

# Moving Towards an Observatory of Judicial Timeframes in Europe



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# THE QUESTIONNAIRE

- ✚ 54 pilot courts representing 40 countries
- ✚ 79 replies representing 27 countries, but 27 from Serbia, 16 from FYR Macedonia, 5 from Georgia
- ✚ 36 cases for the data base representing 27 countries

# THE COURTS

- ✚ First instance of general jurisdiction
- ✚ Three specialised courts in administrative matters
- ✚ Three specialised courts in commercial matters
- ✚ Three courts of appeal
- ✚ One supreme court

# THE JUDGES

- ✚ Six courts with more than 50 judges
- ✚ Eight courts with 21-50 judges
- ✚ Thirteen courts with 13-20 judges
- ✚ Nine courts with 1-12 judges
- ✚ Different numbers for “non-judges”

# CIVIL CASE CATEGORIES

- Commercial Litigious 12
- Small claims 9
- Company 9
- Bank law 9
- Patent 6
- Contract 3
- Tort 9
- Inheritance 10
- Labour 11
- Litigious empl. dismiss. 9
- Application interim relief 14
- Opposition to injunction 4
- Land registry 5
- Business registry 4
- Enforcement of Judg. 10
- Litigious divorce 11
- Non-litigious divorce 7
- Children custody 10
- Action for support 10

# PERCENTAGE CIVIL CASES PENDING MORE THAN 3 YEARS

■ 10 replies

■ Mean 4,9%

■ Median 3,0%

■ Min 0 – Max 19%

# ADM. CASE CATEGORIES

- Social welfare 8
- Fiscal tax cases 9
- General disputed 9
- Asylum and immigration 4

# CRIMINAL CASE CATEGORIES

- Intentional homicide 7
- Assault 8
- Rape 6
- Armed robbery 7
- Theft 6
- Domestic burglary 6
- Traffic offences 8
- Drug offences 8
- Money laundering 4
- Terrorist act 2
- Cyber crime 2
- Organised crime 2



# PERCENTAGE CRIMINAL CASES PENDING MORE THAN 3 YEARS

■ 11 replies

■ Mean 5,0%

■ Median 1,7%

■ Min 0 – Max 23%

# START-INTERMEDIARY-END

- ✚ When the “application” is received by the court
- ✚ Decision or judgment
- ✚ Few intermediary steps checked

