not gotten his rating's update for at least the last 3 years, his performance rating may be replaced by his last performance report provided the latter is more updated than the former.

CHAPTER 10 SENIORITY

Article 65 Seniority in a category

1. The justice employees' seniority in a category shall be counted from the publication date of the nomination dispatch in the State's official gazette.

2. In case a plurality of employees has been nominated by dispatches published on the same date, seniority shall be determined by the order of publication.

3. The publication order obeys the rank for nomination.

4. In cases of category transition, seniority shall correspond to the time period of service rendered in both categories.

5. The time period corresponding to the service provided as a senior judicial secretary, senior secretary to the prosecuting attorneys department, senior secretary to the public defenders department,

judicial secretary, secretary to the prosecuting attorneys department and secretary to the public defenders department shall count for seniority purposes within the original category.

Article 66 Interim office

1. The time period corresponding to the service provided by the justice employee in a interim position shall count for seniority purposes provided there is no interval between the interim situation and the definitive nomination or, as an alternative, he is definitively nominated at the first distribution occurred once his interim status has ceased.

2. The time period relevant for seniority purposes referred to in the previous number shall start from the moment that the employee nominated for an interim position meets the requirements demanded for a definitive nomination.

CHAPTER 11 PAY REGIME

Article 67 Salary range

1. Process servers' salaries are reported in Table 2 hereto enclosed as an integral part of the present law.

2. The process server nominated for an interim position of a category higher than his shall be paid the salary corresponding to his category added with 20 percent of the basic salary for the lower class of the filled category, but the resulting total amount may not exceed the latter's value.

3. The salaries rises for public employees under the general regime shall apply to process servers.

Article 68 Subsistence allowance

1. In travelling in duty to a district other than the one where the court he serves is located, the process server shall be entitled to the subsistence allowance foreseen under the civil service regime added with 30 percent of its value for food purposes.

2. The provision of the previous number shall also apply for travelling in duty to another sub-district within the district where the court in question is located in case the distance to be travelled is higher than 15 km.

Article 69 Change of situation

In case an employee has been nominated into a new category or position, he shall be entitled to be paid the same as for his previous situation until he accepts nomination.

CHAPTER 12 DISCIPLINARY REGIME

Article 70
Disciplinary responsibility

Process servers are disciplinary responsible in terms of the general regime for public administration's employees and agents and of the following articles.

Article 71
Disciplinary offense

It shall be treated as a disciplinary offense every act or omission, although just negligent, performed by the justice employee and infringing his general or special professional duties, as well as every act or omission belonging to his public life or affecting it which is deemed incompatible with his office's dignity.

Article 72
Suspension

Besides the effects resulting from general law, the suspension penalty originates:

- a) The cease of the interim position, in case the offense has been accomplished in this situation;
- b) The transfer, in case the justice employee may not remain in the same milieu where he carried out his duties when the offense has occurred without compromising the reputation demandable in him;
- c) The impossibility of being promoted or admitted to the test for career progression for one year from the offense date, in case the suspension penalty is higher than 120 days.

Article 73
Inactivity

Besides the effects resulting from general law, the inactivity penalty originates the effects referred to in the previous article, but the impossibility of being promoted or admitted to the test for career progression shall last for two years.

Article 74
Process servers' promotion

1. During the criminal or disciplinary proceeding, the process server shall be ranked for promotion, but he shall be nominated to fill an interim vacancy until the proceeding has been completed.

2. If the case has been dismissed, the defendant pronounced not guilty or the inflicted penalty does not affect promotion, provisional nomination shall turn into a definitive one and the time period of service rendered in the interim position shall count as provided in the new category.

3. In the remaining cases, the employee shall return to his original position.

Article 75
Disciplinary proceeding

1. The opening of a disciplinary proceeding against a process server and the imposing of the corresponding

sanction are incumbent on the Superior Council of Judicature, the Superior Council of the Prosecuting Attorneys Department or the equivalent top organ for the Public Defenders Department, as per the institution where the process server renders his service.

2. The competent authority shall nominate a person in charge for the disciplinary proceeding in case it has no inspector or inspection service of its own.

3. The appeal lodged against the decisions made in the disciplinary proceeding has no suspensive effect.

Article 76
Autonomy of the disciplinary proceeding

1. The disciplinary proceeding is independent from the criminal one.

2. In case the disciplinary proceeding points out the existence of a criminal offense, the Prosecuting Attorneys Department shall be immediately informed thereof.

Article 77
Preventive suspension

1. The justice employee accused in a disciplinary proceeding may become preventively suspended from duty provided there are strong indications that his offense would be punished with at least the suspension penalty and as long as the follow-up of the effective service would be harmful to the investigation relating to the proceeding, to the service or to the position's reputation and dignity.

2. The preventive suspension shall be implemented so as to ensure the protection of the justice employee's personal and professional dignity.

3. Preventive suspension may not exceed 180 days, shall result in loss of pay for service not effectively rendered and shall not prevent the respective time period of service from being counted.

4. The loss of pay for service not effectively rendered shall be made up for or taken into consideration by the competent entity once the proceeding has been completed.

Article 78
Nomination of a defender

1. The entity competent for the disciplinary proceeding shall request the Public Defenders Department for the nomination of a defender in case the accused is unable to prepare his defense by reason of absence, illness, psychic anomaly or physical inability.

2. In case the defender has been nominated after the date on the accusation notification, he shall be notified of the delayed deadline to provide defense for the accused.

**OTHER PROVISIONS ON JUSTICE
EMPLOYEES**

**Article 79
Subsidiary law**

The current civil service regulations shall subsidiarily apply to the working population of justice employees and the retired ones.

**Article 80
Irreducibility of pay**

The reduction in the current salary level of any justice employee shall not be possible as a result of implementing the present statute as long as he remains carrying out his current duties.

**Article 81
Equivalence rules for the current process servers**

1. The current judicial administrators shall provisionally perform the function of judicial secretary, secretary to the prosecuting attorneys department and secretary to the public defenders department during a 2-year period following the entry into force of the present decree-law.

2. After the period mentioned in the previous number, nomination for the positions referred to therein shall be made in terms of this law.

3. The current employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department holding the salary level 4 shall move into the position of first-class judicial clerk, first-class clerk to the prosecuting attorneys department or first-class clerk to the public defenders department at the same institution where they are currently placed.

4. The current employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department holding the salary level 3 shall move into the position of second-class judicial clerk, second-class clerk to the prosecuting attorneys department or second-class clerk to the public defenders department at the same institution where they are currently placed.

5. The current employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department holding the salary level 2 shall move into the position of third-class judicial clerk, third-class clerk to the prosecuting attorneys department or third-class clerk to the public defenders department at the same institution where they are currently placed.

**Article 82
Tests for career progression of the current process servers**

1. Within the time limit of one year from the entry into force of this statute, it shall be issued performance reports and organized tests so as to the current employees of the Courts, of the Prosecuting

Attorneys Department and of the Public Defenders Department may have access to the positions of:

a) Third-class auxiliary chief clerk, third-class auxiliary technician of the prosecuting attorneys department or third-class auxiliary assistant to the public defenders department at the same institution where they are currently placed;

b) First-class judicial clerk, first-class clerk to the prosecuting attorneys department or first-class clerk to the public defenders department at the same institution where they are currently placed;

c) Second-class judicial clerk, second-class clerk to the prosecuting attorneys department or second-class clerk to the public defenders department at the same institution where they are currently placed.

2. The employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department, regardless of the category they hold as a result of the previous article, may apply to the tests for the positions referred to in the previous number, paragraph a), provided they have been rated "Good" in the respective performance report.

3. The employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department holding the category of second-class and third-class judicial clerk, second-class and third-class clerk to the prosecuting attorneys department or second-class and third-class clerk to the public defenders department may apply to the tests for the positions referred to in No 1, paragraph b), provided they have been rated "Good" in the respective performance report.

4. The employees of the Courts, of the Prosecuting Attorneys Department and of the Public Defenders Department holding the category of third-class judicial clerk, third-class clerk to the prosecuting attorneys department or third-class clerk to the public defenders department may apply to the tests for the positions referred to in No 1, paragraph c), provided they have been rated "Good" in the respective performance report.

5. The employees having temporarily served at the Courts, the Prosecuting Attorneys Department and the Public Defenders Department for a time period not less than 6 months may also apply to the tests referred to in the previous numbers provided they meet the requirements concerning category and performance report's rating foreseen thereunder.

**Article 83
Justice employees except process servers**

1. The existing staff vacancies for justice employees not included in the process servers' group shall be filled following a competition open upon decision of the respective head.

2. The positions referred to in the previous number may be filled by temporary personnel upon decision of the respective head.

