

ON DISCIPLINARY LIABILITY OF JUDGES OF GENERAL COURTS OF GEORGIA AND DISCIPLINARY PROCEEDINGS

Chapter I - General Provisions

Article 1 – Purpose of the Law

This Law defines the grounds for disciplinary liability and types of disciplinary penalties for judges of the General Courts of Georgia; the procedure for conducting disciplinary proceedings and for imposing disciplinary liabilities on judges; the procedure for disciplinary case hearings and making decisions.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Article 2 – Grounds for disciplinary liability of judges and types of disciplinary misconduct

1. Disciplinary liability and penalties shall be imposed on judges of the General Courts for committing disciplinary misconduct.

2. Types of disciplinary misconduct shall include:

a) (deleted – 27.3.2012, No 5922);

b) a corruption offence or misuse of one's official status to the detriment of the interests of justice and the office held. An infringement provided for by the Law of Georgia on Conflicts of Interest and Corruption in Public Service shall constitute a corruption offence unless it entails criminal or administrative liability.

[b) a corruption offence or misuse of one's official status to the detriment of the interests of justice and the office held. An infringement provided for by the Law of Georgia on Conflicts of Interest and Corruption at Public Institutions shall constitute a corruption offence unless it entails criminal or administrative liability. **(Shall become effective from 1 July 2017)**]

c) any activity incompatible with the position of a judge, or conflict of interest with duties of a judge;

d) any action inappropriate for a judge that disgraces the reputation of, or damages the confidence in, a court;

e) ungrounded delay in proceedings;

f) failure to fulfil or improper fulfilment of the obligations of a judge;

g) disclosure of secrecy of deliberations of judges or professional secrecy;

h) impediment to or disrespect for the activities of bodies having disciplinary powers;

i) breach of judicial ethics;

j) (deleted - 27.3.2012, No 5922);

3. Incorrect interpretation of the law based on a judge's internal faith shall not constitute disciplinary misconduct and disciplinary liability shall not be imposed.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1752 of 23 June 2005 – LHG I, No 36, 11.7.2005, Art. 232

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 4364 of 27 October 2015 – website, 11.11.2015

Law of Georgia No 146 of 21 December 2016 – website, 28.12.2016

Article 3 – Time frames for disciplinary proceedings

Disciplinary liability shall not be imposed on a judge, if five years have passed from the date of committing disciplinary misconduct, and one year from the date of a decision on instituting disciplinary proceedings.



Article 4 – Types of disciplinary penalties and disciplinary measures

1. Disciplinary penalties shall include:

- a) reproof;
- b) reprimand;
- c) severe reprimand;
- d) dismissal of a judge from the position;
- e) elimination of a judge from the reserve list of judges of General Courts.

2. Disciplinary measures shall include:

- a) giving a private recommendation letter to a judge;
- b) dismissal of a chairperson, first deputy or deputy chairperson of a court, a chairperson of a judicial panel or chamber.

3. Disciplinary penalties under paragraph (1)(a-c)(e) of this article shall apply to judges enrolled in the reserve list.

Article 5 – Confidentiality of disciplinary proceedings

1. The process of disciplinary proceedings shall be confidential. A judge against whom the disciplinary proceedings is conducted may demand that meetings of the Disciplinary Board of Judges of General Courts of Georgia and the Disciplinary Chamber of the Supreme Court of Georgia be public. He/she may also demand that a meeting held by the High Council of Justice of Georgia to make the decision under Article 15(1) of this Law (except for the deliberation and decision-making procedures) be public. Duly authorised officials, state employees and their auxiliary staff shall respect the confidentiality of any information that has become known to them during disciplinary proceedings, except as provided for by this Law.

[1. The process of disciplinary proceedings shall be confidential. Duly authorised officials and public servants shall respect confidentiality of any information that becomes known to them during the disciplinary proceedings, except as provided for by this Law. **(Shall become effective from 1 July 2017)**]

2. The decision on terminating, suspending or resuming disciplinary proceedings against a judge, as well as the decision under Article 48(1)(e) of this Law shall, within 5 days after it is made, be forwarded to the author of the complaint (application) and the judge in question.

3. The decision on instituting disciplinary prosecution against a judge, and on imposing disciplinary liability on a judge, as well as decisions under Article 48(1)(c-d) of this Law shall, within 5 days after they are made, also be forwarded to the author of the complaint (application/notification) if a General Court has quit hearing the case with regard to which the disciplinary proceeding was conducted.

Chapter II - Examination of Disciplinary Cases

Article 6 – Grounds for initiating disciplinary proceedings

1. The grounds for initiating disciplinary proceedings against a judge may be:

- a) a complaint or application of any person, other than an anonymous complaint or application;
- b) an explanatory note of another judge, a member or an officer of a court, or of the High Council of Justice of Georgia with regard to committing disciplinary misconduct by a judge.



c) a notification by an investigative body;

d) information disseminated by the mass media, as well as information contained in a report and/or proposal of the Public Defender of Georgia about a judge having committed an act that may be considered as a disciplinary misconduct;

e) (Deleted – 8.2.2017, No 256).

2. A complaint (application) under paragraph (1)(a) of this article must comply with a sample form approved by the High Council of Justice of Georgia, and must be drafted in printed form, as a rule. A complaint (application) may also be submitted in an electronic form. Submission of a complaint (application) that fails to comply with the sample form approved by the High Council of Justice of Georgia may not serve as a basis for rejecting to accept (register) it.

3. When the High Council of Justice of Georgia receives a complaint, application or any other information about a judge having committed a disciplinary misconduct, it shall immediately notify the judge in question.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1353 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 125

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 7 – Power for initiating disciplinary proceedings against a judge

Disciplinary proceedings against a judge shall be initiated, as well as a preliminary examination and investigation shall be conducted by an independent inspector of the High Council of Justice of Georgia (“the Independent Inspector”). The Independent Inspector shall submit his/her opinions and views to the High Council of Justice of Georgia.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Article 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Article 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 8 – Initiation of disciplinary proceedings and preliminary examination

1. The Independent Inspector shall, within two months after receiving a complaint, application or any other information about a judge having committed a disciplinary misconduct, perform a preliminary examination of the validity of the complaint, application or information. The period of preliminary examination may be extended by, or suspended for two weeks if the preliminary examination cannot be performed.

2. Imposition of disciplinary liability on a judge may be based on circumstances that have not been specified in the complaint, application or other information on committing disciplinary misconduct by a judge but that were revealed during the preliminary examination.

3. Disciplinary proceedings may not be re-initiated against the same judge on the same grounds that were already used in a disciplinary proceeding.

4. Powers of employees of the Office of the Independent Inspector during disciplinary proceedings shall be defined under this Law and appropriate legal acts of the High Council of Justice of Georgia.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 1353 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 125

Law of Georgia No 1752 of 23 June 2005 – LHG I, No 36, 11.7.2005, Art. 232

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 9 – Evaluation of the validity of initiating disciplinary prosecution against a judge



1. Based on the preliminary examination results, the High Council of Justice of Georgia shall evaluate the validity of initiating disciplinary prosecution against a judge and shall, within the total period determined under Article 8(1) of this Law for preliminary examination, by two-thirds majority of the full list, make the decision to initiate disciplinary prosecution against the judge and take explanations from the judge. If the High Council of Justice of Georgia fails to make such a decision, disciplinary proceedings against a judge shall be terminated. A member of the High Council of Justice of Georgia that disagrees with the decision may formulate his/her dissenting opinion in writing, which will be attached to the disciplinary case.

2. If the decision to take explanations from a judge is made, the decision of the High Council of Justice of Georgia must include the grounds for disciplinary prosecution with reference to a relevant subparagraph of Article 2(2) of this Law. Giving explanations is the right of a judge.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 1353 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 125

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 10 – (Deleted)

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Article 11 – Consolidation of disciplinary cases into one proceeding

The Independent Inspector, as well as the High Council of Justice of Georgia may, by its decision, consolidate two, or more than two disciplinary cases conducted on different grounds against one judge into one proceeding.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 12 – Investigation of a disciplinary case. Challenge and recusal of the Independent Inspector

1. Investigation of a disciplinary case must be completed within two month after the decision to take explanations from a judge is made. When necessary, this period may be extended by not more than two weeks.