# CALCULATION AVERAGE LENGHT

✚ Difference between starting and ending point

✚ Clearance rate

✚ resolved case/incoming cases x 100

✚ Case turnover ratio

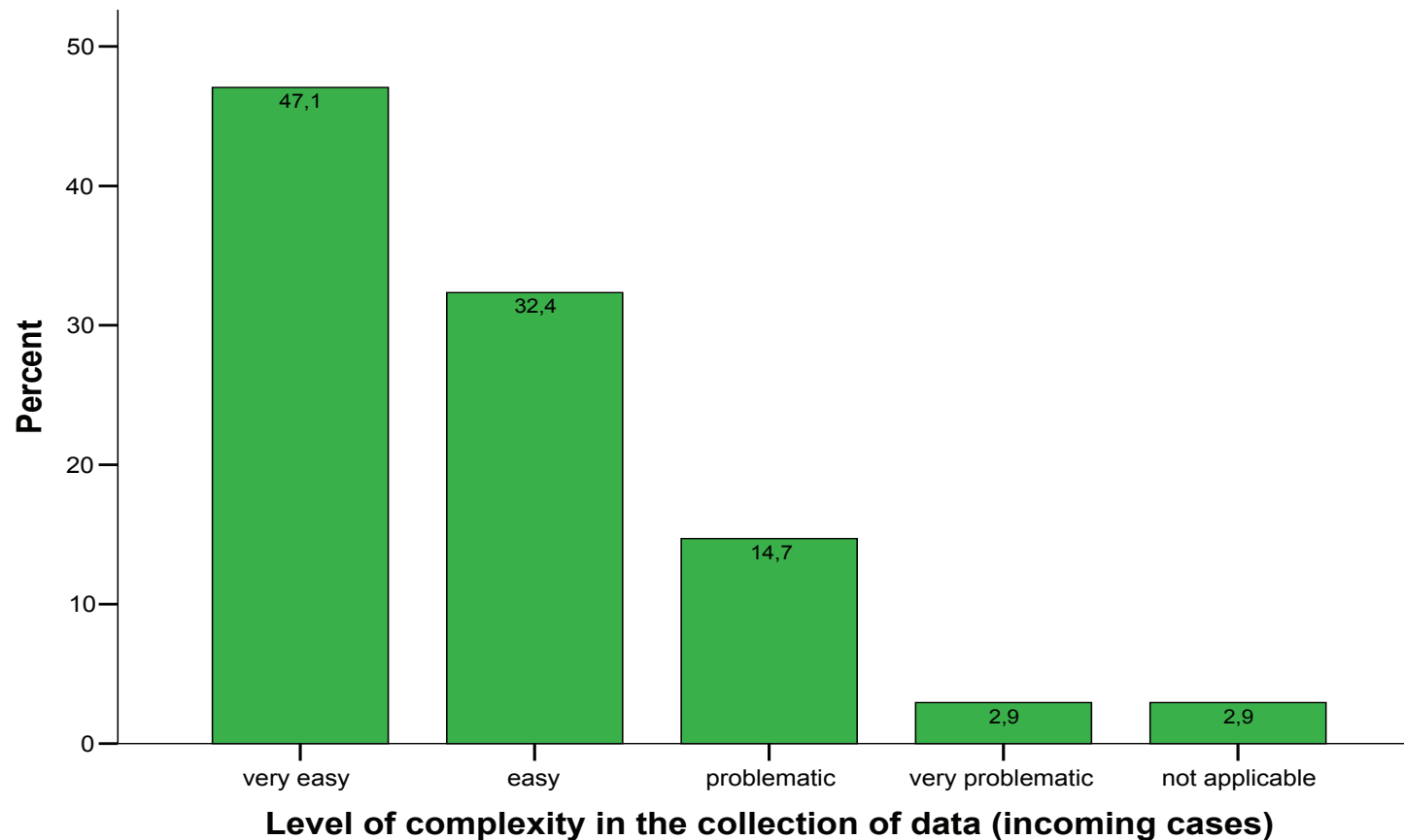
✚ resolved cases/unresolved cases

✚ Disposal time

✚ 365/case turnover ratio

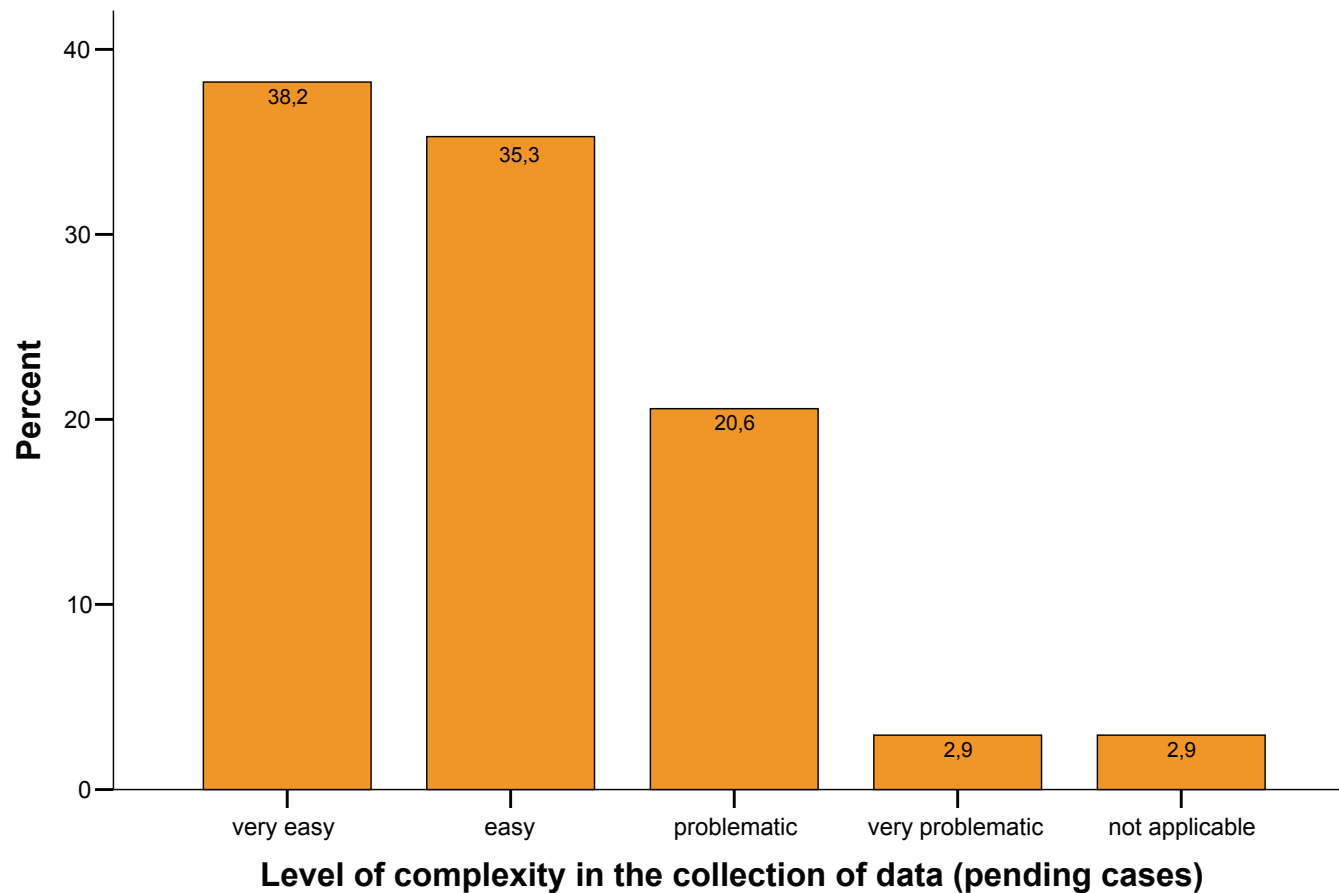
# LEVEL OF COMPLEXITY IN THE COLLECTION OF DATA (INCOMING)

Level of complexity in the collection of data (incoming cases)



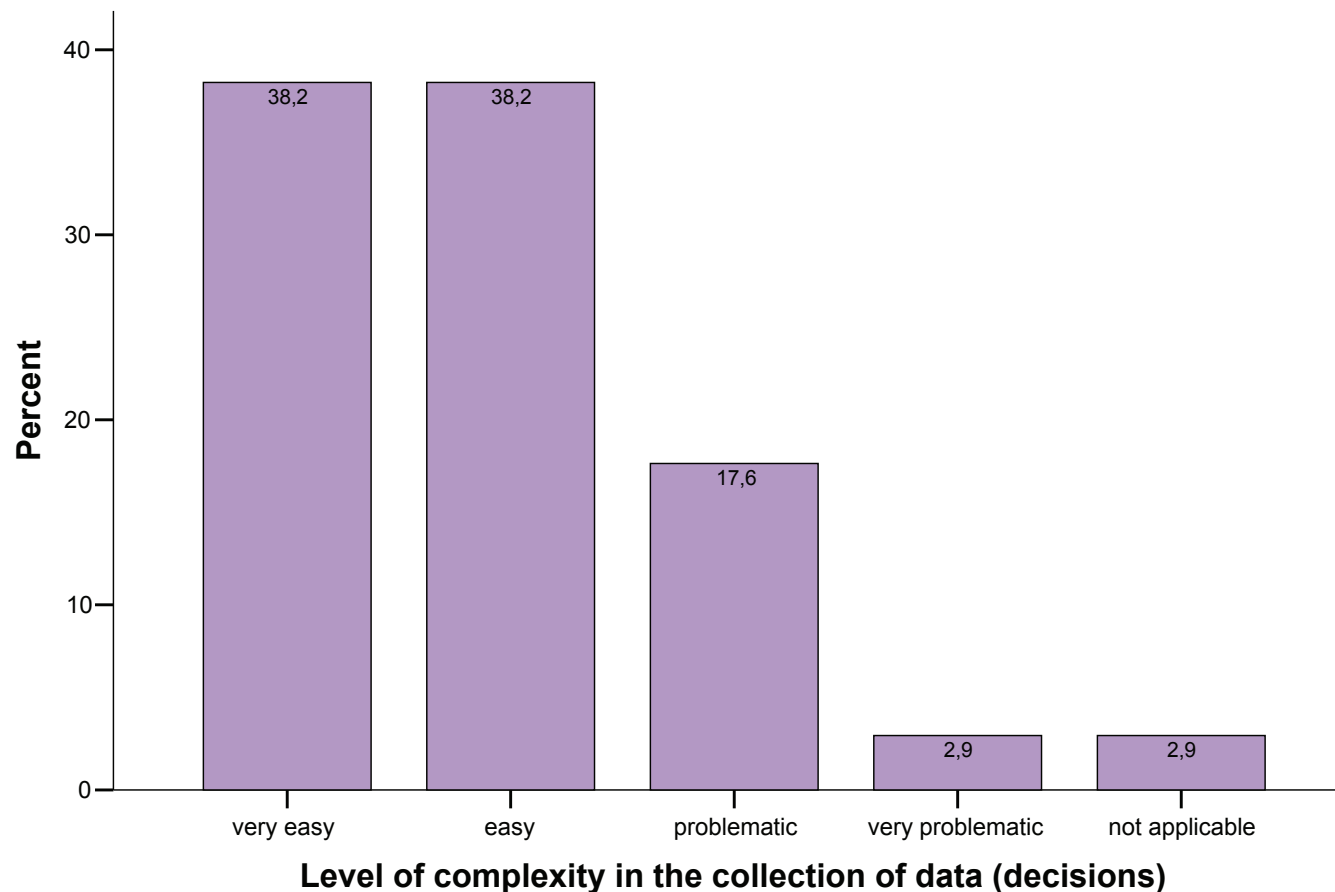
# LEVEL OF COMPLEXITY IN THE COLLECTION OF DATA (PENDING)

Level of complexity in the collection of data (pending cases)