3. Process servers may apply for the positions under competition in terms of the previous numbers.

4. In case service's needs advise it, the respective head may place a process server serving in an administrative position consonant with his category for a 1-year period renewable.

5. The one who has been placed in terms of the previous number shall keep all rights and privileges relative to his original category except those directly related to the rendering of effective service.

Article 84
Positions filled by interim employees

1. In case there is an urgent need in filling a certain category within any process servers' career and no interested person meeting the requirements therefor, the employee failing to fulfill these requirements or any of them may be provisionally nominated for the position, with preference having to be given to the employee holding the immediately lower category, the higher performance rating and, in case of equal conditions, the higher seniority within the category.

2. Placement as an interim employee shall last for one year and, as long as the position is not filled properly, may be renewed for equal periods of time in case the nominated one proves his ability for the job.

3. The position filled by an interim employee shall undergo a competition each 2 years when a process servers' distribution takes place, but the interim one may request his definitive nomination at any time provided he has already met all needed requirements.

Article 85
Non-Timorese process servers

1. In case the needs concerning services' functioning and the training of Timorese process servers advise it, non-Timorese process servers may be admitted through documentary competition for serving at the courts, the prosecuting attorneys department and the public defenders department upon decision of the respective head.

2. The provisions of the present statute shall apply, with the pertinent adaptations, to the process servers admitted in terms of the previous number.

Article 86
Disciplinary proceeding

The present decree-law shall only apply to the proceedings open from the date of its entry into force no matter the moment offense has been made.

CHAPTER 14
SERVICES AND STAFF POSITIONS FOR THE
OFFICES OF THE COURTS, OF THE
PROSECUTING ATTORNEYS DEPARTMENT
AND OF THE PUBLIC DEFENDERS
DEPARTMENT

Article 87
Court of Appeal's Office

1. The Court of Appeal comprises the following services:

- a) Private Office of the President of the Court of Appeal, providing him with direct support;
- b) Judicial office, providing services referring to the judicial proceedings dealt with by the Court of Appeal;
- c) National office for administration and finance, which is split up into an administrative department, providing services referring to administrative subjects and led by a department chief, and a financial department, providing services referring to the budget of the courts and of the Superior Council of Judicature and led by a department chief as well.

2. The judicial office and the national office for administration and finance shall be respectively headed by a senior judicial secretary and an office's head, both of them under the supervision of the President of the Court of Appeal or of a judge judicial administrator nominated by this one.

3. The services referred to in the previous numbers shall have the staff positions reported in Table 3 hereto enclosed as an integral part of the present law.

Article 88
Office of the district court

1. The office of each district court shall be headed by a judicial secretary, under the supervision of the judge administrator, and shall have the staff positions reported in Table 3 hereto enclosed.

2. The office of the District Court of Dili and the office of the District Court of Baucau comprise each one the following services:

- a) A central section, under the direction of the judicial secretary;
- b) A criminal section, providing services referring to criminal proceedings, criminal misdemeanor proceedings and proceedings for administrative offenses, led by a chief clerk or, lacking him, by a deputy chief clerk;
- c) A civil section, providing services referring to civil proceedings and other proceedings not concerning crimes, misdemeanors or administrative offenses, led by a chief clerk or, lacking him, by a deputy chief clerk.

3. At the remaining district courts, where there are no specialized sections, it shall be incumbent on the judge administrator to decide on the service organization and distribution so as to ensure the good functioning of the service.

Article 89
Office of the Superior Council of Judicature

The office of the Superior Council of Judicature shall have the staff positions reported in Table 3 hereto enclosed.

Article 90
Office of the Attorney General's House

1. The Attorney General's House comprises the following services:

- a) Private Office of the Attorney General, providing him with direct support;
- b) Proceedings office, providing services referring to the proceedings dealt with by the Attorney General's House;
- c) National office for administration and finance, which is split up into an administrative department, providing services referring to administrative subjects and led by a department chief, and a financial department, providing services referring to the budget of the Prosecuting Attorneys Department and of the Superior Council of the Prosecuting Attorneys Department and led by a department chief as well;

2. The proceedings office and the national office for administration and finance shall be respectively headed by a senior secretary to the prosecuting attorneys department and an office's head, both of them under the supervision of the Attorney General or of the Deputy Attorney General.

3. The services referred to in the previous numbers shall have the staff positions reported to in Table 3 hereto enclosed.

Article 91
Office of the district attorney's house

1. The office of each district attorney's house shall be headed by a secretary to the prosecuting attorneys department, under the supervision of the district attorney, and shall have the staff positions reported in Table 3 hereto enclosed.

2. The office of the District Attorney's House of Dili comprises the following services:

- a) A central section, under the direction of the secretary to the prosecuting attorneys department;
- b) A criminal section, providing services referring to criminal proceedings, criminal misdemeanor proceedings and proceedings for administrative offenses and led by a technician of the prosecuting attorneys department or, lacking him, by a deputy technician of the prosecuting attorneys department;
- c) A civil section, providing services referring to civil proceedings and other proceedings not concerning crimes, misdemeanors or administrative offenses and led by a technician of the prosecuting attorneys department or, lacking him, by a deputy technician of the prosecuting attorneys department.

3. At the remaining district attorneys' houses, where there are no specialized sections, it shall be incumbent to the district attorney to decide on the service organization and distribution so as to ensure the good functioning of the service.

Article 92

Office of the Superior Council of the Prosecuting Attorneys Department

The office of the Superior Council of the Prosecuting Attorneys Department shall have the staff positions reported in Table 3 hereto enclosed.

Article 93
Office of the General Public Defender's House

1. The General Public Defender's House comprises the following services:

- a) Private Office of the General Public Defender, providing him with direct support;
- b) National office for administration and finance, which is split up into an administrative department, providing services referring to administrative subjects and led by a department chief, and a financial department, providing services referring to the budget of the Public Defenders Department and of the Superior Council of the Public Defenders Department and led by a department chief as well.
- c) Proceedings office, which is split up into a central section, under the direction of a senior secretary to the public defenders department, a criminal section, providing services referring to criminal proceedings, criminal misdemeanor proceedings and proceedings for administrative offenses and led by an assistant to the public defenders department, and a civil section, providing services referring to civil proceedings and other proceedings not concerning crimes, misdemeanors or administrative offenses and led by an assistant to the public defenders department or, lacking him, by a deputy assistant to the public defenders department.

2. The proceedings office and the national office for administration and finance shall be respectively headed by a senior secretary to the public defenders department and an office's head, both of them under the supervision of the General Public Defender.

3. The services referred to in the previous numbers shall have the staff positions reported in Table 3 hereto enclosed.

Article 94
Office of the district public defender's house

The office of each district public defender's house, except that of Dili, shall be headed by a secretary to the public defenders department, under the supervision of the district public defender, and shall have the staff positions reported in Table 3 hereto enclosed.

Article 95
Office of the Superior Council of the Public Defenders Department

The office of the Superior Council of the Public Defenders Department shall have the staff positions reported in Table 3 hereto enclosed.

Article 96
Power of supervision

The content of the staff positions reported in Table 3 hereto enclosed shall not prevent the President of the Court of Appeal, the Attorney General, the General Public Defender, the judge administrator, the district attorney and the district public defender from distributing both the personnel and the service so as to ensure the best use of resources and the service efficiency.

Article 97
Modification of tables' content

The base level 100 of the salary table reported in Table 2 hereto enclosed as an integral part of the present law and the staff positions reported in Table 3 hereto enclosed as well may be modified by means of a joint ministerial regulation from the Minister of Finance and the Minister of Justice.

TABLE 1

It shall be kept for the following process servers and judicial employees the competences foreseen under the present statute and its regulations and the carrying out of the duties belonging to their job and the remaining ones provided by law or order, namely:

1. It shall be incumbent on the senior judicial secretary:
 - To run the office of the Court of Appeal, under the instructions of its judge administrator;
 - To direct, under the instructions of the judge administrator of the Court of Appeal, the drawing up of the Courts' and the Superior Council of Judicature's budget;
 - To control, under the instructions of the judge administrator of the Court of Appeal, the planning and use of the budget money allocated to the Courts and the Superior Council of Judicature;
 - To direct, under the instructions of the judge administrator of the Court of Appeal, the drawing up of the yearly activity plan of the Courts, as well as the respective reports;
 - To replace the judicial secretary and the chief of the administrative and financial section in their absences;
 - To assist the President of the Court of Appeal and its judge administrator, if any, in performing their administrative functions;
 - To report to his superior and to the entity vested with disciplinary competence any fact he is aware of that can originate a disciplinary proceeding, an inquiry or an investigation;
 - To make the performance assessment of and to yearly rate the personnel under his responsibility;
 - To organize the work shifts for the process servers under his responsibility, to mark them absent and to watch over their compliance therewith;
- To control the observance of the work schedule, namely by assuring that the book of attendance faithfully reflects the precise time of arriving and leaving for each employee, putting it to be signed at the arriving and leaving time and drawing an ending line therein once the time determined for that purpose is over;
- To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;
- To exchange mail with public and private entities on subjects referring to the functioning of the court, under delegation of the respective head;
- To submit to the decision of the court's head the affairs under the latter's competence;
- To present the proceedings' files and documentation for distribution;
- To provide for the good keeping of the court's facilities and equipments;
- To direct the organization of the statistics related to the courts' proceedings;
- To fulfill the remaining duties conferred to him by law or superior order.