2. Written explanations shall be taken from a judge against whom the disciplinary prosecution is pending. The Independent Inspector may take written explanations from the author of a complaint (application). The Independent Inspector may request all necessary information, documents and materials related to the disciplinary misconduct, invite another person to hear his/her information. The Independent Inspector shall review a motion of a judge against whom the disciplinary prosecution is pending, and take additional explanations from the judge if so requested by him/her. A judge shall be entitled to have a defender during investigation of the disciplinary case. He/she may invite a lawyer or another judge, or another representative to be his/her defender.

3. Preliminary examination and investigation of a disciplinary case must be conducted equitably, comprehensively and impartially. Both mitigating and aggravating circumstances of the liability of a judge must be examined.

4. A judge may challenge the Independent Inspector. The challenge must be substantiated. A motion of the judge must be granted if the suspicion about impartiality of the Independent Inspector in a given case is grounded. If there are the same grounds, the Independent Inspector shall recuse himself/herself. The issue of the Independent Inspector's recusal shall be considered by the board of the High Council of Justice of Georgia, which is selected by poll. If the motion of the judge is granted, the disciplinary case shall be investigated by a member of the High Council of Justice of Georgia to be identified according to the procedure established by the Regulation of the High Council of Justice of Georgia. The issue of challenging that member of the High Council of Justice of Georgia shall be decided under this paragraph. A member of the High Council of Justice of Georgia that will exercise the powers conferred on the Independent Inspector under this Law shall not participate in deciding the issue of imposing disciplinary liability on the judge in a given case. The period used for deciding the issue of challenging the Independent Inspector shall not be included in the period for investigation of the disciplinary case.

5. During disciplinary proceedings, the lawfulness of acts issued by the judge may not be supervised over.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97



Article 13 – Suspension of disciplinary proceedings

1. Disciplinary proceedings shall be suspended if:

a) the disciplinary case examination materials explicitly indicate a crime committed by a judge. In such a situation, the disciplinary case materials shall be forwarded to an investigative body. If criminal prosecution is not initiated against a judge, and/or a judgement of conviction is not delivered, and if the period for imposing disciplinary liability on the judge is not expired, the High Council of Justice of Georgia shall resume the disciplinary proceedings;

b) any objective difficulty or obstacle (illness of a judge against whom the disciplinary prosecution is pending, or another situation) has arisen during investigation of a disciplinary case that makes it temporarily impossible to continue investigation of the case. In this situation, the Independent Inspector shall suspend the disciplinary proceeding by his/her decision. When the grounds for suspending the disciplinary proceeding are eliminated, the Independent Inspector shall resume the proceeding;

c) (deleted – 27.3.2012, No 5922);

2. The period of suspension of a disciplinary proceeding shall not be included within the time frame determined under this Law for examination of a disciplinary case, nor within a one-year period for imposing a disciplinary liability, but the suspension period will be included within the five-year period determined by this Law for imposing a disciplinary liability.

Article 14 – Grounds for terminating disciplinary proceedings against a judge

1. The High Council of Justice of Georgia shall make a substantiated decision to terminate disciplinary proceedings against a judge if:

a) as a result of the examination of a disciplinary proceeding, the fact of committing a disciplinary misconduct under this Law, or its culpable commission by a judge has not been proven;

b) the period for instituting disciplinary proceedings against, or imposing disciplinary liability and penalties on a judge has expired;

c) there is a decision of a body conducting disciplinary proceedings delivered in relation to the same judge and on the same grounds;

d) the judicial power of a judge has been terminated.

2. The decision of the High Council of Justice of Georgia on terminating disciplinary proceedings against a judge shall be communicated to the judge in question and shall be published on the website of the High Council of Justice of Georgia without the identification data of the judge and other parties to the disciplinary case. If, under Article 5(1) of this Law, the judge requested that the disciplinary proceedings be made public, the decision of the High Council of Justice of Georgia on terminating disciplinary proceedings against a judge shall be published with the identification data of the judge.

Article 15 – Imposing disciplinary liability on a judge, or terminating disciplinary prosecution against him/her



1. Following the disciplinary case investigation, the High Council of Justice of Georgia shall, within the total period determined under Article 12(1) of this Law for investigation of a disciplinary case, by two-thirds majority of the full list, make the decision to impose disciplinary liability on a judge. If the High Council of Justice of Georgia fails to make such a decision, disciplinary proceedings against the judge shall be terminated. A member of the High Council of Justice of Georgia that disagrees with the decision may formulate his/her dissenting opinion in writing, which will be attached to the disciplinary case.

2. The High Council of Justice of Georgia may also assign the Independent Inspector to conduct additional investigation into the disciplinary proceedings and give him/her relevant instructions. In such a situation, the period for investigation of the disciplinary proceedings shall be extended by two months. This period may not be extended further. After the investigation of the disciplinary case is finished, the issue in question shall again be put to the vote for the High Council of Justice of Georgia to make a decision.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 16 – Decision on instituting disciplinary proceedings against a judge

1. The decision on instituting disciplinary proceedings against a judge must include the content of the disciplinary accusation presented against him/her.

2. By the same decision, the High Council of Justice of Georgia shall appoint its representative to the Disciplinary Board of Judges of General Courts of Georgia to support the disciplinary accusation at the hearing. The High Council of Justice of Georgia shall be entitled to appoint several representatives to support the disciplinary accusation, or replace its representative at any stage of a disciplinary proceeding.

3. A copy of the decision, along with copies of the case materials, shall be handed to the judge imposed with disciplinary liability within 5 days after the decision was delivered.

4. The judge imposed with disciplinary liability may, within 10 days after receiving a copy of the decision, submit to the High Council of Justice of Georgia a written counter plea with regard to the decision of the High Council of Justice of Georgia on imposing disciplinary liability on him/her, and appropriate evidence. Within three days after the counter plea is submitted by the judge, or after the period set for submitting a counter plea expires, the disciplinary case materials along with the documents submitted by the judge shall be forwarded to the Disciplinary Board of Judges of General Courts of Georgia.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 17 – Making decisions on disciplinary matters by the High Council of Justice of Georgia

1. The High Council of Justice of Georgia shall make a decision on disciplinary matters under this Law, the Organic Law of Georgia on General Courts and as determined by the Regulations of the High Council of Justice of Georgia.

2. A session to consider disciplinary matters shall be chaired by the Chairperson of the Supreme Court of Georgia.

3. (Deleted – 1.5.2013, No 581).

4. The Secretary of the High Council of Justice of Georgia shall convene a session of the High Council of Justice of Georgia to consider disciplinary matters.

5. The High Council of Justice of Georgia shall, at its session, consider the issue of imposing disciplinary liability on a judge, and the related materials. The High Council of Justice of Georgia shall invite the judge in question to the session. If the High Council of Justice of Georgia deems it necessary, the author of a complaint (application/notification) may also be invited to the session. The High Council of Justice of Georgia shall hear the information and explanations of the invited persons.

6. If the judge admits the disciplinary guilt, the High Council of Justice of Georgia shall make the decision to impose disciplinary liability on the judge, and shall forward the disciplinary case materials to the Disciplinary Board of Judges of General Courts of Georgia under the procedure established by Article 16(4) of this Law.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art 347

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art 323

Law of Georgia No 581 of 1 May 2013 – website, 20.4.2013



Article 18 – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012.

Article 19 – (Deleted)

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 20 – Prohibition of removal of a judge from considering a case and from fulfilling other official duties

A judge shall not be removed from considering a case and from fulfilling other official duties due to instituting disciplinary proceedings or imposing disciplinary liability or penalties on him/her, except as provided for under Article 56(3) of this Law.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Chapter III - Disciplinary Case Hearing by the Disciplinary Board of Judges of General Courts of Georgia

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 21 – The disciplinary hearing body and the legal basis for its activities

1. The Disciplinary Board of Judges of General Courts of Georgia (‘the Disciplinary Board’) shall consider disciplinary proceedings against judges of General Courts of Georgia.