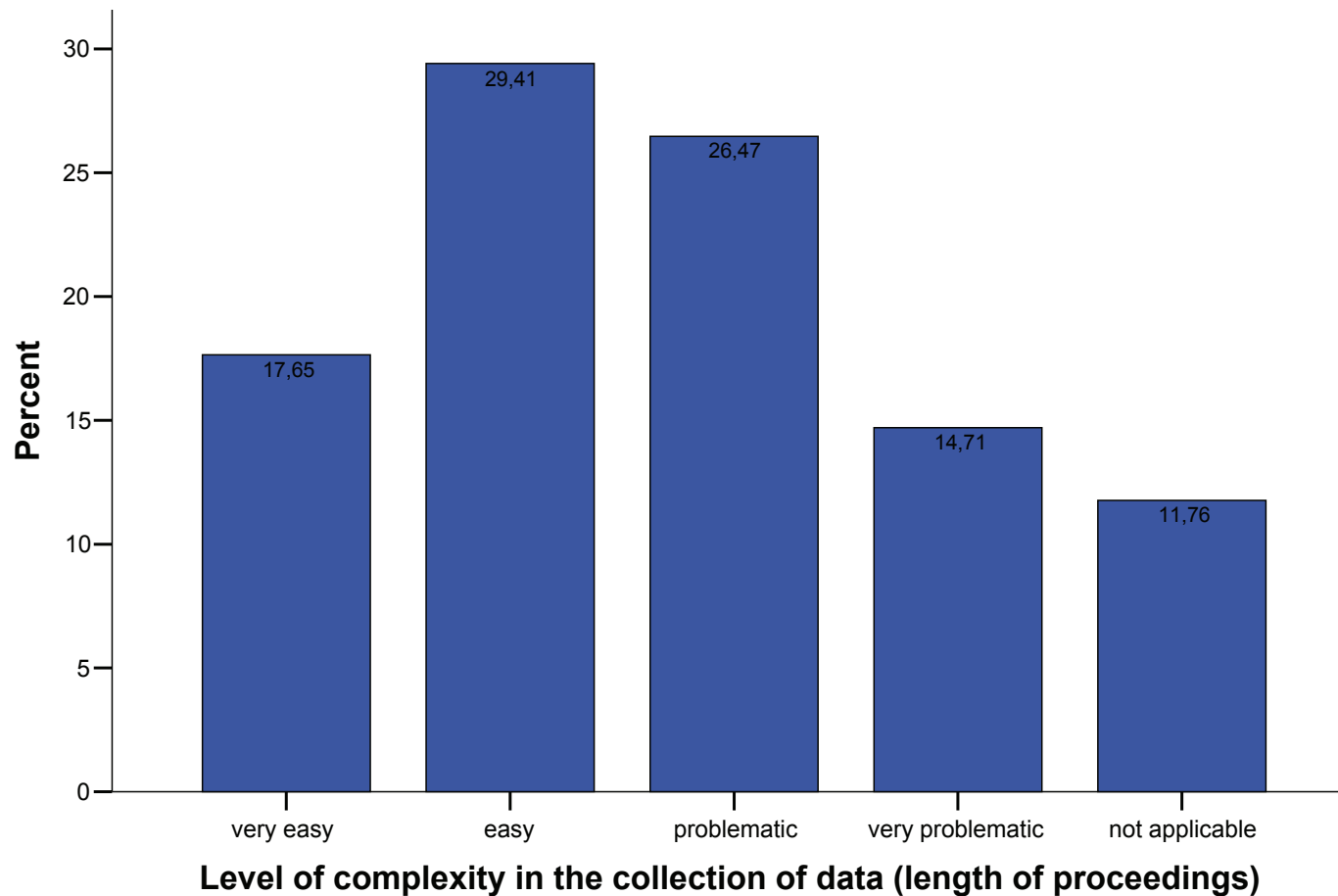
# LEVEL OF COMPLEXITY IN THE COLLECTION OF DATA (DECISION)

Level of complexity in the collection of data (decisions)



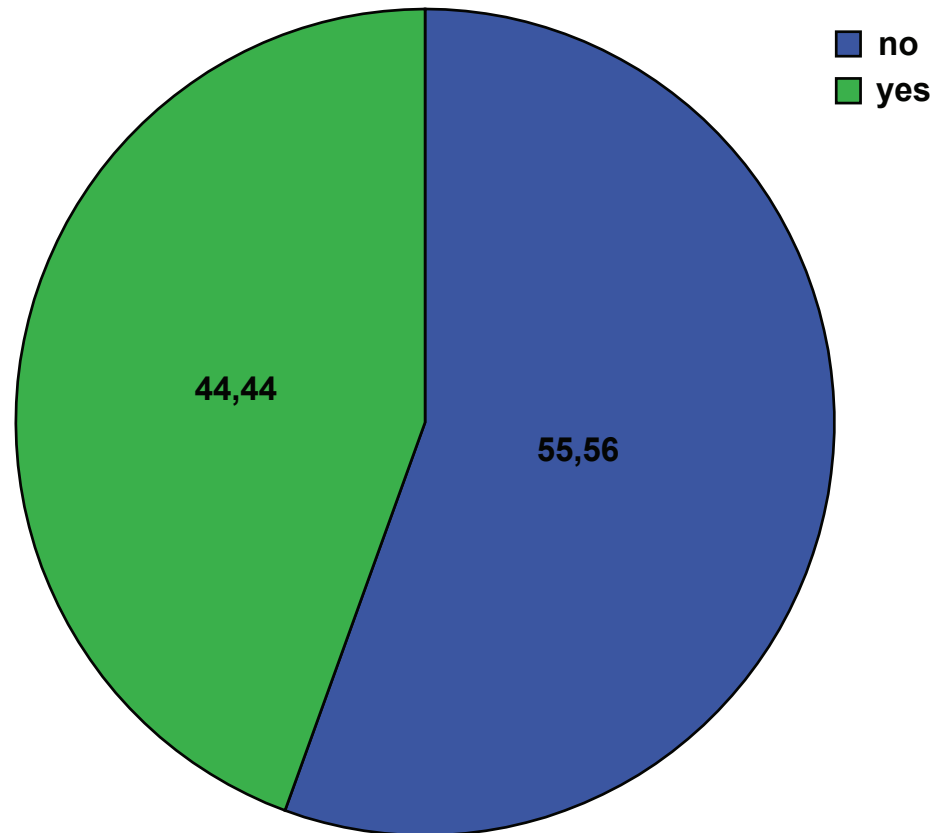
# LEVEL OF COMPLEXITY IN THE COLLECTION OF DATA (LENGTH)

Level of complexity in the collection of data (length of proceedings)



# MONITORING TIMEFRAMES WITH LONG DURATION

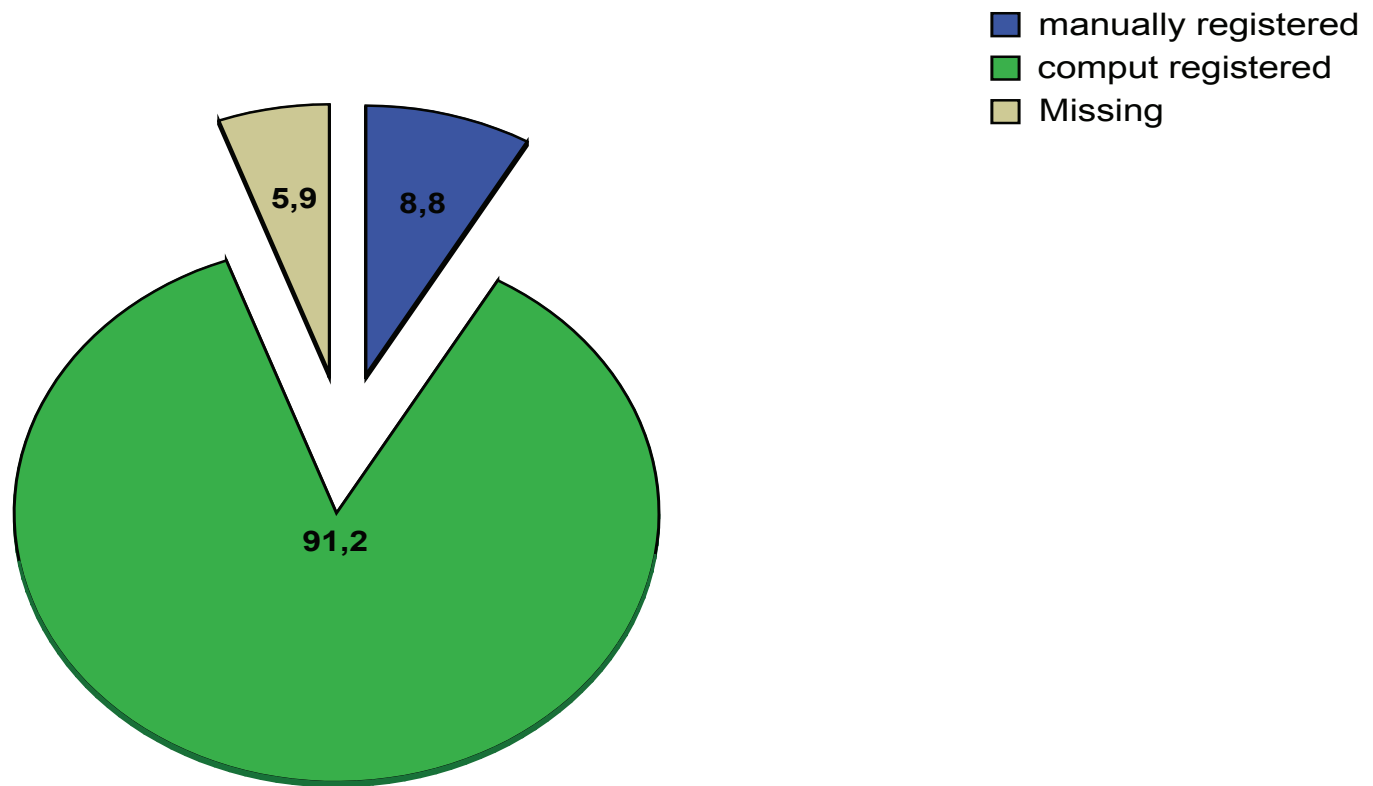
Do you monitor timeframes with a long duration?