 2. It shall be incumbent on the judicial secretary to the judicial section of the Court of Appeal to run its judicial office and to provide for its good functioning, namely:
 - To lead, to boost, to direct, to follow, to assess and to monitor the services of the judicial office under his responsibility;
 - To take part in the drawing up of the budget proposals for the courts and for the court's fund;
 - To strive close to the responsible entity for the use of the budget money allocated to the courts so that the section may have the facilities, the equipments and the goods and services necessary to its functioning;
 - To exchange mail with public and private entities on subjects referring to the functioning of the court and to the normal course of the proceedings, under delegation of the respective magistrate;
 - To distribute the service among the employees, under the instructions of the judge administrator;
 - To make a good use of and to render accounts for the money received from the service competent for managing the courts' budget;

- To present the proceedings' files and documentation for distribution;
 - To submit to the decision of the magistrate to whom he reports the affairs and proceedings which require it;
 - To distribute the service among the remaining employees serving in the office under his direct responsibility;
 - To calculate the proceedings' costs;
 - To ensure compliance with the legal or judicial deadlines for accomplishing procedural acts and steps, especially by the personnel under his responsibility;
 - To ensure the quick execution of the external communication acts, especially those which must be carried outside the district or abroad, namely services of process, notices, written notes and letters;
 - To execute the steps necessary to the normal course of the proceedings at their different stages, in compliance with the procedural laws and the decisions of the judge in charge of the proceeding;
 - To fulfill the chief clerk's function in his absences and impediments or in case the service's needs demand it;
 - To provide for the good keeping of the section's facilities, goods and equipments and to look after their reasonable use;
 - To organize and to keep updated the inventory of the section's goods and equipments;
 - To keep the keys and to manage the use of the vehicles assigned to the section, supervising the way they are used for the purpose of performing the external service activity;
 - To keep updated the statistical data regarding the Court of Appeal and the whole of the courts;
 - To report to his superior and to the competent organ the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;
 - To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;
 - To assess the performance of the chief clerk, deputy chief clerk, auxiliary chief clerk, judicial clerk and intern serving in the respective court;
 - To fulfill the functions assigned to process servers of a lower category, whenever it becomes necessary to do so;
 - To carry out any administrative competence assigned to the office or service under his direct responsibility in case it is not kept by law or superior decision for another public servant;
 - To fulfill the remaining duties conferred to him by law or superior order.
3. It shall be incumbent on the head of the national office for administration and finance, together with the office's department chiefs:
- To prepare the yearly budget project for the courts;
 - To plan and to make good use of the budget money allocated to the courts and the Superior Council of Judicature so that these ones may have the facilities, the equipments and the goods and services necessary to their functioning;
 - To administer, to maintain and to preserve the facilities, the equipments and the goods and services of the courts and of the Superior Council of Judicature and the contracts for the supply of goods and services, as well as to draw up and to keep updated the respective inventory;
 - To draw up the yearly activity plan for the courts, as well as the respective reports, in connection with the remaining services;
 - To plan, to direct and to carry out the management of the courts' human resources, namely the recruitment, hiring, training, follow-up, assessment, promotion and retirement;
 - To process the payroll with regard to the courts' employees;
 - To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;
 - To draw up the security plans for the courts' personnel and material resources;
 - To provide for the purchase and supply of goods and services for the benefit of the Court of Appeal, the district courts and the Superior Council of Judicature;
 - To provide for the guard and the good keeping of the courts' goods, facilities and equipments and to look after their reasonable use;
 - To provide for the security of the Court of Appeal's building and of the persons and goods related thereto;

- To exchange mail with public and private entities on administrative, financial and personnel matters and on any other subject referring to the functioning of the court, under delegation of the Court of Appeal's judge administrator;

- To submit to the decision of the Court of Appeal's judge administrator the affairs under the latter's competence;

- To provide for the good keeping of the court's goods, facilities and equipments;

- To run the library and to look after the good keeping of the court's archive;

- To fulfill the remaining duties conferred to him by law or superior order.

4. It shall be incumbent on the judicial secretary to run the judicial office and to provide for its good functioning, namely:

- To lead, to boost, to direct, to follow, to assess and to monitor the services of the judicial office under his responsibility;

- To control the activity of the court's fund under his responsibility and to register its receipts and expenses;

- To register the expenses made on the office's behalf;

- To take part in the drawing up of the budget proposals for the courts and for the court's fund;

- To strive close to the responsible entity for the use of the budget money allocated to the courts so that the court may have the facilities, the equipments and the goods and services necessary to its functioning;

- To exchange mail with public and private entities on subjects referring to the functioning of the court and to the normal course of the proceedings, under delegation of the respective magistrate;

- To distribute the service among the employees, under the instructions of the judge administrator;

- To make a good use of and to render accounts for the money received from the service competent for managing the courts' budget;

- To present the proceedings' files and documentation for distribution;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings which require it;

- To distribute the service among the remaining employees serving in the office under his direct responsibility;

- To personally carry out the counting of proceedings and separate documents;

- To ensure compliance with the legal or judicial deadlines for accomplishing procedural acts and steps, especially by the personnel under his responsibility;

- To ensure the quick execution of the external communication acts, especially those which must be carried out outside the district or abroad, namely services of process, notices, written notes and letters;

- To execute the steps necessary to the normal course of the proceedings at their different stages, in compliance with the procedural laws and the decisions of the judge in charge of the proceeding;

- To fulfill the chief clerk's duties whenever the office's staff positions do not foresee the position of chief clerk or in case the service's needs demand it;

- To provide for the good keeping of the court's facilities, goods and equipments and to look after their reasonable use;

- To organize and to keep updated the inventory of the court's goods and equipments and of the magistrates' homes located in the court's area of jurisdiction;

- To keep the keys and to manage the use of the official vehicles, supervising the way they are used for the purpose of performing the external service activity;

- To keep updated the statistical data regarding the court and to send them periodically to the Court of Appeal's competent service;

- To report to his superior and to the competent organ the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;

- To organize the work shifts for the process servers under his responsibility, to mark them absent and to watch over their compliance therewith;

- To control the observance of the work schedule, namely by assuring that the book of attendance faithfully reflects the precise time of arriving and leaving for each employee, putting it to be signed at the arriving and leaving time and drawing an ending line therein once the time determined for that purpose is over;

- To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;

- To assess the performance of the chief clerk, deputy chief clerk, auxiliary chief clerk, judicial clerk and intern serving in the respective court;

- To fulfill the functions assigned to process servers of a lower category, whenever it becomes necessary to do so;

- To carry out any administrative competence assigned to the office or service under his direct responsibility in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

5. It shall be incumbent on the chief clerk:

- To guide, to direct, to supervise and to perform the activities undertaken by the section, accordingly to its powers;

- To assist the judicial secretary in performing his function;

- To replace the judicial secretary in his absences and impediments;

- To exchange mail with public and private entities, whether Timorese or foreign ones, on subjects referring to the functioning of the court and to the course of the proceedings under his direct control, upon delegation of the respective magistrate;

- To personally undertake, in case the judicial secretary has not done it, the running, the boosting, the direction, as well as the follow-up, the distribution and the procedural course of the legal cases dealt with by the office or section he serves, looking after the compliance with the legal or judicial deadlines for accomplishing procedural acts and steps by the personnel under his responsibility;

- To lead, in connection with the judicial secretary, the distribution of duties among the remaining employees serving in the office under his direct responsibility;

- To distribute the service assigned to him by the judicial secretary among the remaining employees serving in the office or section under his direct responsibility;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings requiring it that have been distributed to the latter or fall under his competence;

- To aid the secretary in the counting of proceedings and separate documents or, lacking him, to personally undertake that job;

- To calculate the proceedings' costs;

- To keep updated the information data referring to proceedings whose costs have not yet been paid;

- To timely start a proceeding aiming at the costs coercive payment in case of non-compliance,

supporting and providing the prosecuting attorney with the information data and elements he needs;

- To personally undertake the headship, the running, the boosting, the direction, as well as the follow-up and the monitoring of the service for external communication acts, especially focused on those which must be carried out outside the district or abroad, namely services of process, notices, written notes and letters;

- To organize and to keep updated the statistical tables and to send them to the Court of Appeal;

- To personally undertake, in connection with the judicial secretary, the management and planning of the official vehicles' use and to supervise the way they are used for the purpose of performing the external service activity;

- To report to the judicial secretary with whom he works the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;

- To back the judicial secretary up as for the observance of the work schedule and of the scheduled service by the employees serving in the office;

- To prepare the employees' declarations of entrance into office and other documents assigned to him by the judicial secretary;

- To carry out any administrative competence assigned to the office where he serves which has been distributed to him by the judicial secretary, in case it is not kept by law for another public servant;

- To organize the statistical tables, in case this duty is not kept by law for another public servant;

- To register the receipts and expenses of the court's fund and to perform all the other tasks and services having been distributed to him by the judicial secretary or magistrate;

- To register the expenses made on the office's behalf, in case this duty is not kept by law for another public servant;

- To fulfill the functions assigned to process servers of a lower category under his responsibility, whenever it becomes necessary to do so;

- To assess the performance of the deputy chief clerk, auxiliary chief clerk, judicial clerk and intern under his responsibility;

- To fulfill the remaining duties conferred to him by law or superior order.