2. The Disciplinary Board shall carry out activities under this Law and upon recommendation of the Disciplinary Board, according to procedures established by the Conference of Judges of Georgia.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 1278 of 19 June 2009 – LHG I, No 13, 2.7.2009, Art. 62

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013

Article 22 – (Deleted)

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 23 – Binding nature of execution of a decision by the Disciplinary Board

Execution of a decision by the Disciplinary Board shall be binding.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347



Article 24 – Procedure for establishment of the Disciplinary Board

1. The Disciplinary Board shall consist of 5 members. Three of them are judges of General Courts of Georgia and two of them are not judges. The Disciplinary Board member judges shall be elected by the Conference of Judges of Georgia. Any judge attending the Conference of Judges of Georgia may nominate at the Conference of Judges a candidate for a member of the Disciplinary Board. The Parliament of Georgia shall elect members of the Disciplinary Board that are not judges by majority of the members on the list. These members shall be selected from among professors and researchers working at higher education institutions, members of the Georgian Bar Association and/or persons nominated by non-entrepreneurial (non-commercial) legal entities of Georgia on recommendation of a collegiate management authority of a respective organisation. The non-entrepreneurial (non-commercial) legal entity may nominate a candidate for Disciplinary Board membership if, within at least two years before the competition was announced, one of the candidate's activities has been the exercise of representative powers in judicial proceedings. Each of the entities shall be entitled to present one candidate to the Parliament of Georgia. Members of the Parliament of Georgia, judges and public prosecutors may not be nominated as candidates for Disciplinary Board membership. The procedure and time for presenting candidates to the Parliament of Georgia, establishing compliance with the requirements under this paragraph and the second paragraph of this article, for considering and submitting them to plenary sessions of the Parliament, as well as for electing them as Disciplinary Board members shall be determined by Regulations of the Parliament of Georgia. Disciplinary Board members shall be elected for a two-year term.

2. The Parliament of Georgia may elect as a Disciplinary Board member a citizen of Georgia who has higher legal education, at least 10-year's working experience in the profession, enjoys a good reputation and is a recognised expert in the field of law. The prior written consent of the candidate for membership shall be required before electing him/her as a Disciplinary Board member.

3. A Disciplinary Board member elected by the Parliament of Georgia may not hold any other official position in public service or a local self-governing body, be engaged in entrepreneurial activities, personally exercise powers of a member of a governing, supervisory, monitoring, auditing or advisory body of an entrepreneurial entity, or be engaged in any paid activity other than scientific, pedagogical or creative activities. He/she may not be a member of any political alliance and/or participate in political activities.

4. A Disciplinary Board member may not be:

a) the Chairperson, the first deputy Chairperson or a deputy Chairperson of the Supreme Court of Georgia; the Chairperson, the first deputy Chairperson or a deputy Chairperson of a court; the chairperson of a Board or Chamber, or a person who has held any of these official positions within the last one year;

b) a member of the High Council of Justice of Georgia.

5. A judge may not be a member of the Disciplinary Board, if disciplinary liability and disciplinary penalties for committing a disciplinary misconduct were imposed on him/her within the past five years.

6. The powers of a Disciplinary Board member may be terminated on the grounds of:

a) personal application;

b) entry into force of the final judgement of conviction against him/her;

c) termination of Georgian citizenship;

d) expiry of term of office;

e) recognising him/her by court as a person with limited competence or a beneficiary of support, unless otherwise determined under court decision;

f) his/her death;

g) disclosing confidential information of disciplinary proceedings;

h) committing disciplinary misconduct;

i) systematic failure to fulfil his/her obligations or their improper fulfilment;

j) holding an incompatible position or engaging in incompatible activities.

7. Powers of a Disciplinary Board member may be terminated due to the breach of other norms of judicial ethics.

8. A decision on terminating the powers of a Disciplinary Board member shall be made by the Parliament of Georgia by majority of its members, or by the Conference of Judges of Georgia which shall be obliged to examine the validity of the grounds for termination. The Parliament of Georgia or Conference of Judges of Georgia shall be entitled to invite a respective member to the session to hear his/her opinion. Under any of the circumstances specified in paragraph (6)(a-f) of this article, the Parliament of Georgia or the Conference of Judges of Georgia shall accept the information on any circumstance for reference, without making a decision; and under any of the circumstances specified in paragraph (6)(g-j) of this article – they shall vote for the decision on termination of powers of a Disciplinary Board member.

9. The Disciplinary Board shall consider the disciplinary case on its member without participation of the member.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 2792 of 17 March 2006 – LHG I, No 7, 20.3.2006, Art. 56



Law of Georgia No 4218 of 29 December 2006 – LHG I, No 2, 4.1.2007, Art. 26

Law of Georgia No 2453 of 25 December 2009 – LHG I, No 49, 30.12.2009, Art. 373

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013

Law of Georgia No 3381 of 20 March 2015 – website, 31.3.2015

Article 25 – Chairperson of the Disciplinary Board

The Disciplinary Board shall elect the Chairperson of the Disciplinary Board from among the member judges of the Board. The chairperson of the Disciplinary Board shall chair Board sessions and exercise other powers under the legislation of Georgia.

Law of Georgia No 251 of 20 April 2000 – LHG I, No 15, 25.4.2000, Art. 37

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 2453 of 25 December 2009 – LHG I, No 49, 30.12.2009, Art. 373

Article 26 – (Deleted)

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Article 27 – Remuneration for performance of obligations

A Disciplinary Board member elected by the Parliament of Georgia shall be remunerated for performance of his/her duties within the budgetary allocations for the General Courts of Georgia.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013.

Article 28 –Place of performance of the Disciplinary Board

The place of performance of the Disciplinary Board’s functions shall be at the High Council of Justice of Georgia or at a location specially designated for it.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 29 – Scope of considering a case by the Disciplinary Board

The Disciplinary Board has no right to go beyond the scope of a disciplinary accusation (facts of the accusation). It has no right to propose for substantive discussion at the Disciplinary Board session facts or circumstances that are not directly related to the disciplinary accusation presented against a judge; or to find a judge guilty for committing disciplinary misconduct for which a disciplinary accusation has not been presented against the judge, and impose disciplinary liability and penalties on him/her.

Article 30 – Principles of activity of the Disciplinary Board

1. The Disciplinary Board shall act as a court when considering a case. (*Invalidated*) – Judgement of the First Board of the Constitutional Court of Georgia No 1/3/209 of 28 June 2004, 276-LHG IV, No 31, 6.7.2004, p. 2

2. The Disciplinary Board shall consider a disciplinary case collegially. The Disciplinary Board shall be duly constituted, if at least 3 Board members are present at its session.

3. The Disciplinary Board shall consider disciplinary proceedings impartially and objectively following the principles of adversarial proceedings and equality of arms.



4. A Disciplinary Board session shall be closed, and the information related to a disciplinary case hearing shall be confidential, except as provided for in Article 5(1) of this Law. A Disciplinary Board member and a person bringing a disciplinary charge shall keep the information confidential.

Judgement of the First Board of the Constitutional Court of Georgia No 1/3/209 No 1/3/209 of 28 June 2004, 276-LHG IV, No 31, 6.7.2004, p. 2

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 31 – Time frame for a disciplinary case hearing

The Disciplinary Board shall consider a disciplinary case not later than two months after its receipt.

Article 32 – Location of a disciplinary case hearing

The Disciplinary Board shall consider a disciplinary case in a specially allocated hall. A disciplinary hearing may not be held in a courtroom.

Article 33 – Procedure for assignment of disciplinary cases within the Disciplinary Board

The Chairperson of the Disciplinary Board shall assign disciplinary cases according to the order of cases.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 34 – Withdrawal of a Disciplinary Board member from a disciplinary case

1. A Disciplinary Board member shall withdraw from a disciplinary case hearing if there is any circumstance that can prevent him/her from considering the case impartially and objectively.

2. A Disciplinary Board member shall withdraw from a disciplinary case hearing if a court ruling, decree, or a separate decision made by him/her or with his/her participation, and/or his/her explanatory note served as a basis for initiating disciplinary prosecution against a judge.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 35 – Challenge of the Disciplinary Board

1. A judge imposed with disciplinary liability, and a representative of the High Council of Justice of Georgia may challenge a member of the Disciplinary Board or the full composition of the Disciplinary Board if there is a basis under Article 34 of this Law for a member of the Disciplinary Board to be withdrawn from a disciplinary case. He/she shall specify the reason of the challenge and substantiate the challenge. A judge imposed with disciplinary liability may also challenge a representative of the High Council of Justice of Georgia that has been appointed to support a disciplinary charge in his/her case.

2. The Disciplinary Board shall consider a motion for challenging the Board, its member or a representative who is appointed to support the charges in a meeting room.

3. A motion for challenge must be satisfied if there is a well-grounded suspicion about the impartiality of a Disciplinary Board member, the full Board composition or the representative appointed to support the charges.

4. If a Disciplinary Board member or a representative appointed to support disciplinary charges reverses or overturns the judgment passed by the judge against whom disciplinary liability was imposed in the past, it shall not constitute grounds for impartiality and recusal of the Disciplinary Board member or the representative appointed to support the disciplinary charges.

5. A motion for recusal of a Disciplinary Board member must be granted if any of the circumstances under Article 34(2) of this Law are present.