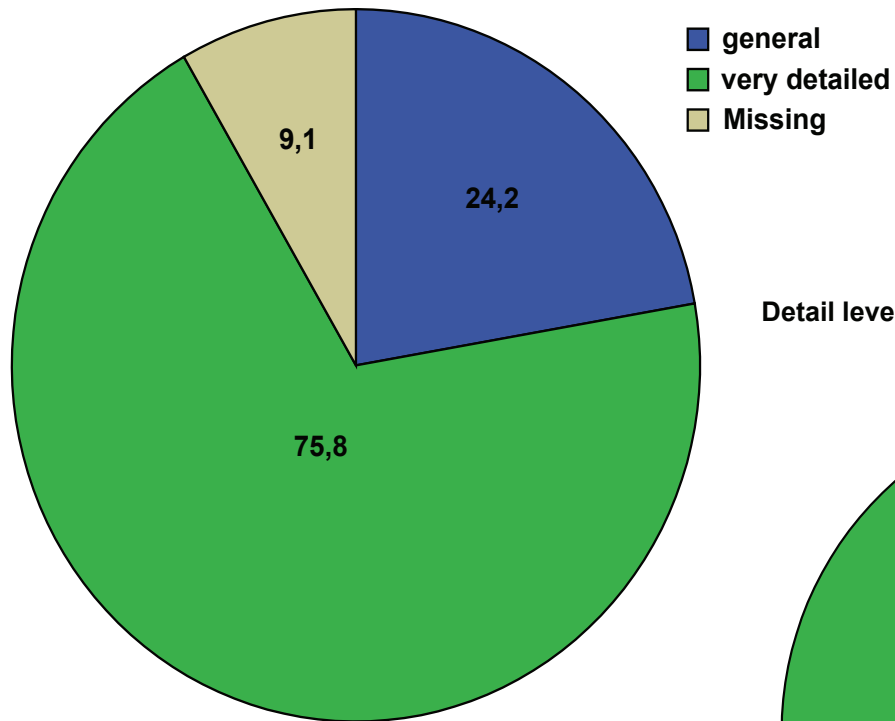
# COURT PERFORMANCE REGISTRATION

How is the court performance information registered?

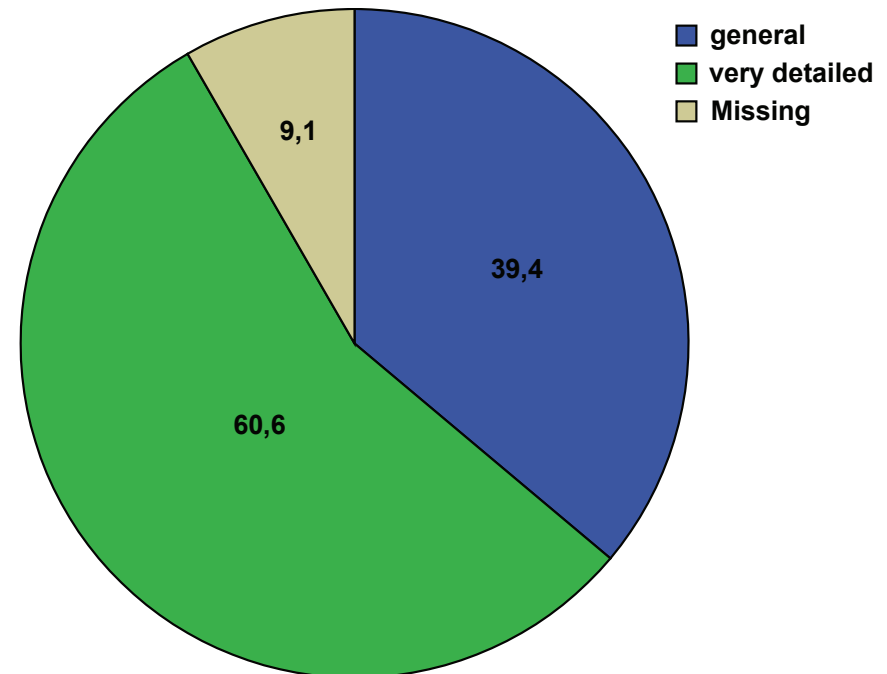


# LEVEL OF INFORMATION AVAILABLE

Detail level of information (internal and or external) published and available for: Judges

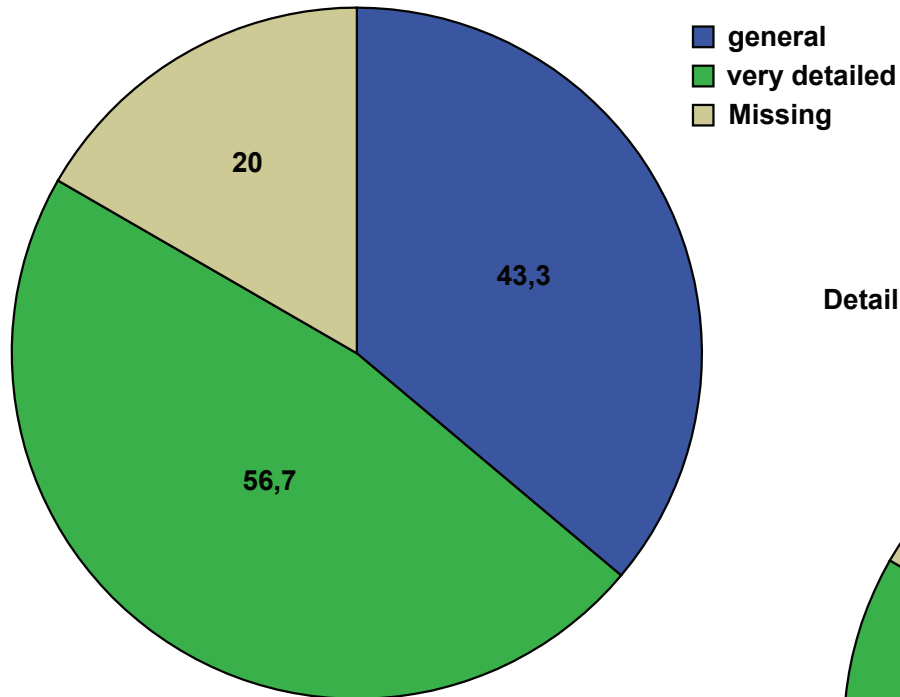


Detail level of information (internal and or external) published and available for: Court staff