6. It shall be incumbent on the deputy chief clerk:

- To carry out the competences assigned to the respective section, under the instructions of the chief clerk;

- To fulfill the function kept for the chief clerk in case there is no such chief clerk placed at the office where he serves;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings requiring it having been distributed to the latter;

- To fulfill the functions assigned to the auxiliary chief clerk and to the judicial clerk, whenever it becomes necessary to do so;

- To prepare mail and to send it;

- To receive, to classify, to register, to direct mail and to archive the received one;

- To write down the court's writs and to proceed with their immediate distribution in view of their enforcement, in terms of the procedural law;

- To personally undertake the writing down of procedural pieces and acts or of any other document having been distributed to him;

- To give magistrates the necessary assistance, namely in the court's sessions or procedural steps in which they intervene;

- To carry out the service that has been distributed to him by his superiors;

- To register and to deal with the proceedings, in terms of the applicable law;

- To draw up certificates and other documents having been requested to him by means of a previous dispatch;

- To ensure compliance with deadlines set by law or by the competent magistrate in the course of the proceedings;

- To control the compliance with deadlines for enforcing court's writs having been distributed to the process servers as regards the proceedings assigned to him for him to deal with;

- To serve the court's customers, giving them all the information they request as permitted by law, provided it does not affect the professional secrecy, the sub judice rule and the goal of the procedural steps to be carried out;

- To provide, under the direction of the judicial secretary or chief clerk, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the functions assigned to the auxiliary chief clerk and to the judicial clerk in their absences or in case the service's needs demand it;

- To carry out any administrative competence assigned to the office having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

7. It shall be incumbent on the auxiliary chief clerk:

- To carry out the competences assigned to the respective section, under the instructions of the judicial secretary or, lacking him, of the chief clerk or deputy chief clerk;

- To assist the chief clerk and the deputy chief clerk in performing their functions;

- To fulfill the function kept for the deputy chief clerk in case there is no such deputy chief clerk placed at the office where he serves;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To prepare the sending of mail and to make it delivered and received;

- To give magistrates the necessary assistance, namely in the court's sessions or procedural steps in which they intervene;

- To secure the peaceful course of the court's sessions and procedural steps;

- To provide, under the direction of the responsible superior, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the remaining duties conferred to him by law or superior order.

8. It shall be incumbent on the judicial clerk:

- To carry out the competences assigned to the respective section, under the instructions of the judicial secretary or, lacking him, of the chief clerk, deputy chief clerk or auxiliary chief clerk;

- To assist the deputy chief clerk and the auxiliary chief clerk in performing their functions;

- To fulfill the procedural functions kept for the deputy chief clerk and the auxiliary chief clerk which stand within the limits of his technical and professional capabilities;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs upon a magistrate's decision;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To render the service that has been distributed to him by his superiors;

- To give magistrates the necessary assistance, namely in the court's sessions or procedural steps in which they intervene;

- To secure the peaceful course of procedural acts and steps chaired by magistrates;

- To provide, under the direction of the judicial secretary or chief clerk, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To carry out any duty having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

9. It shall be incumbent on the secretary to the Superior Council of Judicature:

- To perform the function of the senior judicial secretary with the pertinent adaptations;

- To carry out the duties conferred by the legal regime for judges to the secretary-accountant and to the inspection secretary;

- To fulfill the remaining duties conferred to him by law or superior order.

10. It shall be incumbent on the senior secretary to the prosecuting attorneys department:

- To run the services of the office of the Attorney General's House, under the instructions of the Attorney General or of the Deputy Attorney General;

- To direct the drawing up of the Prosecuting Attorneys Department's budget, under the instructions of the Attorney General or of the Deputy Attorney General;

- To control, under the instructions of the Attorney General or of the Deputy Attorney General, the

planning and use of the budget money allocated to the Prosecuting Attorneys Department;

- To direct, under the instructions of the Attorney General or of the Deputy Attorney General, the drawing up of the yearly activity plan for the Prosecuting Attorneys Department, as well as the respective reports;

- To replace the secretary to the prosecuting attorneys department and the chief of the administrative and financial section in their absences;

- To assist the Attorney General and the Deputy Attorney General in performing their administrative functions;

- To report to his superior and to the entity vested with disciplinary competence any fact he is aware of that can originate a disciplinary proceeding, an inquiry or an investigation;

- To make the performance assessment of and to yearly rate the personnel under his responsibility;

- To organize the work shifts for the process servers under his responsibility, to mark them absent and to watch over their compliance therewith;

- To control the observance of the work schedule, namely by assuring that the book of attendance faithfully reflects the precise time of arriving and leaving for each employee, putting it to be signed at the arriving and leaving time and drawing an ending line therein once the time determined for that purpose is over;

- To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;

- To exchange mail with public and private entities on subjects referring to the functioning of the Attorney General's House, under delegation of the respective head;

- To submit to the decision of the respective magistrate the affairs under the latter's competence;

- To provide for the good keeping of the House's facilities and equipments;

- To direct the organization of the statistics related to the proceedings of the Prosecuting Attorneys Department;

- To fulfill the remaining duties conferred to him by law or superior order.

11. It shall be incumbent on the secretary to the prosecuting attorneys department:

- To lead, to boost, to direct, to follow, to assess and to monitor the services of the office of the district attorney's house under his responsibility;

- To register the receipts and expenses of the office of the district attorney's house;

- To strive close to the responsible entity for the use of the budget money allocated to the Prosecuting Attorneys Department so that the district attorney's house may have the facilities, the equipments and the goods and services necessary to its functioning;

- To fulfill, in the field of criminal inquiry, the function belonging to the criminal investigation organs;

- To exchange mail with public and private entities on subjects referring to the functioning of the offices of the district attorneys' houses and to the normal course of the proceedings, under delegation of the respective magistrate;

- To distribute the service among the employees, under the instructions of the district attorney;

- To make a good use of and to render accounts for the money received from the service competent for managing the budget of the Prosecuting Attorneys Department;

- To present the proceedings' files and documentation for distribution;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings which require it;

- To distribute the service among the remaining employees serving in the office under his direct responsibility;

- To ensure compliance with the deadlines for accomplishing procedural acts and steps, especially by the personnel under his responsibility;

- To ensure the quick execution of the external communication acts, especially those which must be carried out outside the district or abroad, namely notices, written notes and letters;

- To execute the steps necessary to the normal course of the proceedings at their different stages, in compliance with the procedural laws and the decisions of the competent prosecuting attorney;

- To fulfill the function of technician of the prosecuting attorneys department whenever the office's staff positions do not include such position or in case the service's needs demand it;

- To provide for the good keeping of the facilities, goods and equipments of the district attorney's house and to look after their reasonable use;

- To organize and to keep updated the inventory of the goods and equipments of the Prosecuting

Attorneys Department as well as of the magistrates' homes located in the jurisdiction area of the district attorney's house;

- To keep the keys and to manage the use of the official vehicles, supervising the way they are used for the purpose of performing the external service activity;

- To keep updated the statistical data regarding the district attorney's house and to send them periodically to the competent service of the Attorney General's House;

- To report to his superior and to the competent organ the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;

- To organize the work shifts for the process servers under his responsibility, to mark them absent and to watch over their compliance therewith;

- To control the observance of the work schedule, namely by assuring that the book of attendance faithfully reflects the precise time of arriving and leaving for each employee, putting it to be signed at the arriving and leaving time and drawing an ending line therein once the time determined for that purpose is over;

- To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;

- To assess the performance of the employees serving in the respective district attorney's office;

- To fulfill the functions assigned to process servers of a lower category, whenever it becomes necessary to do so;

- To carry out any administrative competence assigned to the office or service under his direct responsibility in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