6. If a motion for recusal is granted, the Disciplinary Board shall continue to consider the case without the Board member recused.

7. If a Disciplinary Board or the representative appointed to support charges is challenged, the period of adjournment of the case hearing shall not be included within the time established by this Law for imposing a disciplinary penalty.

8. If a motion for recusal is not granted, the Disciplinary Board shall continue the hearing at the same session.

Law of Georgia No 1752 of 23 June 2005 – LHG I, No 36, 11.7.2005, Art. 232



Article 36 – Termination of a disciplinary proceeding due to expiry of the statutory period

1. When receiving a disciplinary case, the Disciplinary Board shall, before starting the case hearing, verify whether the statutory period for imposing disciplinary liability on a judge has expired.

2. If the period of imposing disciplinary liability on a judge expires, the Disciplinary Board shall immediately make the decision to terminate the disciplinary proceedings, except when the period of imposing disciplinary liability on a judge expires due to an intentional culpable time delay by the judge imposed with disciplinary liability. The Disciplinary Board shall communicate this decision to the High Council of Justice of Georgia, and to the judge against whom the disciplinary prosecution is pending.

Article 37 – Suspension of a disciplinary proceeding due to presence of elements of a crime

1. When receiving a disciplinary case, the Disciplinary Board shall be obliged, before starting the case hearing, to verify whether the action that served as the basis for imposing disciplinary liability contains elements of a crime.

2. If, based on the disciplinary case files, the action of a judge contains explicit elements of a crime, the Disciplinary Board shall not start the case hearing but it shall suspend disciplinary proceedings, forward the case files to an appropriate body and communicate this to the judge against whom the disciplinary prosecution is pending, and to the High Council of Justice of Georgia.

3. If criminal prosecution against a judge is not initiated, and/or the judgement of conviction is not delivered, except as provided for in Article 49(1)(d) of this Law, the Disciplinary Board shall resume the suspended disciplinary proceedings after receiving the appropriate information, unless the period of imposing disciplinary liability is expired.

Article 38 – Making arrangements for a disciplinary case hearing

1. The Disciplinary Board assigned to consider a disciplinary case shall beforehand familiarise itself with the case material and appoint a date for hearing by the Board.

2. The Disciplinary Board must timely communicate the date, time and location of the disciplinary case hearing to the High Council of Justice of Georgia and its representative, and to the judge against whom the disciplinary proceedings is pending.

3. The Disciplinary Board shall summon witnesses and other persons to participate in the case hearing, and shall notify them of the hearing date, time and location.

Article 39 –Hearing of a case by the Disciplinary Board

1. The Disciplinary Board shall hear a disciplinary case at its session. The Chairperson of the Disciplinary Board or, in his/her absence, a Board member making a report on a disciplinary case shall chair the session.

2. The chairperson of the Disciplinary Board session shall open the session.

3. A disciplinary case hearing shall start with a report by one of the Disciplinary Board members. The report shall provide details of the stages of the disciplinary proceeding and related factual circumstances in chronological order.

4. After hearing the report, the floor shall be given to the parties involved: first to a representative of the High Council of Justice of Georgia to present a disciplinary charge, and then to the judge imposed with disciplinary liability to reply to the presented charge. The judge imposed with disciplinary liability may have a defender. He/she may invite a lawyer, or another judge, or another representative to be his/her defender.

5. The parties shall be entitled to fully express and appropriately defend their positions, exchange questions, present written and other evidences, file motions for publishing various documents, materials or information, or for hearing information of persons invited to the session, or for requesting



additional documents or inviting additional persons and hearing their information, for evoking a respective proceeding, as well as for carrying out other measures. The motions shall be considered by the Disciplinary Board.

6. The Disciplinary Board shall be entitled to question the parties, or persons invited to participate in the case hearing, request additional documents, materials or information, invite additional persons to hear their information, adjourn the case for not more than two weeks, and carry out other measures.

7. Presenter of a disciplinary charge shall only be limited to presenting a disciplinary charge and its substantiation. He/she may not request imposing a specific disciplinary penalty and disciplinary measure on a judge.

8. Minutes of the Disciplinary Board session shall be drawn up at the session.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 40 – Ensuring equality of the parties

1. The Disciplinary Board shall be obliged to provide the parties with equal conditions and opportunities to express and defend their positions.

2. Disciplinary Board members may not hold prior meetings with, or obtain any information from any party in the absence of the other party, or without notifying the other party of contents of the information, unless it refers to an organisational aspect of the case.

3. Disciplinary Board members shall be obliged to abstain from expressing their attitudes or predispositions in favour of either party that may raise doubts about impartiality of the Disciplinary Board.

Article 41 – Mandatory participation of parties in disciplinary proceedings

1. During the disciplinary case hearing, participation of the judge imposed with disciplinary liability and of a representative of the High Council of Justice of Georgia in a Disciplinary Board session shall be mandatory. If any of the parties fail to appear at the session, the Disciplinary Board shall adjourn the disciplinary case hearing by not more than two weeks. This time shall not be included in the two-month period for hearing the disciplinary case by the Disciplinary Board.

2. If it is proved that the judge imposed with disciplinary liability avoids attending a Disciplinary Board session without reasonable excuse, the Board shall be entitled to consider the case in his/her absence, to find him/her guilty if relevant grounds are present, and impose disciplinary liability and disciplinary penalties on him/her.

3. If a judge imposed with disciplinary liability is unable to attend a Disciplinary Board session due to a severe illness or another force majeure, the Disciplinary Board shall, by its decision, be entitled to suspend the disciplinary proceedings for up to three months. This period shall not be included in the one-year period for imposing disciplinary liability on the judge but it shall be included in the five-year period determined under this Law for imposing disciplinary liability. If the reason for suspending the disciplinary proceeding is not eliminated within the three-month period, the Disciplinary Board may hear the case in the absence of the judge imposed with disciplinary liability.

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 42 – Decision of the Disciplinary Board with respect to withdrawal of disciplinary accusations against judges, or admission of disciplinary accusations by judges

1. A representative of the High Council of Justice of Georgia may, based on the decision of the High Council of Justice of Georgia, at any stage of a disciplinary case hearing (before the Disciplinary Board goes into the deliberations room), free the judge from the disciplinary charge presented against him/her. In this situation, the Disciplinary Board shall terminate the disciplinary case hearing regardless of its stage, and subsequently, the disciplinary case.

2. Before the hearing starts, the judge accused of disciplinary misconduct shall have the right to fully admit the disciplinary accusation and request the Disciplinary Board to decide on finding him/her guilty and on imposing disciplinary liability and penalties against him/her without a substantive case hearing. The Disciplinary Board shall grant the motion of the judge and make an appropriate decision.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017



Article 43 – Temporary suspension of a case hearing at the Disciplinary Board

1. If, before completing a disciplinary case hearing, the Disciplinary Board receives another disciplinary case against the same judge, the Disciplinary Board shall be obliged to temporarily suspend the previous hearing, consolidate both disciplinary cases, consider them simultaneously and, in case the judge is found guilty of committing two or more misconducts and disciplinary liability is imposed, to impose one of the penalties provided for by this Law.
2. If the Disciplinary Board learns that a disciplinary prosecution has been initiated against the same judge under another accusation, it may temporarily suspend the disciplinary hearing and wait until the other issue is resolved.
2. (Deleted).
3. The Disciplinary Board shall also temporarily suspend the hearing in other cases as provided for by this Law.
4. The temporary suspension period of a case shall not be included in the two-month period for the Disciplinary Board to consider the case.
5. After the grounds for suspending disciplinary proceedings are eliminated, the Disciplinary Board shall resume the hearing.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 44 – Noncompliance with the principle of continuity of the proceeding

The principle of continuity of a proceeding does not apply to disciplinary proceedings. If a disciplinary case hearing is adjourned or temporarily suspended, Disciplinary Board members shall be entitled to consider another disciplinary case and then resume considering the adjourned or temporarily suspended case. They shall have the right to consider a disciplinary case regardless of whether or not they participate in other (criminal, civil, etc.) proceedings.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 45 – Making a substantive decision on a case

The Disciplinary Board shall determine whether a judge committed an action for which a disciplinary charge was presented against him/her, and whether this action constitutes disciplinary misconduct under this Law. The Disciplinary Board shall also determine whether a judge was to be found guilty of committing disciplinary misconduct. Only under all of the three circumstances the Disciplinary Board shall be entitled to find a judge guilty and to impose disciplinary liability and disciplinary penalties against him/her. The Disciplinary Board may reclassify the action committed by the judge and replace it with any other disciplinary misconduct under Article 2 of this Law.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Article 46 – (Deleted)

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 47 – Making a decision by the Disciplinary Board

1. The Disciplinary Board shall make a decision in a meeting room.
2. The decision of the Disciplinary Board shall be considered to be made if the majority of the Board members present vote for it.
3. The decision of the Disciplinary Board shall be made in writing and signed by its members.
4. A Disciplinary Board member who disagrees with a decision made in a disciplinary case shall formulate his/her opinion in writing, which will be attached to the case.
5. The decision of the Disciplinary Board may be appealed to the Disciplinary Board.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 48 – Types of the Disciplinary Board decisions



1. The Disciplinary Board shall be entitled to deliver decisions on one of the following issues:

- a) suspending a disciplinary proceeding;
- b) terminating a disciplinary proceeding;
- c) finding a judge guilty of committing disciplinary misconduct and imposing disciplinary liability and disciplinary penalties against him/her;
- d) finding a judge guilty of committing disciplinary misconduct, imposing disciplinary liability against the judge and giving a private recommendation letter to him/her;
- e) acquitting a judge.