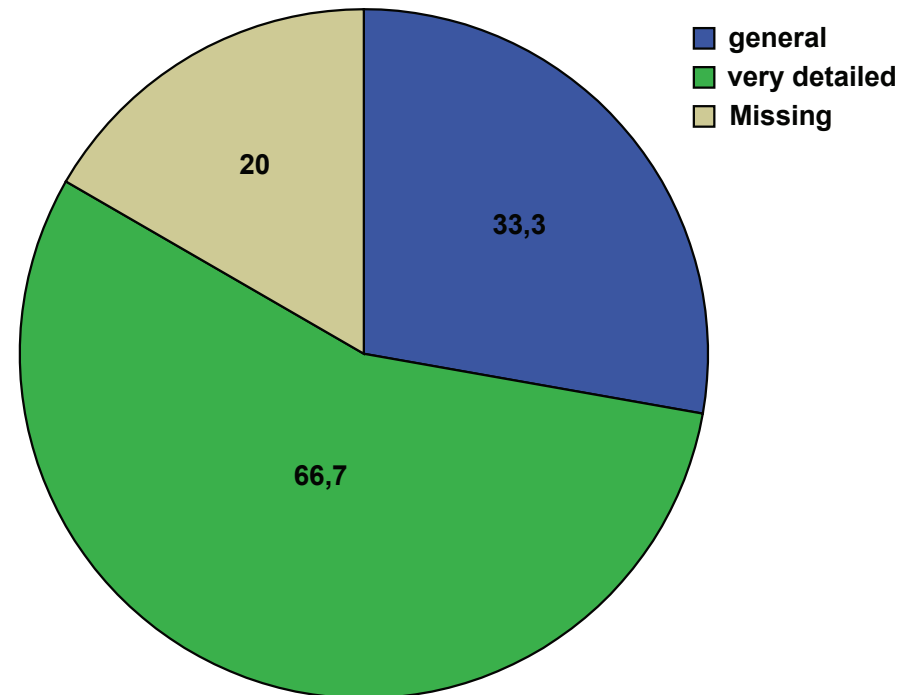


# LEVEL OF INFORMATION AVAILABLE

Detail level of information (internal and or external) published and available for: Higher courts

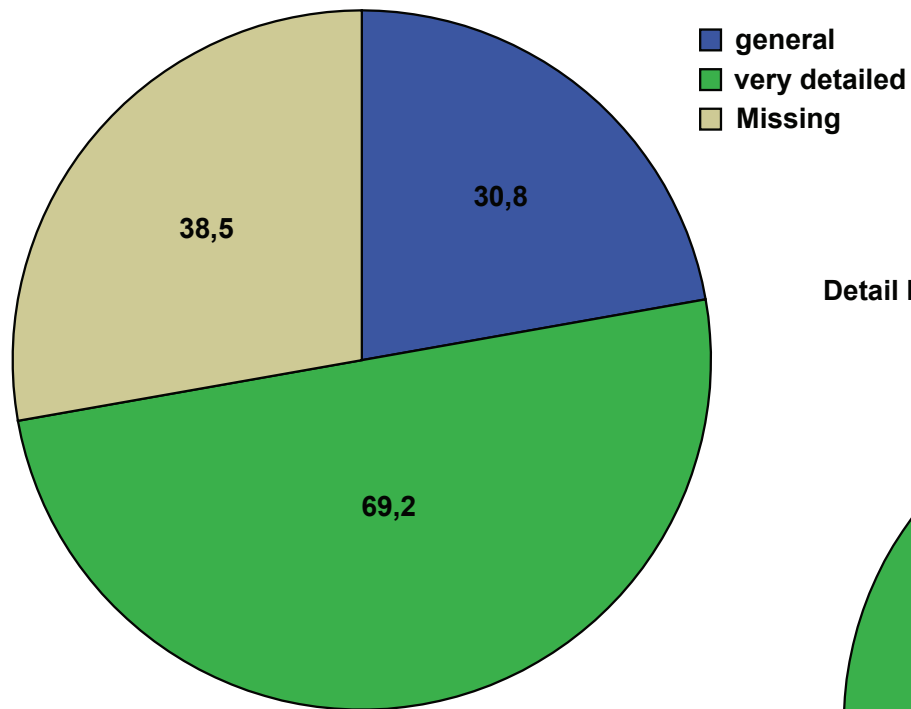


Detail level of information (internal and or external) published and available for: Ministry of justice

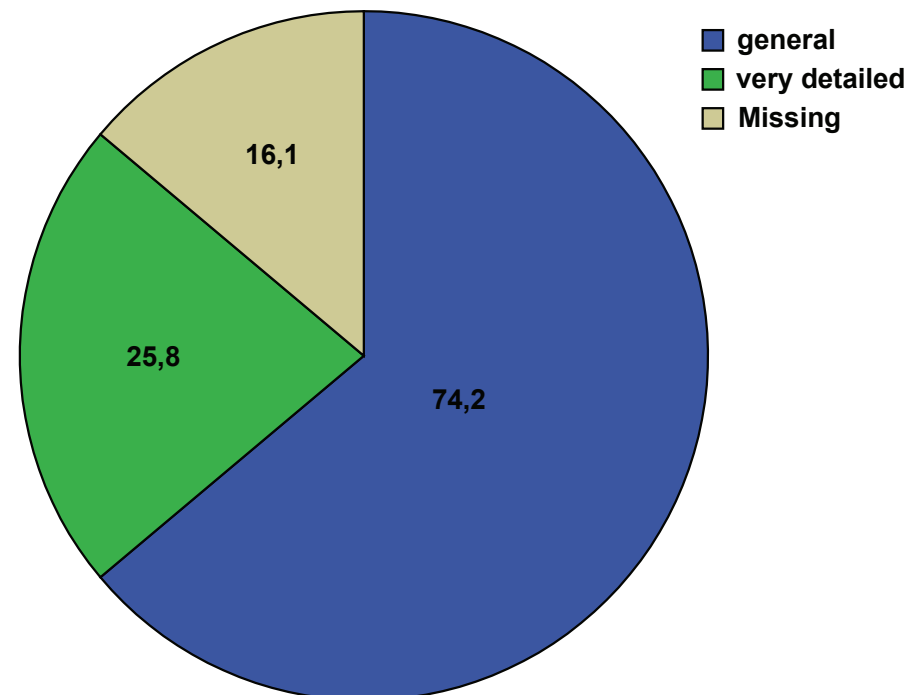


# LEVEL OF INFORMATION AVAILABLE

Detail level of information (internal and or external) published and available for: High Judicial Council



Detail level of information (internal and or external) published and available for: Society\_citizens

