



FAD - Fathers Against Discrimination a.s.b.l.
"Both Parents for All Children™"
29, Boulevard Prince Henri
L-1724 Luxembourg
Luxembourg

Luxembourg, 5 October 2020

Ministère de la Justice
L'honorable Sam TANSON
13, rue Erasme
(Centre administratif Pierre Werner)
L-2934 Luxembourg
Luxembourg

Dear Ms. TANSON,

We have reached out to your numerous times to L'honorable Bâtonnier KREMER to obtain explanation why the lists of judges residing in Luxembourg Family Courts (Luxembourg City and Diekirch) are not available to the public and posted on the website of the Luxembourg Bar. We have also contacted Greffier en chef Mr. Georges BIGELBACH but we also have not received proper explanation.

Our understanding is that in accordance with the EU judicial system's transparency regulation it has to be a common practice that these lists are publicly accessible allowing those interested to have free access to the information. We understand that both lists can also change every year as it happened in 2019 and 2020 so it is clear that the lists not only should be publicly accessible but updated when necessary and appropriate.

When refusing to provide us with the lists, Mr. Georges BIGELBACH did not point us to any internal regulation of the Tribunal d'arrondissement de Luxembourg, a law or an Article from the Luxembourg Civil Code that allows to deny access to this elementary information. Could you kindly advise if you have any knowledge why this information is not available to the public?

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Also, considering how important is the role of children's attorneys when appointed to assist during custody proceedings following separation of parents if possible could you please advise whether you have any information with regards to the following questions:

1. What are the requirements to become children's lawyer in Luxembourg?
2. 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?
3. 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?

We remain available for any questions you may have Thank you in advance for your reply.

Most respectfully,

Luxembourg Parents & Grandparents
with Board Members of the Association & Members

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"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."