2. The decisions under paragraph (1)(c-e) of this article shall be made only following the hearing of a disciplinary case on the merits, except as provided for Article 42(2) of this Law.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 49 – Decision of the Disciplinary Board on termination of a disciplinary proceeding

1. The Disciplinary Board shall decide to terminate a disciplinary proceeding if:

- a) the time frame for imposing a disciplinary penalty against a judge has expired;
- b) the High Council of Justice of Georgia has freed the judge from a disciplinary charge;
- c) the judge against whom a disciplinary prosecution has been initiated resigns before the disciplinary proceeding is completed or his/her judicial power expires;
- d) based on files submitted by the Disciplinary Board, criminal prosecution was not instituted against a judge due to failure to prove the guilt of the judge, or the facts that served as a basis for the disciplinary charge.

2. The Disciplinary Board shall terminate a disciplinary proceeding only before a substantive case hearing is completed, and before the Disciplinary Board goes into the meeting room.

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 50 – Decision of the Disciplinary Board on temporary suspension of a disciplinary proceeding

1. The Disciplinary Board shall temporarily suspend a disciplinary proceeding in cases under Article 43 of this Law.

2. A disciplinary proceeding may be temporarily suspended only before a substantive case hearing is completed, and before the Disciplinary Board goes into the meeting room.

Article 51 – Decision of the Disciplinary Board to find a judge guilty of committing a disciplinary misconduct, to impose disciplinary liability on him/her or to apply to a judge with a private recommendation letter

1. The Disciplinary Board shall make the decision to find a judge guilty of committing a disciplinary misconduct, to impose disciplinary liability on him/her or to apply to a judge with a private recommendation letter if, during hearing of a disciplinary case before the Disciplinary Board, based on the combination of concurrent and convincing evidence, a culpable commission of a disciplinary misconduct under this Law by the judge is proven but due to the insignificance of the misconduct, or an insignificant degree of the charge or for another reason (due to the sensitivity of the issue, or for another reason, taking into account the judge's personality), the Disciplinary Board considers it inappropriate to impose a disciplinary penalty on the judge, and deems it sufficient to apply to him/her with a private recommendation letter.

2. A private recommendation letter is a letter of the Disciplinary Board addressed to a judge that has committed a disciplinary violation, in which the fact of committing a disciplinary misconduct by the judge is negatively evaluated. The private recommendation letter shall also contain a recommendation of the Disciplinary Board on the ways and instruments for eliminating the violation, and solving the problems and difficulties associated with the performance of duties of a judge.

3. The content of a private recommendation letter shall be confidential. A private recommendation letter shall only be sent to the judge that has committed a disciplinary misconduct, to the High Council of Justice of Georgia, and to the author of a complaint (application/notification). The author of a complaint (application/notification) shall sign an order of non-disclosure of the content of the private recommendation letter. A copy of the private recommendation letter may not be forwarded to another authority or official. A copy of the private recommendation letter shall be attached to the disciplinary case in a sealed package. The package may only be opened during hearing of the case before the Disciplinary Board in case of a repeated commission of a disciplinary misconduct by the judge.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017



Article 52 – Decision of the Disciplinary Board on acquitting a judge

The Disciplinary Board shall acquit a judge if commission of disciplinary misconduct under this Law or its culpable commission by the judge has not been proven as a result of the hearing.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Article 53 - Decision of the Disciplinary Board on finding a judge guilty of committing a disciplinary misconduct, imposing disciplinary liability and a disciplinary penalty on him/her

The Disciplinary Board shall make the decision to find a judge guilty of committing a disciplinary misconduct and to impose disciplinary liability and a disciplinary penalty on him/her if, as a result of the case hearing before the Disciplinary Board, based on the combination of concurrent and convincing evidence, culpable commission of one or several disciplinary misconducts under this Law by the judge has been proven, and the Disciplinary Board considers it appropriate to impose one of the disciplinary penalties under Article 4(1) of this Law on him/her.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 54 – General procedure for imposing disciplinary penalties and disciplinary measures

1. Disciplinary penalties and disciplinary measures shall be imposed by following the principle of independence and non-interference in the activities of a judge. When selecting a disciplinary penalty and a disciplinary measure to be imposed against a judge, the Disciplinary Board shall consider the content and gravity of disciplinary misconduct, implications it incurred or may have incurred, and the degree of guilt.

2. The Disciplinary Board shall be entitled to apply only one type of disciplinary penalty. A disciplinary penalty may be imposed either separately or in combination with a disciplinary measure under Article 4(2)(b) of this Law. A measure under Article 4(2)(a) of this Law shall be applied only separately.

3. If the penalty imposed for a previously committed disciplinary misconduct has not been lifted, as a rule, a more severe disciplinary penalty shall be imposed on a judge.

4. If, within six months of giving a private recommendation letter, a judge commits similar disciplinary misconduct for which the disciplinary measure was imposed, the Disciplinary Board shall consider imposing a disciplinary penalty against the judge.

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Article 54¹ – Imposing disciplinary penalty

1. For committing disciplinary misconduct under:

a) Article 2(2)(b) or (d) of this Law, a reprimand, severe reprimand or removal from a position (elimination from the reserve list of judges of the General Courts) may be imposed as a disciplinary penalty;

b) Article 2(2)(c) of this Law, a severe reprimand or removal from a position (elimination from the reserve list of judges of the General Courts) may be imposed as a disciplinary penalty;

c) Article 2(2)(e),(g) or (h) of this Law, a reproof or a reprimand may be imposed on a judge;

d) Article 2(2)(f) or (j) of this Law, a reproof, reprimand, severe reprimand or removal from a position (elimination from the reserve list of judges of the General Courts) may be imposed as a disciplinary penalty;

2. The Disciplinary Board shall be entitled to impose a more severe disciplinary penalty for committing three or more instances of disciplinary misconduct.

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Article 55 – Dismissal of a chairperson, first deputy chairperson, deputy chairperson of a court, or a chairperson of the Judicial Board or Chamber

The Disciplinary Board shall dismiss a chairperson, first deputy chairperson, deputy chairperson of a court, or a chairperson of the Judicial Board or Chamber as a disciplinary measure if a judge fails to exercise or improperly exercises his/her respective administrative powers – duties of the head of court, the board or chamber, or when committing other disciplinary misconduct under this Law.

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Article 56 – Decision of the Disciplinary Board on dismissal of a judge



1. The Disciplinary Board shall take into account that dismissal of a judge is the last resort measure, and that this measure is applied in a special case. The Disciplinary Board shall make the decision to dismiss a judge if, considering the gravity, and number of a particular disciplinary misconduct, and any previously committed disciplinary misconducts, it considers inappropriate that this judge continue exercising his/her judicial powers.

2. If a severe reprimand, either separately or in combination with a disciplinary measure under the Law, was imposed on a judge as a penalty for previously committed disciplinary misconduct, and this penalty has not been lifted, the Disciplinary Board shall consider the dismissal of this judge when selecting a penalty for new disciplinary misconduct.

3. A judge must be removed from a case hearing and from exercising other official powers, as determined by the Law, immediately after the Disciplinary Board makes a decision to dismiss the judge.