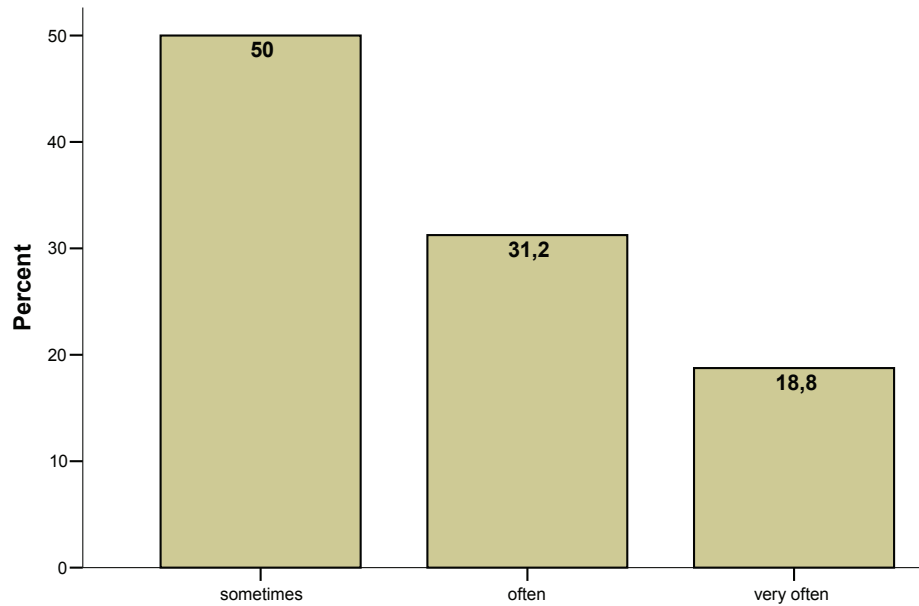


# DEFINITION OF LONG DURATION



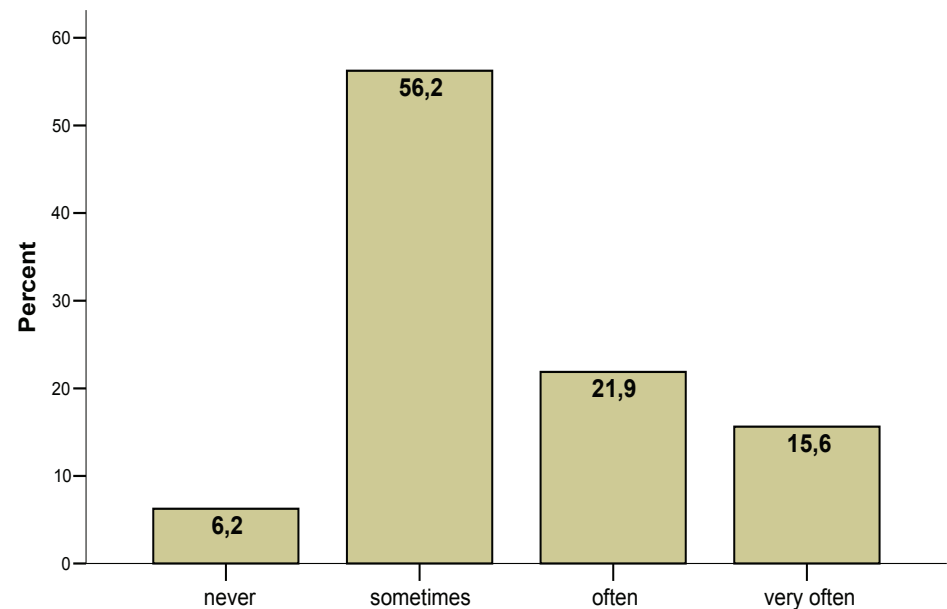
# “DELAY” FACTORS

Factor level of delays in the court proceedings (Complexity of a case)



Factor level of delays in the court proceedings (Complexity of a case)

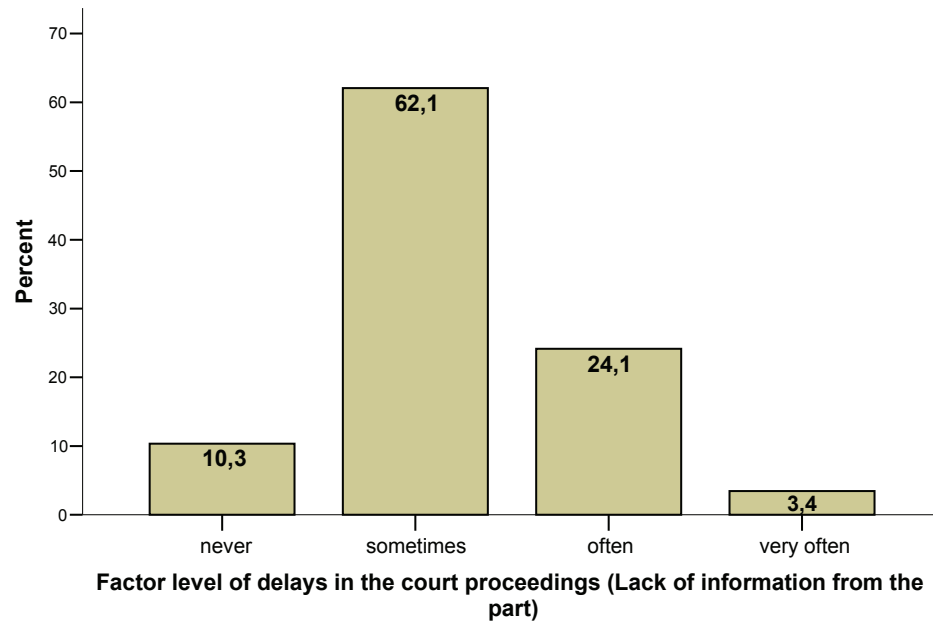
Factor level of delays in the court proceedings (Delaying tactics from the parties)



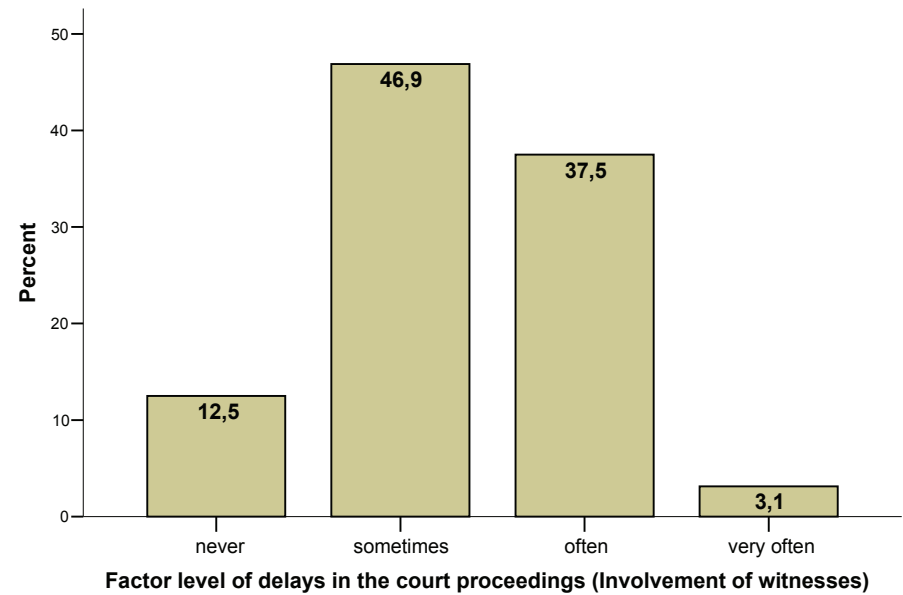
Factor level of delays in the court proceedings (Delaying tactics from the parties)

# “DELAY” FACTORS

Factor level of delays in the court proceedings (Lack of information from the part)

