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Norway

Norges Høyesterett

Date of establishment

The Supreme Court of Norway was established by the Constitution of 17 May 1814 and held its first meeting on 30 June 1815.

Address and e-mail of the court:

Office address:

Høyesteretts plass 1

NO-0180 OSLO

Norway

Postal address:

PO Box 8016 Dep

NO-0030 OSLO

Norway

post@hoyesterett.no ^[1]

Website

<http://www.domstol.no/en/Enkelt-domstol/-Norges-Hoyesterett/> ^[2]

Link to the national database of their case law

The judicial decisions of the Supreme Court and of the Appeals Selection Committee of the Supreme Court are published in the Norwegian Law Gazette (Norsk Retstidende) and the Lovdata Foundation legal information system:

<http://lovdata.no/> ^[3]

The decisions are also available on the homepage of the Supreme Court of Norway:

<http://www.domstol.no/en/Enkelt-domstol/-Norges-Hoyesterett/Summary-of-Recent-Supreme-Court-Decisions/Summary-of-Supreme-Court-Decisions-2013/> ^[4]

Section 88 of the Norwegian Constitution provides that «The Supreme Court pronounces judgment in the final instance». It follows that the Supreme Court is Norway's highest court, and that its jurisdiction encompasses the entire country.

The Supreme Court hears both civil and criminal cases, and has jurisdiction in all areas of law. The courts, first and foremost the Supreme Court, are also empowered to review the legality of Government decisions and the constitutionality of legislation adopted by the Parliament (Stortinget).

Any matter brought before the Supreme Court must initially be considered by the Appeals Selection Committee. As well as adjudicating on appeals against interlocutory orders, the Appeals Selection Committee also functions as a filter for appeals against judgments. An appeal cannot be brought before the Supreme Court without the leave of the Appeals Selection Committee.

It is the function of the Supreme Court, as the highest court in the land, to ensure uniformity of legal process and to contribute to the resolution of matters on which the law is unclear. The Supreme Court also contributes to the evolution of the law - within the framework of existing legislation. Accordingly, leave to appeal to the Supreme Court is granted in cases that raise matters of principle beyond the specific subject matter of the issue in dispute.

The principals of procedure

The proceedings of the Supreme Court are almost always oral, and are generally conducted in open court. However, evidence and testimonies are not presented directly as in cases before the District Courts and the Court of Appeal. Nor does the Supreme Court conduct judicial inspections outside the court.

Proceedings before the Appeals Selection Committee are in writing, and decisions are rendered on the basis of the documents submitted in the particular case.

The number of justices and panels

There are 19 ordinary justices of the Supreme Court, and one Chief Justice.

Individual cases are heard by five justices. To ease the workload, the Supreme Court works in two parallel and equal divisions. In some instances, however, cases are heard in Grand Chamber by eleven justices or by all of the justices sitting in plenary session.

Justices sit in both divisions of the Supreme Court and on the Appeals Selection Committee according to a rota system.

How are the justices appointed

Vacant judgeships are announced for public competition, and permanent appointment of the judges as senior state officials is done by the King in Council. After the public announcement of a vacant judgeship, the applicants' qualifications are assessed by the Judicial Appointments Board, which is composed of three judges, one lawyer, one legal professional employed by the Civil Service and two public representatives. The King in Council appoints the members of the Judicial Appointments Board and its chairman.

During the assessment, the Judicial Appointments Board will gather all relevant information on the applicants? qualifications, hereunder to obtain references, and conduct interviews. The recommendation shall be reasoned, and as a general rule, list three qualified applicants. The Chief Justice of the Supreme Court delivers an opinion to the Minister of Justice after the Supreme Court has been informed of the recommendation of the Judicial Appointments Board.

The recommendation of the Board shall carry a great deal of weight when the Government makes its final choice. The Government may not choose an applicant who has not received the recommendation of the Board, unless it has asked the Board to make a special opinion of the applicant in question.

When it comes to appointing the Chief Justice of the Supreme Court, the Judicial Appointments Board is not involved.

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Links:

[1] <mailto:post@hoyesterett.no>

[2] <http://www.domstol.no/en/Enkelt-domstol/-Norges-Hoyesterett/>

[3] <http://lovdata.no/>

[4] <http://www.domstol.no/en/Enkelt-domstol/-Norges-Hoyesterett/Summary-of-Recent-Supreme-Court-Decisions/Summary-of-Supreme-Court-Decisions-2013/>