Law of Georgia No 1752 of 23 June 2005 – LHG I, No 36, 11.7.2005, Art. 232

Law of Georgia No 5279 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 323

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 57 – Contents of a decision of the Disciplinary Board

A decision of the Disciplinary Board shall include:

- a) the title of the Disciplinary Board;
- b) the composition of the Disciplinary Board;
- c) the time of the disciplinary hearing;
- d) the full name and position of the accused judge;
- e) the identity of an official initiating the disciplinary proceeding, and the name of a body imposing disciplinary liability on a judge;
- f) the date of initiating a disciplinary proceeding and instituting disciplinary liability;
- g) the circumstances of a disciplinary case;
- h) the content of the disciplinary accusation and the explanations of the judge;
- i) the factual and legal grounds for the decision; the content and motivation for the decision;
- j) the type of disciplinary misconduct for which liability is imposed against the judge, and the types of a disciplinary penalties and disciplinary measures;
- k) grounds for terminating a disciplinary proceeding, acquitting the judge, giving a private recommendation letter to the judge, or for a recommendation to dismiss the judge.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 58 – Submission of a copy of the Disciplinary Board decision

1. Copies of the decision of the Disciplinary Board on a disciplinary case shall be, within five days after it is made, forwarded to the judge with respect to whom the decision was made, to the High Council of Justice of Georgia, and to the Conference of Judges of Georgia. Copies of the decision shall be, within the same period, forwarded to the author of the complaint (application/notification) if a general court ceased to hear the case in relation to which the disciplinary proceeding was conducted.

2. A copy of the decision of the Disciplinary Board must be attached to the personal file of a judge.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 59 – Minutes of a Disciplinary Board session and its content

1. The minutes of a Disciplinary Board session shall include the date of the session, its start time, course of the session, composition of the Board, full names of the parties involved and their views, evidences and relevant substantiation presented by the parties, the essence of the motions filed by the parties and results of their consideration, names and positions of the persons invited to the session and the information they provided, the content of the



decision by the Disciplinary Board, and the closing time of the session.

2. The chairperson and the secretary of the Disciplinary Board session shall sign the minutes of the session.

3. The minutes of the Disciplinary Board session shall be attached to the disciplinary case.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Chapter IV - Disciplinary Hearing by the Disciplinary Chamber of the Supreme Court of Georgia

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 60 – Appeal of a Disciplinary Board decision

1. A decision of the Disciplinary Board may be revised by appealing it to the Disciplinary Chamber of the Supreme Court of Georgia (the “Disciplinary Chamber”). Only decisions made under Article 48(1)(b-e) of this Law shall be subject to appeal. The parties to the disciplinary case shall have the right to appeal.

2. A decision by the Disciplinary Board shall be appealed to the Disciplinary Board within 10 days. This time frame cannot be extended (recovered) and it shall commence from the time of handing the decision of the Disciplinary Board to a party. Submission of a copy of the decision to the party directly at the Disciplinary Board or sending it by post shall be considered to be the time of handing the decision.

3. The High Council of Justice of Georgia shall make the decision on appealing a Disciplinary Board decision at its session by two-thirds majority of the full list. The High Council of Justice of Georgia shall appeal a Disciplinary Board decision through its representative.

4. A judge against whom disciplinary liability has been imposed shall appeal the Disciplinary Board decision in person or through his/her defending counsel or other representative.

5. Within five days after receiving the appeal from either or both parties to a disciplinary case, the chairperson of the Disciplinary Board shall submit the disciplinary case file to the Disciplinary Chamber, along with the appeals received, and shall notify the parties to the disciplinary case about it.

6. A state fee shall not be paid for an appeal filed against a Disciplinary Board decision.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012.

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 61 – Content of an appeal

1. An appeal must include:

a) the title of the Disciplinary Chamber;

b) the name and address of the appellant and of the adversary;

c) the exact title of the decision appealed, and the title of the authority that made this decision;

d) a reference to the section of the decision that is appealed;

e) a reference to the grounds (reasons) for appeal and explanation of whether the appellant requests to reverse the decision (application of the appeal);

f) a reference to the facts and evidence confirming the infringement of procedural norms, if the appeal is based on an infringement of procedural norms;

g) the list of written materials that are attached to the appeal;

h) the signature of an appellant.

2. A power of attorney verifying the right of the representative to appeal shall be attached to the appeal submitted by the representative, if the document verifying this right is not included in the case file.

3. The appeal and other additional materials received shall be submitted to the court in as many copies as the number of parties to the case.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Article 62 – Verification of admissibility of an appeal

1. Within 10 days after the receipt of an appeal, the Disciplinary Chamber must verify if the appeal has been filed in compliance with Article 61 of this



Law. If the appeal complies with the requirements of the article, the Disciplinary Chamber shall admit it to proceeding.

2. If an appeal fails to comply with the requirements of Article 61 of this Law, the Disciplinary Chamber shall require the appellant to correct the failure, for which it shall allow him/her a reasonable time (not more than 10 days). If the failure is not corrected within this time frame, or if the appeal is not filed within the statutory period, the appeal shall not be considered.

3. The Disciplinary Chamber shall resolve the issue under this article without oral consideration.

4. Copies of the appeal and of the enclosed files must be forwarded to the adversary. The Disciplinary Chamber may fix a time for the adversary to respond in writing to the appeal.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 63 – Refusal to appeal the decision and waiver of the appeal

1. If, following the announcement of the decision, a party refuses to appeal the decision of the Disciplinary Board in writing, the appeal shall not be admitted.

2. During hearing of a case by the Disciplinary Chamber, the appeal may be waived before making a decision. In case of waiving an appeal, the party shall be deprived of the right to appeal the decision again.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 64 – Time frame and timing for a case hearing

1. The Disciplinary Chamber shall hear a disciplinary case within one month after admission of an appeal. Under objective circumstances, the Chairperson of the Supreme Court of Georgia may extend the time for hearing the case for one more month.

2. Under the decision on admission of an appeal, the Disciplinary Chamber shall fix the time for an oral case hearing and shall notify the parties of it within three days of the decision.

3. The Disciplinary Chamber shall ensure that the parties/participants are invited to take part in the session before the Disciplinary Chamber.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 65 – Scope of hearing of an appeal by the Disciplinary Chamber and principles of its activity

1. The Disciplinary Chamber shall verify a decision by the Disciplinary Board within the scope of the appeal in terms of factual and legal aspects, as well as the lawfulness of the penalty imposed.

2. A hearing held by the Disciplinary Board in violation of legal procedures may serve as a ground for reversing the decision only if it results in making a substantively incorrect decision on the case.

3. During the appeal hearing, the Disciplinary Chamber shall carry out its activity in compliance with the principles contained in Article 30(3),(4) of this Law.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 66 – Hearing of a case by the Disciplinary Chamber

1. An appeal against a Disciplinary Board decision shall be considered at a session of the Disciplinary Chamber. The chairperson of the Disciplinary Chamber or another member of the Chamber – by order of the chairperson – shall chair the session.

2. The chairperson of the Disciplinary Chamber session shall open the session and announce the case to be considered.

3. The secretary of the Disciplinary Chamber session shall report on who of those invited to the current hearing is present, and whether those absent have been notified of the session and what information is available regarding the reasons of their absence. The Disciplinary Chamber shall check the details of persons present and verify the powers of representatives.

4. The chairperson of the session shall explain to the parties and their representatives their rights and obligations.



5. The chairperson of the session shall announce the composition of the Disciplinary Chamber, the full name of the secretary of the session, and explain to the parties that they have the right to recuse, if the recusal was not proposed on the basis of a reasonable excuse before hearing of the case at the session; or if another composition of a court is considering the case and not the one that was known at the preparatory stage of the proceeding.

6. The chairperson of the session shall ask the parties whether they have motions or statements that were not announced before the session.

7. Participants of the proceeding shall be obliged to maintain order and obey the instructions of the chairperson of the session. If during the hearing order is disrupted, the chairperson shall warn the violator.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 67 – Substantive hearing of the case

1. The substantive hearing of a case shall start with a judge reporting on the case based on the case files submitted.

2. After the judge's report on the case, the chairperson of the session shall give the floor to the parties to provide statements.

3. The appellant/representative of the appellant shall be the first person to provide a statement; in particular what is his/her claim, what are the circumstances on which the claim is based, and how can he/she prove the circumstances; whether he/she still supports the claim, or wants to waive the appeal, etc.

4. After that, the court shall hear statements of the adversary/representative of the adversary on whether he/she admits the appeal, etc.

5. If only one party is present at the session, the Disciplinary Chamber shall take statements from this party.

6. With the permission of the chairperson of the session, either party may ask questions of the adversary and its representative. If the question goes beyond the scope of the subject of the hearing and is not intended to examine and establish circumstances of the case, the chairperson of the session can, at the request of a party or on his/her own initiative, disallow the question.