12. It shall be incumbent on the technician of the prosecuting attorneys department:

- To guide, to direct, to supervise and to perform the activities undertaken by the section, accordingly to its powers;

- To assist the secretary to the prosecuting attorneys department in performing his function;

- To replace the secretary to the prosecuting attorneys department in his absences and impediments;

- To exchange mail with public and private entities, whether Timorese or foreign ones, on subjects referring to the functioning of the district attorney's house and to the course of the proceedings under his direct control, upon delegation of the respective magistrate;

- To personally undertake, in case the secretary to the prosecuting attorneys department has not done it, the running, the boosting, the direction, as well as the follow-up, the distribution and the procedural course of the legal cases dealt with by the office he serves, looking after the compliance with the deadlines for accomplishing procedural acts and steps by the personnel under his responsibility;

- To lead, in connection with the secretary to the prosecuting attorneys department, the distribution of duties among the remaining employees serving in the office under his direct responsibility;

- To distribute the service assigned to him by the secretary to the prosecuting attorneys department among the remaining employees serving in the office or section under his direct responsibility;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings requiring it that have been distributed to the latter or fall under his competence;

- To undertake the follow-up and the monitoring of the service for external communication acts, especially focused on those which must be carried out outside the district or abroad, namely notices, written notes and letters;

- To organize and to keep updated the statistical tables and to send them to the Attorney General's House;

- To personally undertake, in connection with the secretary to the prosecuting attorneys department, the management and planning of the official vehicles' use and to supervise the way they are used for the purpose of performing the external service activity;

- To report to the secretary to the prosecuting attorneys department with whom he works the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;

- To back the secretary to the prosecuting attorneys department up as for the observance of the work schedule and of the scheduled service by the employees serving in the office;

- To prepare the employees' declarations of entrance into office and other documents assigned to him by the secretary to the prosecuting attorneys department;

- To carry out any administrative competence assigned to the office where he serves which has been distributed to him;

- To organize the statistical tables, in case this duty is not kept by law for another public servant;

- To register the receipts and expenses of the district attorney's house, in case this duty is not kept by law for another public servant;

- To fulfill the functions assigned to process servers under his responsibility, whenever it becomes necessary to do so;

- To assess the performance of the deputy technician and auxiliary technician of the prosecuting attorneys department, clerk to the prosecuting attorneys department and intern under his responsibility;

- To fulfill the remaining duties conferred to him by law or superior order.

13. It shall be incumbent on the deputy technician of the prosecuting attorneys department:

- To carry out the competences assigned to the respective section, under the instructions of the technician of the prosecuting attorneys department;

- To fulfill the function kept for the technician of the prosecuting attorneys department in case there is no such technician placed at the office where he serves;

- To submit to the decision of the magistrate to whom he reports the affairs and proceedings requiring it having been distributed to the latter;

- To fulfill the functions assigned to the auxiliary technician of the prosecuting attorneys department and to the clerk to the prosecuting attorneys department, whenever it becomes necessary to do so;

- To prepare mail and to send it;

- To receive, to classify, to register, to direct mail and to archive the received one;

- To write down the court's writs and to proceed with their immediate distribution in view of their enforcement, in terms of the procedural law;

- To personally undertake the writing down of procedural pieces and acts or of any other document having been distributed to him;

- To give magistrates the necessary assistance, namely in the court's sessions or procedural steps in which they intervene;

- To carry out the service having been distributed to him by his superiors;

- To register and to deal with the proceedings, in terms of the applicable law;

- To fulfill, in the field of criminal inquiry, the function belonging to the criminal investigation organs;

- To draw up certificates and other documents having been requested to him by means of a previous dispatch;

- To ensure compliance with deadlines set by law or by the competent magistrate in the course of the proceedings;

- To control the compliance with deadlines for enforcing court's writs having been distributed to the process servers as regards the proceedings assigned to him for him to deal with;

- To serve the service's customers, giving them all the information they request as permitted by law, provided it does not affect the professional secrecy, the sub judice rule and the goal of the procedural steps to be carried out;

- To provide, under the direction of the secretary to the prosecuting attorneys department or technician of the prosecuting attorneys department, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the functions assigned to the auxiliary technician of the prosecuting attorneys department and to the clerk to the prosecuting attorneys department in their absences or in case the service's needs demand it;

- To carry out any administrative competence assigned to the office having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

14. It shall be incumbent on the auxiliary technician of the prosecuting attorneys department:

- To carry out the competences assigned to the respective section, under the instructions of the secretary to the prosecuting attorneys department or, lacking him, of the technician or deputy technician of the prosecuting attorneys department;

- To assist the technician and deputy technician of the prosecuting attorneys department in performing their functions;

- To fulfill the function kept for the deputy technician of the prosecuting attorneys department in case there is no such deputy technician placed at the office where he serves;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To prepare the sending of mail and to make it delivered and received;

- To give magistrates the necessary assistance, namely in the procedural steps in which they intervene;

- To secure the peaceful course of procedural acts and steps;

- To provide, under the direction of the responsible superior, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the remaining duties conferred to him by law or superior order;

15. It shall be incumbent on the clerk to the prosecuting attorneys department:

- To carry out the competences assigned to the respective section, under the instructions of the secretary to the prosecuting attorneys department or, lacking him, of the technician, deputy technician or auxiliary technician of the prosecuting attorneys department;

- To assist the deputy technician and the auxiliary technician of the prosecuting attorneys department in performing their functions;

- To fulfill the procedural functions kept for the deputy technician and the auxiliary technician of the prosecuting attorneys department which stand within the limits of his technical and professional capabilities;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs upon a magistrate's decision;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To render the service that has been distributed to him by his superiors;

- To give magistrates the necessary assistance, namely in the procedural steps in which they intervene;

- To secure the peaceful course of the procedural steps chaired by a prosecuting attorney;

- To provide, under the direction of the secretary to the prosecuting attorneys department or technician of the prosecuting attorneys department, for the

maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To carry out any duty having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order;

16. It shall be incumbent on the senior secretary to the public defenders department:

- To run the services of the office of the General Public Defender's House, under the instructions of the General Public Defender;

- To direct the drawing up of the Public Defenders Department's budget, under the instructions of the General Public Defender;

- To control, under the instructions of the General Public Defender, the planning and use of the budget money allocated to the Public Defenders Department;

- To direct, under the instructions of the General Public Defender, the drawing up of the yearly activity plan for the Public Defenders Department, as well as the respective reports;

- To assist the General Public Defender in performing his administrative functions;

- To report to his superior and to the entity vested with disciplinary competence any fact he is aware of that can originate a disciplinary proceeding, an inquiry or an investigation;

- To make the performance assessment of and to yearly rate the personnel under his responsibility;

- To organize the work shifts for the process servers under his responsibility, to mark them absent and to watch over their compliance therewith;

- To control the observance of the work schedule, namely by assuring that the book of attendance faithfully reflects the precise time of arriving and leaving for each employee, putting it to be signed at the arriving and leaving time and drawing an ending line therein once the time determined for that purpose is over;

- To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;

- To exchange mail with public and private entities on subjects referring to the functioning of the General Public Defender's House, under delegation of the respective head;

- To submit to the decision of the respective public defender the affairs under the latter's competence;

- To provide for the good keeping of the House's facilities and equipments;

- To direct the organization of the statistics related to the proceedings of the Public Defenders Department;

- To fulfill the remaining duties conferred to him by law or superior order.

17. It shall be incumbent on the secretary to the public defenders department:

- To lead, to boost, to direct, to follow, to assess and to monitor the services of the office of the district public defender's house under his responsibility;

- To register the receipts and expenses of the office of the district public defender's house;

- To strive close to the responsible entity for the use of the budget money allocated to the Public Defenders Department so that the district public defender's house may have the facilities, the equipments and the goods and services necessary to its functioning;

- To exchange mail with public and private entities on subjects referring to the functioning of the offices of the district public defenders' houses and to the normal course of the proceedings, under delegation of the respective public defender;

- To distribute the service among the employees, under the instructions of the district public defender;

- To make a good use of and to render accounts for the money received from the service competent for managing the budget of the Public Defenders Department;

- To present the proceedings' files and documentation for distribution;

- To submit to the decision of the public defender to whom he reports the affairs and proceedings which require it;

- To distribute the service among the remaining employees serving in the office under his direct responsibility;

- To ensure compliance with the deadlines for accomplishing procedural acts and steps, especially by the personnel under his responsibility;

- To ensure the quick execution of the external communication acts, especially those which must be carried out outside the district or abroad, namely notices, written notes and letters;