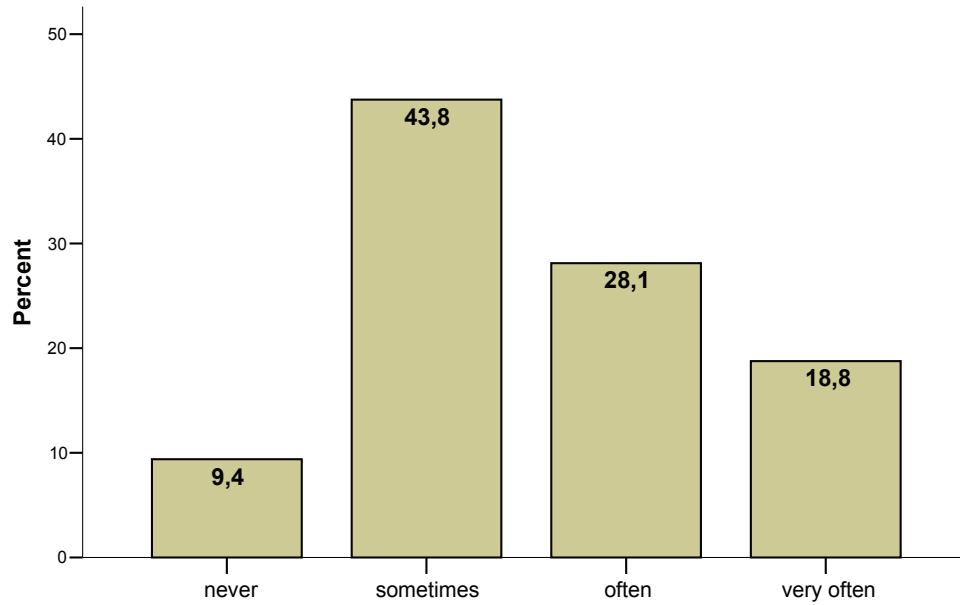


Factor level of delays in the court proceedings (Involvement of witnesses)



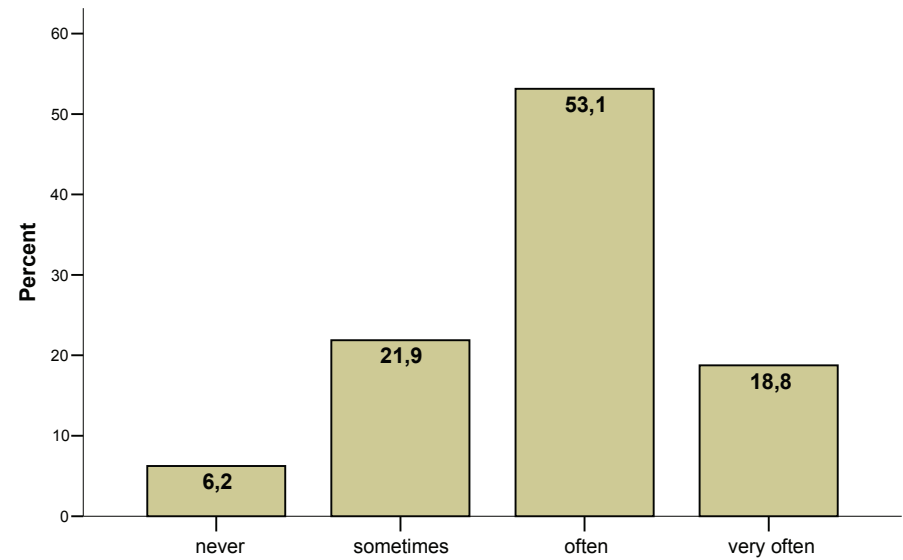
# “DELAY” FACTORS

Factor level of delays in the court proceedings (Involvement of experts)



Factor level of delays in the court proceedings (Involvement of experts)

Factor level of delays in the court proceedings (High caseload)

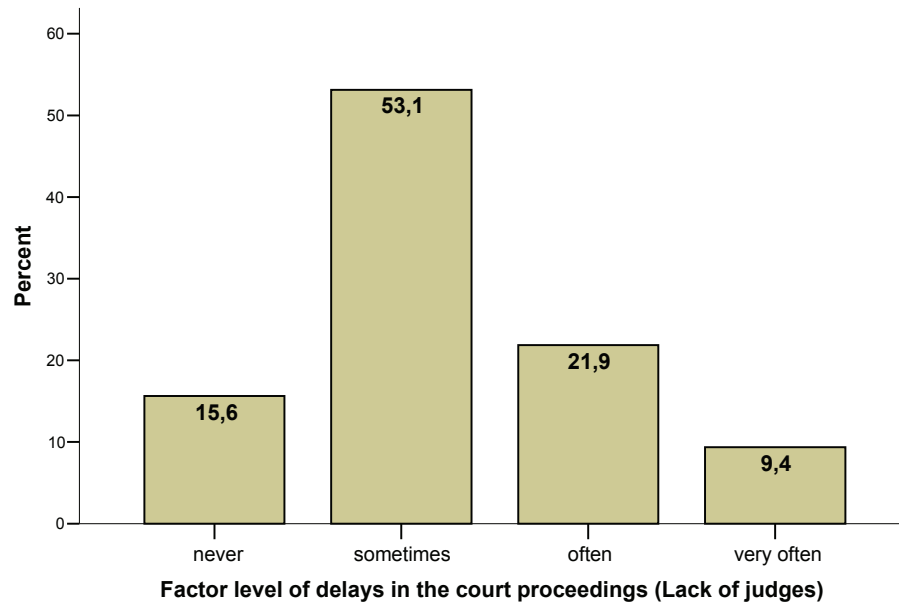


Factor level of delays in the court proceedings (High caseload)

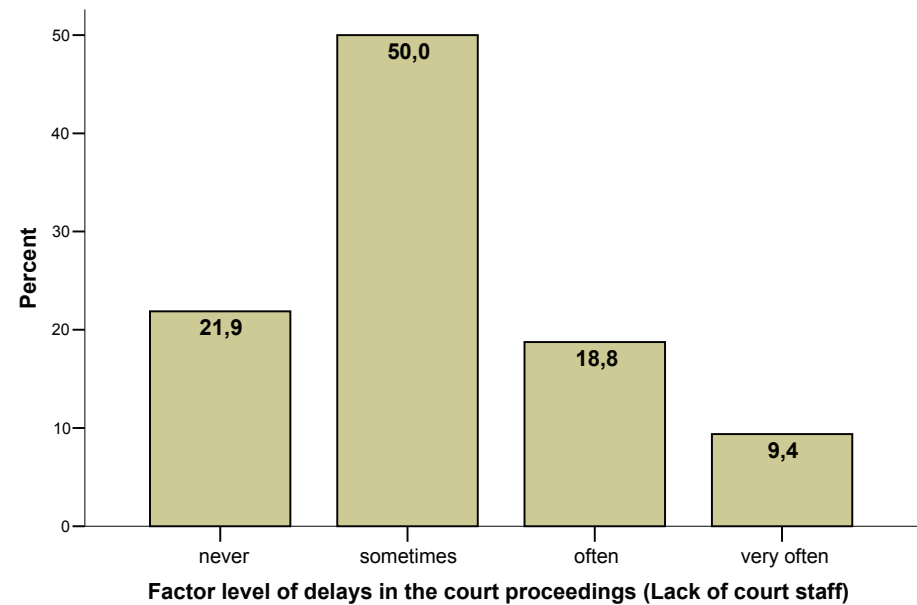


# “DELAY” FACTORS

Factor level of delays in the court proceedings (Lack of judges)