7. Members of the Disciplinary Chamber may ask questions of the parties that will help establish circumstances that are significant for resolution of the case completely and accurately, and determine their reliability.

8. The argument shall consist of statements by the parties and their representatives. The appellant and his/her representative shall be the first to speak, and next the adversary and his/her representative.

9. After each party speaks, the chairperson of the session shall allow the parties to make replications.

10. After the arguments, the Disciplinary Chamber shall retire to a meeting room to make a decision, of which it shall notify the parties.

11. After returning from the meeting room, the chairperson of the session shall announce the decision, and explain the grounds for making the decision; afterwards he/she shall close the session.

12. Minutes of the Disciplinary Chamber session shall be drawn up to be signed by the chairperson and the secretary of the session.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Article 68 – Decision of the Disciplinary Chamber

1. The Disciplinary Chamber shall make a decision by a majority of votes.

2. When making a decision, a Disciplinary Chamber member may not abstain from voting.

3. The decision of the Disciplinary Chamber shall include the content of the Disciplinary Board decision and of the appeals admitted, results of consideration of the issue before the Disciplinary Chamber, and the essence and substantiation of the decision made.

4. The decision of the Disciplinary Chamber shall be final and without appeal.

5. At the request of the parties or on its own initiative, the Disciplinary Chamber may correct inaccuracies or obvious arithmetic errors in the decision, if it considers appropriate to make corrections. The ruling on making corrections in the decision shall not be appealed.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 69 – Types of a decision of the Disciplinary Chamber



The Disciplinary Chamber shall be entitled to make one of the following decisions:

- a) affirming a decision by the Disciplinary Board, if the appeal concerns decisions under Article 48(1)(b-e);
- b) overturning a decision by the Disciplinary Board, if the appeal concerns decisions under Article 48(1)(c), and (d);
- c) reversing a decision by the Disciplinary Board and making a new decision, if the issue concerns decisions under Article 48(1)(b-e);
- d) reversing a decision by the Disciplinary Board and remanding the case. This decision may be appealed.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 70 – Grounds for affirming a decision by the Disciplinary Board

1. The Disciplinary Chamber shall affirm the decision by the Disciplinary Board, if it finds that the Disciplinary Board has lawfully acquitted a judge or terminated a disciplinary proceeding against him/her; or if it has provided a proper subsumption for disciplinary misconduct as determined at the Board session, and it has imposed a lawful and fair penalty or disciplinary measure on a judge.

2. To affirm a decision of the Disciplinary Board, it is mandatory that the facts considered to have been established by the Disciplinary Board (committing a respective disciplinary misconduct, grounds for terminating a disciplinary case or acquitting a judge) are also confirmed at the session before the Disciplinary Chamber, along with the presence of the circumstances under the first paragraph of this article.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 71 – Grounds for overturning a decision of the Disciplinary Board

1. The Disciplinary Chamber shall overturn the decision of the Disciplinary Board if:

a) the Disciplinary Board has provided an improper subsumption for the actions committed by a judge and failed to determine correctly which disciplinary misconduct under Article 2 of this Law the judge committed; the Disciplinary Board shall be entitled to re-characterise the action of the judge and replace it with any disciplinary misconduct under Article 2 of this Law, and also to find the judge guilty for committing another instance of disciplinary misconduct under this Law, if it is included in the factual circumstances of a disciplinary charge;

b) the Disciplinary Board has applied an unlawful, unfair or inappropriate penalty or disciplinary measure. In this case, the Disciplinary Chamber shall be entitled to:

b.a) affirm a penalty, remove a disciplinary measure from or impose it against a judge;

b.b) overturn a penalty and affirm a disciplinary measure;

b.c) overturn a penalty and a disciplinary measure, or apply a disciplinary measure under Article 4(2)(a) of this Law;

b.d) replace a disciplinary measure with any disciplinary penalty or apply this penalty together with a disciplinary measure under Article 4(2)(b).

2. If the circumstances under paragraph 1(a), and (b) of this article are present in combination, the Disciplinary Chamber shall make a decision to overturn the subsumption for disciplinary misconduct committed by a judge, the penalty or disciplinary measure imposed against the judge, and consequently, to overturn the decision of the Disciplinary Board in part.

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 72 – Grounds for reversing a decision by the Disciplinary Board and for making a new decision

The Disciplinary Chamber shall reverse a Disciplinary Board decision, if the Disciplinary Board has unlawfully acquitted a judge; unlawfully terminated a disciplinary proceeding initiated against him/her, or unlawfully imposed a disciplinary liability on and applied a penalty or a disciplinary measure against the judge. Upon reversing the Disciplinary Board decision, the Disciplinary Chamber shall be entitled to make any decision under Article 48 of this Law, except for a decision under the same Article 48(1)(a).

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 73 – Grounds for reversing a decision by the Disciplinary Board and for remanding a case

The Disciplinary Chamber shall reverse a Disciplinary Board decision and remand a case, if:

a) the case has been considered by the illegitimate composition of the Disciplinary Board;

b) the Disciplinary Board considered the case in the absence of either of the parties that were not notified of the scheduled session;



- c) the decision has been based on a hearing where the confidentiality rules for the proceeding have been violated;
- d) the legal substantiation of the decision is deficient, or incomplete to the extent that the legal substantiation of the decision cannot be verified;
- e) the decision has not been signed by the chairperson or the secretary of the session;
- f) minutes of the hearing have not been enclosed with the case file.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art 347

Article 74 – The form of the decision by the Disciplinary Chamber

1. The decision made by the Disciplinary Chamber on a disciplinary case shall be in writing. It shall be signed by the Chamber members.
2. Copy of the decision of the Disciplinary Chamber shall be forwarded to the High Council of Justice of Georgia, parties to the proceeding, their representatives, and to the author of the complaint (application/notification).

Judgement of the First Board of the Constitutional Court of Georgia No 1/3/209 of 28 June 2004 – LHGIV, No 31, 6.7.2004, p. 2

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Chapter IV¹ (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 74¹ – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 74² – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 74³ – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 74⁴ – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 74⁵ – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347



Article 74⁶ – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Chapter V - Enforcement of the Decision in a Disciplinary Case

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Article 75 – Enforcement of the decision in a disciplinary case

1. The decision by the Disciplinary Board after expiry of the period for appeal (if it was not appealed) and the decision of the Disciplinary Council must be immediately enforced. **(Invalidated)** – Judgement of the First Board of the Constitutional Court of Georgia No 1/3/209 of 28 June 2004 – LHGIV, No 31, 6.7.2004, p. 2

2. The High Council of Justice of Georgia, or the Chairperson of the Supreme Court of Georgia shall be responsible for the enforcement of a disciplinary penalty and a disciplinary measure within the scope of their authority.

3. The decision by the Disciplinary Board shall enter into force after expiry of the period for appeal, and the decision of the Disciplinary Board shall enter into force immediately.

Judgement of the First Board of the Constitutional Court of Georgia No 1/3/209 of 28 June 2004 – LHGIV, No 31, 6.7.2004, p. 2

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 76 – Enforcement of the decision on dismissing the chairperson of a court, the first deputy or deputy chairpersons, and the chairperson of the Judicial Panel or Chamber

When applying dismissal against the chairperson of a court, the first deputy or deputy chairpersons and the chairperson of the Judicial Panel or Chamber as a disciplinary measure, the Disciplinary Board or the Disciplinary Chamber shall submit its legally effective decision for enforcement to the appropriate authority or official; in particular to the Plenum of the Supreme Court of Georgia if it refers to deputy chairpersons of the Supreme Court of Georgia, and to the High Council of Justice of Georgia in all other instances.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 77 – Enforcement of a decision to dismiss a judge

When imposing the dismissal of a judge as a disciplinary penalty, the Disciplinary Board or the Disciplinary Chamber shall submit its legally effective decision for enforcement to the High Council of Justice of Georgia.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 4953 of 19 June 2007 – LHG I, No 24, 2.7.2007, Art. 216

Article 78 – (Deleted)

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 4953 of 19 June 2007 – LHG I, No 24, 2.7.2007, Art. 216



Article 79 – (Deleted)

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 1064 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 63

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 4953 of 19 June 2007 – LHG I, No 24, 2.7.2007, Art. 216

Article 80 – Dismissal of a judge

1. After a recommendation for dismissing a judge is received, the Parliament of Georgia shall dismiss a judge of the Supreme Court of Georgia, and the High Council of Justice of Georgia shall dismiss all other judges.