- To execute the steps necessary to the normal course of the proceedings at their different stages, in compliance with the procedural laws and the decisions of the competent public defender;
 - To fulfill the function of assistant to the public defenders department whenever the office's staff positions do not include such position or in case the service's needs demand it;
 - To provide for the good keeping of the facilities, goods and equipments of the district public defender's house and to look after their reasonable use;
 - To organize and to keep updated the inventory of the goods and equipments of the Public Defenders Department as well as of the public defenders' homes located in the jurisdiction area of the district public defender's house;
 - To keep the keys and to manage the use of the official vehicles, supervising the way they are used for the purpose of performing the external service activity;
 - To keep updated the statistical data regarding the district public defender's house and to send them periodically to the competent service of the General Public Defender's House;
 - To report to his superior and to the competent organ the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;
 - To mark as absent from work any employee under his responsibility who is not present at his workplace at the scheduled time and to inform the human resources department, until the 5 of each month, of all absences from work occurred in the previous month as far as the justice employees under his direction are concerned;
 - To assess the performance of the employees serving in the respective district public defender's office;
 - To fulfill the functions assigned to process servers of a lower category, whenever it becomes necessary to do so;
 - To carry out any administrative competence assigned to the office or service under his direct responsibility in case it is not kept for another public servant;
 - To fulfill the remaining duties conferred to him by law or superior order;
18. It shall be incumbent on the assistant to the public defenders department:
- To guide, to direct, to supervise and to perform the activities undertaken by the section, accordingly to its powers;
 - To assist the secretary to the public defenders department in performing his functions;
 - To replace the secretary to the public defenders department in his absences and impediments;
 - To exchange mail with public and private entities, whether Timorese or foreign ones, on subjects referring to the functioning of the district public defender's house and to the course of the proceedings under his direct control, upon delegation of the respective public defender;
 - To personally undertake, in case the secretary to the public defenders department has not done it, the running, the boosting, the direction, as well as the follow-up, the distribution and the procedural course of the legal cases dealt with by the office he serves, looking after the compliance with the deadlines for accomplishing procedural acts and steps by the personnel under his responsibility;
 - To lead, in connection with the secretary to the public defenders department, the distribution of duties among the remaining employees serving in the office under his direct responsibility;
 - To distribute the service assigned to him by the secretary to the public defenders department among the remaining employees serving in the office or section under his direct responsibility;
 - To submit to the decision of the public defender to whom he reports the affairs and proceedings requiring it that have been distributed to the latter or fall under his competence;
 - To undertake the follow-up and the monitoring of the service for external communication acts, especially focused on those which must be carried out outside the district or abroad, namely notices, written notes and letters;
 - To organize and to keep updated the statistical tables and to send them to the General Public Defender's House;
 - To personally undertake, in connection with the secretary to the public defenders department, the management and planning of the official vehicles' use and to supervise the way they are used for the purpose of performing the external service activity;
 - To report to the secretary to the public defenders department with whom he works the behaviors of the personnel under his responsibility and other facts that can originate a disciplinary proceeding, an inquiry or an investigation;
 - To back the secretary to the public defenders department up as for the observance of the work schedule and of the scheduled service by the employees serving in the office;

- To prepare the employees' declarations of entrance into office and other documents assigned to him by the secretary to the public defenders department;

- To carry out any administrative competence assigned to the office where he serves which has been distributed to him;

- To organize the statistical tables, in case this duty is not kept by law for another public servant;

- To register the receipts and expenses of the district public defender's house, in case this duty is not kept by law for another public servant;

- To fulfill the functions assigned to process servers under his responsibility, whenever it becomes necessary to do so;

- To assess the performance of the deputy assistant, auxiliary assistant and clerk to the public defenders department and of the intern under his responsibility;

- To fulfill the remaining duties conferred to him by law or superior order.

19. It shall be incumbent on the deputy assistant to the public defenders department:

- To carry out the competences assigned to the respective section, under the instructions of the assistant to the public defenders department;

- To fulfill the function kept for the assistant to the public defenders department in case there is no such assistant placed at the office where he serves;

- To submit to the decision of the public defender to whom he reports the affairs and proceedings requiring it having been distributed to the latter;

- To fulfill the functions assigned to the auxiliary assistant and the clerk to the public defenders department, whenever it becomes necessary to do so;

- To prepare mail and to send it;

- To receive, to classify, to register, to direct mail and to archive the received one;

- To write down the court's writs and to proceed with their immediate distribution in view of their enforcement, in terms of the procedural law;

- To personally undertake the writing down of procedural pieces and acts or of any other document having been distributed to him;

- To give public defenders the necessary assistance, namely in the court's sessions or procedural steps in which they intervene;

- To carry out the service having been distributed to him by his superiors;

- To register and to deal with the proceedings, in terms of the applicable law;

- To fulfill, in the field of criminal inquiry, the function belonging to the criminal investigation organs;

- To draw up certificates and other documents having been requested to him by means of a previous dispatch;

- To ensure compliance with deadlines set by law or by the competent public defender in the course of the proceedings;

- To control the compliance with deadlines for enforcing court's writs having been distributed to the process servers as regards the proceedings assigned to him for him to deal with;

- To serve the service's customers, giving them all the information they request as permitted by law, provided it does not affect the professional secrecy, the sub judice rule and the goal of the procedural steps to be carried out;

- To provide, under the direction of the secretary or assistant to the public defenders department, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the functions assigned to the auxiliary assistant and clerk to the public defenders department in their absences or in case the service's needs demand it;

- To carry out any administrative competence assigned to the office having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

20. It shall be incumbent on the auxiliary assistant to the public defenders department:

- To carry out the competences assigned to the respective section, under the instructions of the secretary to the public defenders department or, lacking him, of the assistant or deputy assistant to the public defenders department;

- To assist the assistant and deputy assistant to the public defenders department in performing their functions;

- To fulfill the function kept for the deputy assistant to the public defenders department in case there is no such deputy assistant placed at the office where he serves;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To prepare the sending of mail and to make it delivered and received;

- To give public defenders the necessary assistance;

- To secure the peaceful course of procedural acts and steps chaired by public defenders;

- To provide, under the direction of the responsible superior, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To fulfill the remaining duties conferred to him by law or superior order.

21. It shall be incumbent on the clerk to the public defenders department:

- To carry out the competences assigned to the respective section, under the instructions of the secretary to the public defenders department or, lacking him, of the assistant, deputy assistant or auxiliary assistant to the public defenders department;

- To assist the deputy assistant and the auxiliary assistant to the public defenders department in performing their functions;

- To fulfill the procedural functions kept for the deputy assistant and the auxiliary assistant to the public defenders department standing within the limits of his technical and professional capabilities;

- To carry out the external service, namely services of process and notices, and to enforce the remaining court's writs upon a public defender's decision;

- To certify the court's writs having been distributed to him to have been enforced, accordingly to the procedural law;

- To render the service that has been distributed to him by his superiors;

- To give public defenders the necessary assistance;

- To secure the peaceful course of the procedural steps chaired by a public defender;

- To provide, under the direction of the secretary or assistant to the public defenders department, for the maintenance and good keeping of the equipments, the proceedings' archives and the documents to be used by the respective services;

- To carry out the duty of counting and cataloging the proceedings, under the guidance of the person in charge of the office;

- To carry out any duty having been distributed to him by his superiors, in case it is not kept by law for another public servant;

- To fulfill the remaining duties conferred to him by law or superior order.

22. It shall be incumbent on the doorkeeper:

- To watch over the building's safety and good keeping;

- To carry out such range of duties involved in the door-keeping service;

- To supervise, to monitor and to help with the facilities cleaning and small repair jobs;

- To fulfill the remaining duties conferred to him by law or superior order.

23. It shall be incumbent on the security guard:

- To ensure the facilities surveillance and security;

- To check people entering and leaving the building by verifying any suspicious objects they may take along;

- To fulfill the remaining duties conferred to him by law or superior order.