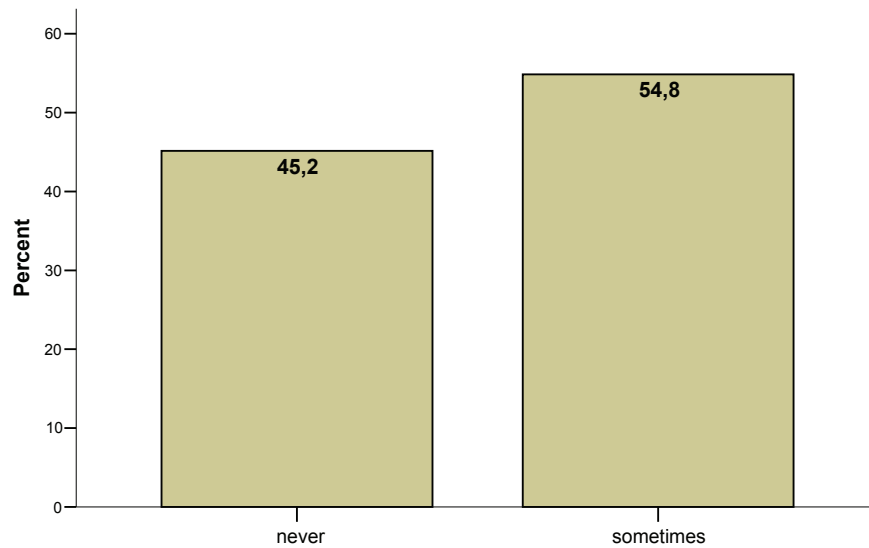


Factor level of delays in the court proceedings (Lack of court staff)



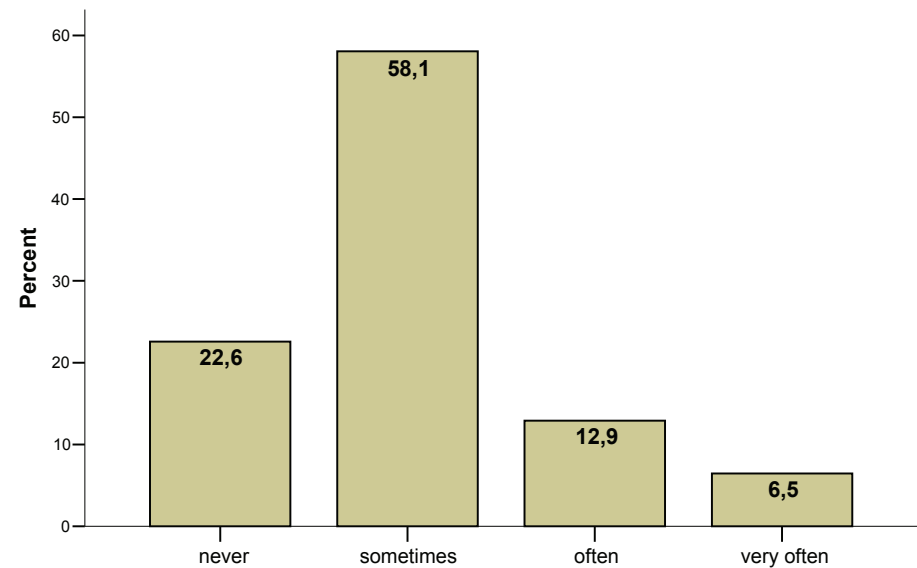
# “DELAY” FACTORS

Factor level of delays in the court proceedings (Internal court organisation)



Factor level of delays in the court proceedings (Internal court organisation)

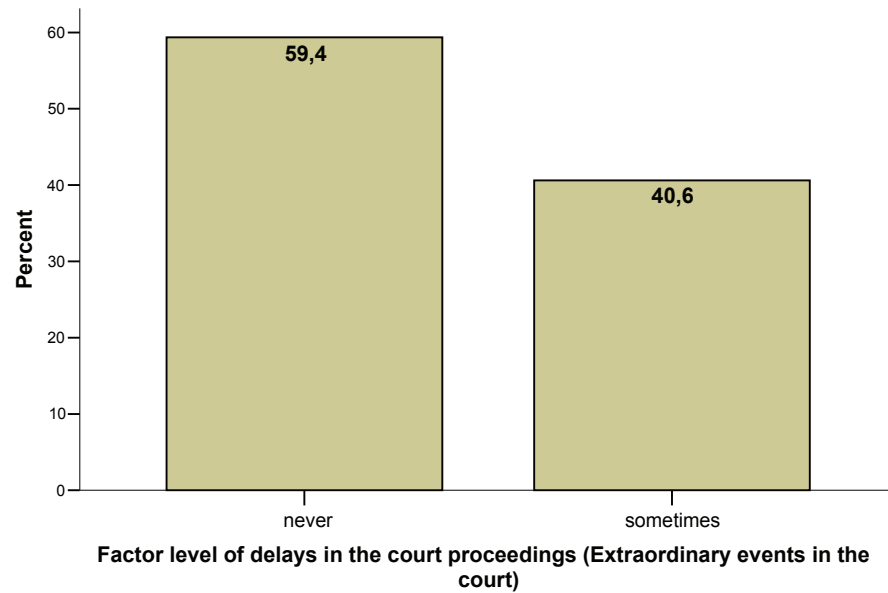
Factor level of delays in the court proceedings (The complexity of the law)



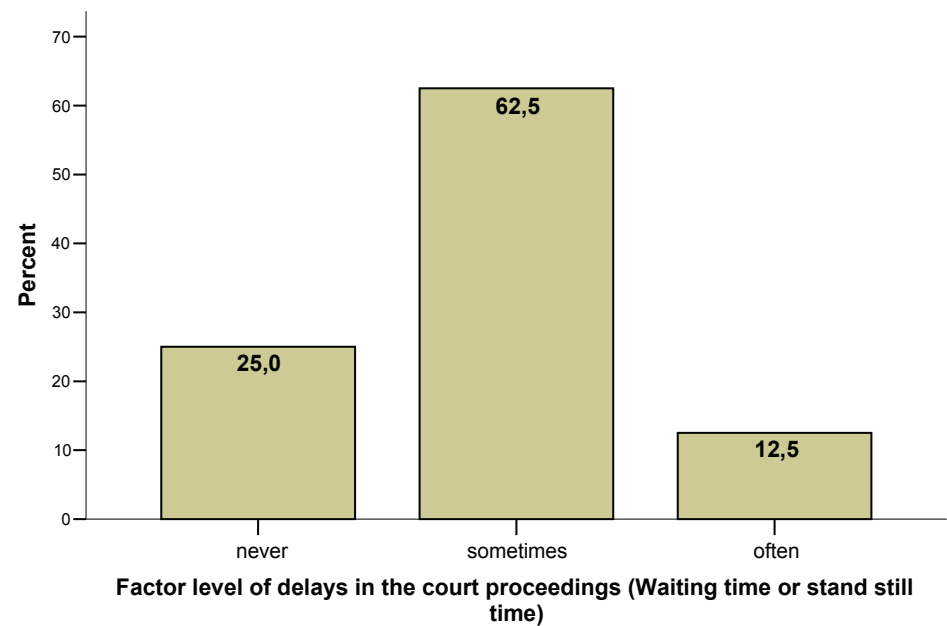
Factor level of delays in the court proceedings (The complexity of the law)

# “DELAY” FACTORS

Factor level of delays in the court proceedings (Extraordinary events in the court)

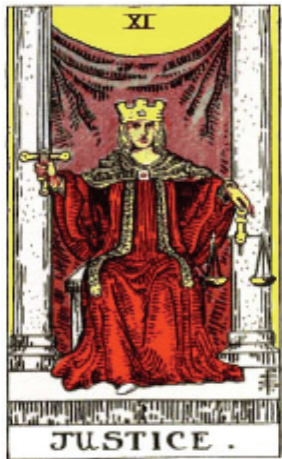


Factor level of delays in the court proceedings (Waiting time or stand still time)



A blue-tinted map of Europe is shown in the background. The map is centered on the continent, with the British Isles to the west and the Mediterranean Sea to the south. The text "POSSIBLE FUTURE STEPS ?" is overlaid in the center of the map in a bold, yellow, sans-serif font. The text is enclosed in quotation marks.

**“POSSIBLE FUTURE STEPS ?”**



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