2. The High Council of Justice of Georgia shall, based on the legally effective decision of the Disciplinary Board or the Disciplinary Chamber on dismissing a judge, and the appropriate recommendation of the same, dismiss the judge within the time limit of 10 days after receiving the recommendation.

3. A person who was dismissed from the position of a judge under the procedures determined by this Law for committing disciplinary misconduct shall cease to be entitled to receive a state compensation under Article 82(3) of the Organic Law of Georgia on General Courts.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 4953 of 19 June 2007 – LHG I, No 24, 2.7.2007, Art. 216

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 193 of 28 December 2012 – website, 30.12.2012

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Chapter VI - Publishing Decisions of the Disciplinary Board and the Disciplinary Chamber, Consequences of Breaching the Confidentiality of Information Concerning a Disciplinary Case, and Reimbursing Travel Expenses

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 81 – Publishing decisions of the Disciplinary Board and the Disciplinary Chamber

1. Decisions of the Disciplinary Board and the Disciplinary Chamber shall be published without the identification data of a judge, unless the judge has requested the disciplinary proceeding be made public, on an official website upon their entry into force. The decision on dismissing a judge shall be fully published.

2. Copies of legally effective decisions of the Disciplinary Board and the Disciplinary Chamber shall be issued to any person, when requested.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Law of Georgia No 5922 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 581 of 1 May 2013 – website, 20.5.2013

Law of Georgia No 256 of 8 February 2017 – website, 13.2.2017

Article 82 – Obligation of a member of the Disciplinary Board and a member of the Disciplinary Chamber to maintain the confidentiality of information concerning a disciplinary case

1. A member of the Disciplinary Board and a member of the Disciplinary Chamber shall keep the confidentiality of information concerning a disciplinary case, except when the judge requests that the disciplinary proceeding be made public under Article 5(1) of this Law, and the secrecy of deliberations. This obligation shall not apply to the information contained in the legally effective decisions of the Disciplinary Board and the Disciplinary Chamber.

2. Failure to follow the procedure under the first paragraph of this article shall be considered to be disciplinary misconduct under Article 2(2)(f) of this Law. This misconduct shall become a ground for removing a judge from the Disciplinary Board or the Disciplinary Chamber, as well as a ground for imposing disciplinary liability against the judge.



Article 83 – Reimbursement of travel expenses

Travel expenses of a person conducting disciplinary proceedings, and a presenter of disciplinary charges, also travel expenses of a member of the Disciplinary Board and a member of the Disciplinary Chamber related to their exercising disciplinary powers shall be reimbursed according to their work place.

Chapter VII - Lifting of a Disciplinary Penalty, and legal consequences of its imposition

Article 84 – Lifting a disciplinary penalty

1. A "reproval" shall be deemed lifted six months after it was imposed; a "reprimand" – nine months after, and a "severe reprimand" – one year after it was imposed, unless a judge commits another instance of disciplinary misconduct within this period.
2. A judge against whom a decision finding him/her guilty of committing disciplinary misconduct, on imposing disciplinary liability against the judge, and on giving him/her a private recommendation letter as a disciplinary measure has been made, shall not be deemed to have been charged with a disciplinary penalty.
3. A disciplinary penalty may not be lifted before expiry of a respective time frame set under the first paragraph of this article.

Article 85 – Restriction of the right of promoting a judge in the office

1. A judge, who is imposed with disciplinary liability by decision of the High Council of Justice of Georgia, or if a disciplinary penalty imposed on him/her has not been expunged, shall be restricted from exercising the right of being promoted in the office for a particular period.
2. A respective authority or an official shall not assign a judge to a superior court if disciplinary liability has been imposed on him/her by decision of the High Council of Justice of Georgia, or if a disciplinary penalty imposed on him/her has not been expunged.

Article 86 – Inadmissibility of finding a judge guilty for the same charges and of imposing a disciplinary penalty against him/her

After the Disciplinary Board or the Disciplinary Chamber finds a judge guilty or acquits him/her, it shall be inadmissible to initiate a disciplinary prosecution against the judge on the same grounds, to institute disciplinary proceedings against the judge for the same charges, and to find the judge guilty of the same action and to impose disciplinary liability and disciplinary penalties against him/her.

Chapter VIII - Storage of a Disciplinary Case, and Statistical Information

Article 87 – Storage of a disciplinary case

1. A disciplinary case shall be stored at the Disciplinary Board, and shall be inaccessible to other persons.
2. Disciplinary cases may be submitted to the authorities or officials appointing judges only by permission of the chairperson of the Disciplinary Board.
3. The storage period for a disciplinary case shall be 10 years.

Article 88 – Statistical information



1. Statistical information on Disciplinary Board activities and disciplinary cases considered shall be periodically submitted to the Conference of Judges of the General Courts of Georgia and the High Council of Justice of Georgia.

2. Statistical information under the first paragraph of this article may be submitted to other officials, agencies, as well as to mass media representatives only by permission of the chairperson of the Disciplinary Board, and following the restrictions imposed under this Law for maintaining the confidentiality of information.

Law of Georgia No 271 of 20 June 2004 – LHG I, No 20, 16.7.2004, Art. 97

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Chapter IX - Transitional Provisions

Article 89 – Procedure for resuming consideration of pending disciplinary proceedings

Consideration of disciplinary proceedings pending under the Regulation on Disciplinary Liability and Disciplinary Proceedings of Judges of the General Courts of Georgia before the entry of this Law into force shall be resumed from the date the Law takes effect, as determined under this Law.

Article 90 – Powers of the Council of Justice during transitional period

1. The Council of Justice of Georgia shall be authorised, from the date this Law enters into force to 1 May 2001, and in all cases under Article 2 of this Law, to initiate disciplinary prosecution against all judges of the General Courts of Georgia, except for judges of the Supreme Court of Georgia.

2. The Council of Justice of the Autonomous Republic of Abkhazia shall be authorised, from the date this Law enters into force to 1 May 2001, and in all cases under Article 2 of this Law, to initiate disciplinary prosecution against all judges of the General Courts within the jurisdiction of the Autonomous Republic of Abkhazia.

3. The Council of Justice of the Autonomous Republic of Ajara shall be authorised, from the date this Law enters into force to 1 May 2001, and in all cases under Article 2 of this Law, to initiate disciplinary prosecution against all judges of the General Courts within the jurisdiction of the Autonomous Republic of Ajara.

4. If there is more than one reason under Article 7 of this Law for initiating disciplinary prosecution against a judge on one specific fact, initiation of disciplinary prosecution shall be considered by the authority or official being the first to receive the information.

5. The High Council of Justice of Georgia shall ensure that the Disciplinary Board is staffed according to a new procedure, and the previous Disciplinary Council is liquidated before 15 March 2006.

6. Appeals against Disciplinary Board decisions pending before 15 March 2006 at the Disciplinary Council of the Judges of the General Courts shall be submitted to the Disciplinary Chamber of the Supreme Court of Georgia for consideration.

Law of Georgia No 2127 of 25 November 2005 – LHG I, No 53, 19.12.2005, Art. 347

Article 91 – Decisions made before entry of the law into force

1. All decisions on disciplinary cases of judges of the General Courts of Georgia made before this Law entered into force shall remain valid.

2. Disciplinary proceedings against judges of the General Courts before entry of this Law into force shall be conducted according to the provisional regulation approved under the Decree by the President of Georgia.

Law of Georgia No 251 of 20 April 2000 – LHG I, No 15, 25.4.2000, Art. 37

Article 91¹ – Change in the composition of the Disciplinary Board

If the term of office for the Disciplinary Board members expires, the Board shall be staffed again according to Article 24(1) of this Law.

Law of Georgia No 4218 of 29 December 2006 – LHG I, No 2, 4.1.2007, Art. 26

Chapter X - Final Provisions

Article 92 – Cancelling the normative act in connection with entry of the law into force

Upon entry of this Law into force, the Regulation on the Disciplinary Liability and Disciplinary Proceedings of Judges of General Courts of Georgia approved under Decree No 534 of 25 September 1998 by the President of Georgia shall be considered invalid.



Article 93 – Entry of the law into force

This Law shall enter into force as from 1 July 2000.

Law of Georgia No 251 of 20 April 2000 – LHG I, No 15, 25.4.2000, Art. 37

President of Georgia

Eduard Shevardnadze

Tbilisi

23 February 2000

No 150-IIS