TABLE 2
Salary table for process servers

I. Judicial employees' career

Category	Class	Salary level		
		1	2	3
Senior judicial secretary		500		
Secretary-accountant		460		
Inspection secretary		460		
Judicial secretary		460		
Chief clerk	First-class	430	440	450
Chief clerk	Second-class	400	410	420
Chief clerk	Third-class	370	380	390
Deputy chief clerk	First-class	340	350	360
Deputy chief clerk	Second-class	310	320	330
Deputy chief clerk	Third-class	280	290	300
Auxiliary chief clerk	First-class	250	260	270
Auxiliary chief clerk	Second-class	220	230	240
Auxiliary chief clerk	Third-class	190	200	210
Judicial clerk	First-class	160	170	180
Judicial clerk	Second-class	130	140	150
Judicial clerk	Third-class	100	110	120
Intern		80		

II. Career of technicians of the prosecuting attorneys department (PAD)

Category	Class	Salary level		
		1	2	3
Senior secretary to the PAD		500		
Inspection secretary		460		
Secretary to the PAD		460		
Technician of the PAD	First-class	430	440	450
Technician of the PAD	Second-class	400	410	420
Technician of the PAD	Third-class	370	380	390
Deputy technician of the PAD	First-class	340	350	360
Deputy technician of the PAD	Second-class	310	320	330
Deputy technician of the PAD	Third-class	280	290	300
Auxiliary technician of the PAD	First-class	250	260	270
Auxiliary technician of the PAD	Second-class	220	230	240
Auxiliary technician of the PAD	Third-class	190	200	210
Clerk to the PAD	First-class	160	170	180
Clerk to the PAD	Second-class	130	140	150
Clerk to the PAD	Third-class	100	110	120
Intern		80		

III. Career of assistants to the public defenders department (PDD)

Category	Class	Salary level		
		1	2	3
Senior secretary to the PDD		500		
Inspection secretary		460		
Secretary to the PDD		460		
Assistant to the PDD	First-class	430	440	450

Assistant to the PDD	Second-class	400	410	420
Assistant to the PDD	Third-class	370	380	390
Deputy assistant to the PDD	First-class	340	350	360
Deputy assistant to the PDD	Second-class	310	320	330
Deputy assistant to the PDD	Third-class	280	290	300
Auxiliary assistant to the PDD	First-class	250	260	270
Auxiliary assistant to the PDD	Second-class	220	230	240
Auxiliary assistant to the PDD	Third-class	190	200	210
Clerk to the PDD	First-class	160	170	180
Clerk to the PDD	Second-class	130	140	150
Clerk to the PDD	Third-class	100	110	120
Intern		80		

Note: The base level 100 amounts to US\$ 136, 00.

TABLE 3
Staff positions for justice employees

Staff positions for Courts' employees

<i>Court of Appeal</i>		
I. Private Office of the President		
	Head of the Office	1
	High-level technician	4
	Professional technician	2
II. Judicial office		
	Senior judicial secretary	1
	Chief-clerk	2
	Deputy chief-clerk	2
	Auxiliary chief-clerk	3
	Judicial clerk	4
III. National office for administration and finance		
1. Administrative department		
	Department chief	1
	Professional technician (2 interpreter)	6
	Administrative technician (1 computer specialist)	6
	Assistant (2 driver, 2 gardener, 3 cleaning person)	7
2. Financial department		
	Department chief	1
	Professional technician	3
	Administrative technician	3

<i>District Court of Dili</i>		
	Judicial secretary	1
Central section		
	Auxiliary chief-clerk	1
	Judicial clerk	2
	Professional technician (2 interpreter)	4
	Administrative technician (computer specialist)	1
	Assistant (2 driver, 4 cleaning person, 1 gardener)	7
Criminal section		
	Chief-clerk	0
	Deputy chief-clerk	1
	Auxiliary chief-clerk	2
	Judicial clerk	4
Civil section		
	Chief-clerk	0
	Deputy chief-clerk	1
	Auxiliary chief-clerk	2
	Judicial clerk	4

<i>District Court of Baucau</i>		
	Judicial secretary	1
Central section		
	Auxiliary chief-clerk	1
	Judicial clerk	1
	Professional technician (2 interpreter)	2
	Administrative technician (1 computer specialist)	2
	Assistant (1 driver, 1 gardener, 2 cleaning person, 2 security guard)	6
Criminal section		
	Chief-clerk	0
	Deputy chief-clerk	1
	Auxiliary chief-clerk	1
	Judicial clerk	3
Civil section		
	Chief-clerk	0
	Deputy chief-clerk	1
	Auxiliary chief-clerk	1
	Judicial clerk	3

<i>Court of Oecussi</i>		
	Judicial secretary	1
	Chief-clerk	0
	Deputy chief-clerk	0
	Auxiliary chief-clerk	0
	Judicial clerk	2
	Administrative technician (1 interpreter, 1 computer specialist)	2
	Assistant (1 driver, 1 cleaning person, 2 gardener and security guard)	4

<i>Court of Suai</i>		
	Judicial secretary	1
	Chief-clerk	0
	Deputy chief-clerk	0
	Auxiliary chief-clerk	0
	Judicial clerk	2
	Administrative technician (1 interpreter, 1 computer specialist)	2
	Assistant (1 driver, 1 cleaning person, 2 gardener and security guard)	4

<i>Superior Council of Judicature</i>		
	Inspector-accountant	0
	Secretary to the Superior Council of Judicature	1
	Administrative technician	1
	Auxiliary chief-clerk	1
	Assistant	2

Staff positions for employees of the Prosecuting Attorneys Department (PAD)

<i>Attorney General's House</i>		
Private Office of the Attorney General		
	Head of the Office	1
	High-level technician	1
	Professional technician	3
Proceedings office		
	Senior secretary to the PAD	1
	Technician of the PAD	0
	Deputy technician of the PAD	2
	Auxiliary technician of the PAD	2
	Clerk to the PAD	6
National office for administration and finance	Office's head	1
Administrative department		

	Department chief	1
	Professional technician	1
	Administrative technician	3
	Assistant (2 driver, 1 gardener, 3 cleaning person)	6
Financial department		
	Department chief	1
	Professional technician	3
	Administrative technician	3
	High-level technician	1

<i>District Attorney's House of Dili</i>		
	Secretary to the PAD	1
Central section		
	Auxiliary technician of the PAD	1
	Clerk to the PAD	1
	Administrative technician	5
	Assistant (1 driver, 1 gardener, 2 cleaning person)	4
Proceedings section		
	Technician of the PAD	0
	Deputy technician of the PAD	2
	Auxiliary technician of the PAD	2
	Clerk to the PAD	6

<i>District Attorney's House of Baucau</i>		
	Secretary to the PAD	1
	Technician of the PAD	0
	Deputy technician of the PAD	0
	Auxiliary technician of the PAD	2
	Clerk to the PAD	4
	Administrative technician	2
	Assistant (1 driver, gardener, 2 cleaning person, 2 security guard)	5

<i>District Attorney's House of Oecussi</i>		
	Secretary to the PAD	1
	Technician of the PAD	0
	Deputy technician of the PAD	0
	Auxiliary technician of the PAD	0
	Clerk to the PAD	2
	Administrative technician (1 interpreter, 1 computer specialist)	2
	Assistant (1 driver, 1 gardener and cleaning person, 2 security guard)	4

<i>District Attorney's House of Suai</i>		
	Secretary to the PAD	1
	Technician of the PAD	0
	Deputy technician of the PAD	0
	Auxiliary technician of the PAD	0
	Clerk to the PAD	2
	Administrative technician (1 interpreter, 1 computer specialist)	2
	Assistant (driver, gardener, cleaning person, security guard)	4

<i>Superior Council of the PAD</i>		
	Secretary to the Superior Council of the PAD	1
	Administrative technician	2
	Assistant (driver, cleaning person)	1

Staff positions for employees of the Public Defenders Department (PDD)

<i>General Public Defender's House – District Public Defender's House of Dili</i>		
Private Office of the General Public Defender		

	Head of the Office	1
	High-level technician	1
	Professional technician	1
National office for administration and finance	Office's head	1
Administrative department		
	Department chief	1
	Professional technician (3 interpreter)	6
	Administrative technician	7
	Assistant (2 driver, 1 gardener, 2 cleaning person)	5
Proceedings department	Senior secretary to the PDD	1
Central section and proceedings sections		
	Assistant to the PDD	0
	Deputy assistant to the PDD	2
	Auxiliary assistant to the PDD	3
	Clerk to the PDD	5

<i>District Public Defender's House of Baucau</i>		
	Secretary to the PDD	1
	Assistant to the PDD	0
	Deputy assistant to the PDD	0
	Auxiliary assistant to the PDD	2
	Clerk to the PDD	3
	Administrative technician (computer specialist)	1
	Assistant (driver, gardener, cleaning person, security guard)	6

<i>District Public Defender's House of Oecussi</i>		
	Secretary to the PDD	1
	Deputy assistant to the PDD	0
	Auxiliary assistant to the PDD	0
	Clerk to the PDD	2
	Administrative technician (computer specialist)	1
	Assistant (driver, cleaning person, gardener, security guard)	4

<i>District Public Defender's House of Suai</i>		
	Secretary to the PDD	1
	Deputy assistant to the PDD	0
	Auxiliary assistant to the PDD	0
	Clerk to the PDD	2
	Administrative technician (computer specialist)	1
	Assistant (driver, cleaning person, gardener, security guard)	4

<i>Superior Council of the PDD</i>		
	Secretary to the Superior Council of the PDD	1
	Administrative technician	1
	Auxiliary assistant to the PDD	1
	Assistant (driver, cleaning person, gardener, security guard)	4

TABLE 4
Functional contents description for the services of
the Courts, of the Prosecuting Attorneys
Department and of the Public Defenders
Department

I – Court of Appeal’s Office

1. The Court of Appeal’s Office comprises the President’s private office, a judicial section and an administrative section.

