



FAD - Fathers Against Discrimination a.s.b.l.
"Both Parents for All Children™"
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Luxembourg

27 June, 2020 Strassen

Tribunal d'arrondissement de Luxembourg
Attn: Bâtonnier Mr. François KREMER
Bâtiments TL, CO, JT Cité judiciaire
L-2080 Luxembourg
Luxembourg

Dear Mr. KREMER,

In our correspondence from 21 January, 2020 we informed you that we were trying to obtain the list of judges residing in the family courts in Luxembourg City and Diekirch. We notified you we have contacted Greffier en chef Mr. Georges BIGELBACH to acquire the names. You have been also informed that Mr. BIGELBACH refused to provide us with the list.

As explained in our letter it is our understanding that in accordance with the EU judicial system's transparency regulation it has to be a common practice that these lists are publicly available allowing those interested to have free access to the information. We know that both lists can also change every year as it happened in 2019 so, it is clear that the lists not only should be publicly accessible but updated when necessary.

Following the refusal from Mr. BIGELBACH to provide us with the list we have asked him for the grounds for withholding this basic information. We wanted to be pointed to any internal regulation of the Tribunal d'arrondissement de Luxembourg, a law or an Article in the Luxembourg Civil Code that prevents him from fulfilling our request providing basic information that should be by all standards openly available to the public? So far, he has failed in doing so and we are still waiting for his response.



We have been waiting for your response for over 6 months. It is unfortunate but we find lack of reply from your side not only surprising but also disappointing standing in contradiction to what should be defined as normal practice of a person holding a public office in a democratic country that respects transparency of its judicial system. A country and state administration we understand Luxembourg would like to be perceived as.

The information about judges residing in courts should be available to the public therefore we would like to ask again to provide us with the names of the judges both from the family court as well as the Luxembourg Court of Appeal. Alternatively please let us know where these lists can be obtained. Better yet, please take appropriate measures to assure that the lists as available on Internet.

In our letter we also asked about children's lawyers. Considering that their work plays crucial and decisive role in children custody proceedings we again direct our inquiry with regards to the below. Answering to the questions listed will allow us to better understand the process of appointing children's lawyers to custody cases. Please advise:

1. Where can we obtain the list of Luxembourg children's lawyers?
2. What are the requirements to become children's lawyer in Luxembourg?
3. Is there a procedure to follow, examination or courses to reach competences that allow a lawyer without proper psychological or pedagogical education to decide what is and what is not in the best interest of a child?
4. How are children's lawyer appointed and mandated to take over a case? Is there a procedure? Is there a list judges choose from or it is done randomly?

Thank you in advance for your reply.

Respectfully,

Patryk P. RYBIŃSKI
President
FAD – Fathers Against Discrimination a.s.b.l.



"Mir wëlle bleiwe wat mir sinn an mir kënnen e Beispill fir den Rescht vun Europa sinn." -

- "We want to remain what we are and we can be an example for the rest of Europe."