2. It shall be incumbent on the private office of the President of the Court of Appeal to provide him with direct support, namely as far as the direction and supervision of the Court’s services are concerned.

3. It shall be incumbent on the judicial section to provide services referring to the proceedings dealt with by the Court of Appeal, namely:

- To register, to distribute and to deal with the proceedings and documentation entered therein;
 - To organize the list of proceedings ready to be decided on trial;
 - To register the Court’s rulings and to make their notification;
 - To draw up the minutes of the trials;
 - To draw up certificates;
 - To fill in the statistical forms relating to the proceedings and to provide the elements necessary for the drawing up of the respective tables;
 - To calculate the proceedings’ costs;
 - To organize the archive and its index;
 - To organize and to keep updated the statistical data regarding the whole of the courts;
 - To take part in the drawing up of the national activity plan for the courts, as well as the respective reports, in connection with the remaining services;
 - To fulfill any other duties conferred by law.
4. It shall be incumbent on the administrative section to provide services referring to administrative, financial and personnel subjects, namely:
- To draw up the yearly budget project for the courts in connection with the different services and their branches;
 - To make a good use of the budget money allocated to the courts and to control that use;
 - To take part in the drawing up of the national activity plan for the courts, as well as of the respective reports, in connection with the remaining services;

- To administer, to maintain and to preserve the State property and the contracts for the supply of goods and services which serve the Courts, as well as to draw up and to keep updated the respective inventory;

- To perform the tasks standing outside the competence of the judicial services;

- To organize the library;

- To plan, to direct and to carry out the management of the Courts’ human resources, namely the recruitment, hiring, training, follow-up, assessment, promotion and retirement, in connection with the remaining services and in terms of law;

- To draw up the general staff positions for the Courts;

- To organize and to keep updated the personal files of the employees serving the Courts;

- To process the payroll with regard to the Courts’ judges and employees;

- To draw up the security plans for the Courts’ personnel and material resources;

- To draw up the declarations of acceptance and entrance into office;

II – Office of the district court

1. The offices of the district courts of Dili and Baucau comprise a central section, a criminal section and a civil section. The offices of the remaining district courts shall have one sole section.

2. It shall be incumbent on the central section:

- To register submitted documents and to distribute them among the proceedings sections;
- To distribute proceedings and documentation;
- To distribute the external service among the process servers;
- To carry out the counting of proceedings and separate documents;
- To register the receipts and expenses of the court’s fund;
- To register the expenses made on the office’s behalf;
- To draw up the declarations of acceptance and entrance into office;
- To keep safe the objects related to proceedings;
- To draw up the statistical tables and to send them to the Court of Appeal’s competent service;
- To draw up certificates;

- To perform the tasks standing outside the competence of the proceedings sections;

- To organize the library;

- To organize the archive and its index;

- To register and to keep safe the guns and other seized objects having come into the court's possession, as well as any documents which cannot be attached to the proceedings' files;

- Upon an upper level decision, to receive and to register the documents having been delivered to him for the purpose of the carrying out of external service, to strive for the respective fulfillment and to give the documents back once the job is done;

- To fulfill any other duties conferred by law or superior order;

3. It shall be incumbent on the criminal section and civil section:

- To register and to deal with the proceedings;

- To draw up certificates concerning pending proceedings;

- To keep updated the statistical data referring to the proceedings and to provide the elements necessary for the drawing up of the respective tables;

- To calculate the proceedings' costs;

- To support the respective judge in moving the section's proceedings;

- To carry out the external service in case it is not assigned to another section;

- To fulfill any other duties conferred by law or superior order.

III. Office of the Attorney General's House

1. The Office of the Attorney General's House comprises the Attorney General's private office and an administrative section.

2. It shall be incumbent on the private office of the Attorney General to provide him with direct support, namely as far as the direction and supervision of the services of the Prosecuting Attorneys Department are concerned.

3. It shall be incumbent on the administrative section to provide services referring to administrative, financial and personnel subjects, namely:

- To draw up the yearly budget project for the Prosecuting Attorneys Department in connection with the different services and their branches;

- To make a good use of the budget money allocated to the Prosecuting Attorneys Department and to control that use;

- To draw up the national activity plan for the Prosecuting Attorneys Department, as well as the respective reports, in connection with the remaining services;

- To administer, to maintain and to preserve the State property and the contracts for the supply of goods and services which serve the Prosecuting Attorneys Department, as well as to draw up and to keep updated the respective inventory;

- To perform the tasks standing outside the competence of the criminal and civil sections;

- To organize the library;

- To plan, to direct and to carry out the management of the human resources of the Prosecuting Attorneys Department, namely the recruitment, hiring, training, follow-up, assessment, promotion and retirement, in connection with the remaining services and in terms of law;

- To draw up the general staff positions for the Prosecuting Attorneys Department;

- To organize and to keep updated the personal files of the employees serving the Prosecuting Attorneys Department;

- To process the payroll with regard to the employees and agents of the Prosecuting Attorneys Department;

- To draw up the security plans for the personnel and material resources of the Prosecuting Attorneys Department;

- To draw up the declarations of acceptance and entrance into office.

IV – Office of the district attorney's house

1. The office of the District Attorney's House of Dili comprises a central section, a criminal section and a civil section. The offices of the remaining district attorneys' houses shall have one sole section.

2. It shall be incumbent on the central section:

- To register submitted denunciations and documents;

- To distribute proceedings, denunciations and documentation;

- To register and to process criminal information;

- To register the guns and other seized objects;

- To keep safe the guns and other seized objects as well as any documents which cannot be attached to the proceedings' files;

- To register budget receipts and expenses;

- To draw up the declarations of acceptance and entrance into office;

- To draw up the statistical documents;
- To perform the tasks standing outside the competence of the proceedings sections;
- To draw up certificates declaring denunciations to have been registered;
- To serve the service's customers and to give them all lawful information they request;
- To fulfill any other duties conferred by law or superior order.

3. It shall be incumbent on the criminal section and civil section:

- To deal with the proceedings;
- To produce copies, extracts from a document and certificates concerning pending proceedings, in terms of the procedural law;
- To fill in the needed forms relating to pending proceedings;
- To support the respective prosecuting attorney in moving the section's proceedings;
- To fulfill any other duties conferred by law or superior order.

V – Office of the General Public Defender's House

1. The Office of the General Public Defender's House / District Public Defender's House of Dili comprises the General Public Defender's private office, an administrative section, a central section, a criminal section and a civil section.

2. It shall be incumbent on the private office of the General Public Defender to provide him with direct support, namely as far as the direction and supervision of the services of the Public Defenders Department are concerned.

3. It shall be incumbent on the administrative section to provide services referring to administrative, financial and personnel subjects, namely:

- To draw up the yearly budget project for the Public Defenders Department in connection with the different services and their branches;
- To direct the drawing up, the use and the control of the budget share allocated to the Public Defenders Department;
- To draw up the national activity plan for the Public Defenders Department, as well as the respective reports, in connection with the remaining services;
- To administer, to maintain and to preserve the State property and the contracts for the supply of goods and services which serve the Public Defenders

Department, as well as to draw up and to keep updated the respective inventory;

- To perform the tasks standing outside the competence of the criminal and civil sections;
- To organize the library;
- To plan, to direct and to carry out the management of the human resources of the Public Defenders Department, namely the recruitment, hiring, training, follow-up, assessment, promotion and retirement, in connection with the remaining services and in terms of law;
- To draw up the general staff positions for the Public Defenders Department;
- To organize and to keep updated the personal files of the employees serving the Public Defenders Department;
- To process the payroll with regard to the employees and agents of the Public Defenders Department;
- To draw up the security plans for the personnel and material resources of the Public Defenders Department;
- To draw up the declarations of acceptance and entrance into office.

VI – Office of the district public defender's house

1. The office of the District Public Defender's House of Baucau comprises a central section, a criminal section and a civil section. The offices of the remaining district public defenders' houses shall have one sole section.

2. It shall be incumbent on the central section:

- To register submitted documents and to distribute them among the proceedings sections;
- To distribute proceedings and documentation;
- To register the expenses made on the office's behalf;
- To draw up the declarations of acceptance and entrance into office;
- To keep safe the objects related to proceedings;
- To perform the tasks standing outside the competence of the proceedings sections;
- To organize the library;
- To organize the archive and its index;
- To fulfill any other duties conferred by law or superior order.

3. It shall be incumbent on the criminal section and civil section:

- To organize and to keep updated the information data referring to pending proceedings;
- To support the respective public defender in providing legal and judicial assistance;
- To keep updated the files of the customers of the district public defender's house;
- To fulfill any other duties conferred by law or superior order.
