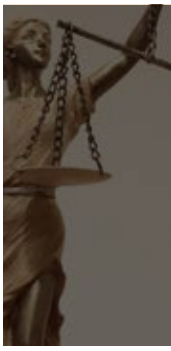
European Commission

THE 2014 EU JUSTICE SCOREBOARD



Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the Committee of the Regions

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Justice

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The second edition of the EU Justice Scoreboard is presented in a context where a number of Member States are engaged in a process of reform of their justice systems to render them more effective for citizens and businesses. Whatever the model of the national justice system, timeliness, independence, affordability, and easy access are all hallmarks of an effective justice system. These are all crucial elements for making a country an attractive location for business and investment.

The 2014 EU Justice Scoreboard confirms the importance of pursuing with determination the efforts made to improve the quality, independence and efficiency of justice systems.

March 2014

1. INTRODUCTION

The 2014 edition of the EU Justice Scoreboard ('the Scoreboard') is presented in a context where a number of Member States are engaged in a process of reform of their justice systems to render them more effective for citizens and businesses. These reforms are of direct relevance for the EU and are followed closely by European institutions and stakeholders.

Quality, independence and efficiency are the key components for an effective justice system. Well-functioning justice systems are important structural condition on which Member States base their sustainable growth and social stability policies. For these reasons, since 2011, national judicial reforms have become an integral part of the structural components in Member States subject to the Economic Adjustment Programmes[1]. Since 2012[2], the improvement of the quality, independence and efficiency of judicial systems has also been a priority for the European Semester, the EU annual cycle of economic policy coordination, as signalled in the Annual Growth Survey 2014[3]. The Scoreboard feeds the European Semester process by providing objective data concerning the functioning of the national judicial systems. This contributes to identifying issues that deserve particular attention to ensure implementation of reforms.

Access to an effective justice system is an essential right which is at the foundation of European democracies and is recognised by the constitutional traditions common to the Member States. For this reason, the right to an effective remedy before a tribunal is enshrined in the Charter of Fundamental Rights of the European Union (Article 47). Whenever a national court applies EU legislation, it acts as a 'Union court' and must provide effective judicial protection to everyone, citizens and businesses, whose rights guaranteed in EU law were violated. The effectiveness of justice systems is therefore crucial for the implementation of EU law and for the strengthening of mutual trust.

1 In 2014, Economic Adjustment Programmes in Greece, Portugal and Cyprus include conditionality on justice reforms.
2 Communication from the Commission, Annual Growth Survey 2013, COM(2012) 750 final.
3 Communication from the Commission, Annual Growth Survey 2014, COM(2013) 800 final.

What is the EU Justice Scoreboard?

The EU Justice Scoreboard is an information tool aiming to assist the EU and Member States to achieve more effective justice by providing objective, reliable and comparable data on the quality, independence and efficiency of justice systems in all Member States.

The Scoreboard contributes to identifying potential shortcomings, improvements and good practices and aims to present trends on the functioning of the national justice systems over time. It does not present an overall single ranking but an overview of the functioning of all justice systems based on various indicators which are of common interest for all Member States.

The Scoreboard does not promote any particular type of justice system. Whatever the model of the national justice system or the legal tradition in which it is anchored, timeliness, independence, affordability, and user-friendly access are some of the essential parameters of what constitutes an effective justice system.

The 2014 Scoreboard focuses on litigious civil and commercial cases as well as administrative cases in order to assist Member States in their efforts to improve business climate and to overcome the sovereign debt and financial crisis. The Scoreboard is a tool which evolves in dialogue with Member States and the European Parliament, with the objective of identifying the essential parameters of an effective justice system. The European Parliament has called on the Commission to progressively broaden the scope of the Scoreboard.

How does the EU Justice Scoreboard feed the European Semester?

Poor performance revealed by the Scoreboard indicators always requires a deeper analysis of the reasons behind the result. This country-specific assessment is carried out in the context of the European Semester process through bilateral dialogue with concerned authorities and stakeholders. This assessment takes into account the particularities of the legal system and the context of the concerned Member States. It may eventually lead the Commission to propose Council *country-specific recommendations* on the need to improve justice systems[4].

What is the methodology of the EU Justice Scoreboard?

The Scoreboard uses different sources of information. Most of the quantitative data are currently provided by the Council of Europe Commission for the Evaluation of the Efficiency of Justice (CEPEJ) with which the Commission has concluded a contract in order to carry out a specific study[5]. These data are from 2012 and have been provided by Member States according to the CEPEJ methodology[6]. The study also provides country fiches which give more context and should be read together with the figures.

For the 2014 Scoreboard, the Commission has also drawn upon additional sources of information, namely, Eurostat, World Bank, World Economic Forum, and the European judicial networks, in particular the European Network of Councils for the Judiciary which provided replies to a questionnaire on judicial independence. Further data has also been obtained through two pilot field studies on the functioning of national courts for the application of consumer and competition law rules[7].

4 The reasons for country-specific recommendations are presented by the Commission in a Staff Working Document, available at: http://ec.europa.eu/europe2020/europe-2020-in-your-country/index_en.htm

5 Available at: http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

6 Not all Member States have provided data to the CEPEJ.

7 Study on the functioning of national courts for the application of competition law rules, carried out by ICF GHK, 2014; Study on the functioning of national courts for the application of consumer law rules carried out by the Centre for Strategy and Evaluation Services LPP, 2014. Available at: http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

The effectiveness of national justice systems as a structural component for growth

High-quality institutions, including effective national justice systems are a determinant for economic performance. In times of sovereign debt, financial and economic crisis they play a key role in restoring confidence and fostering the return to growth. Predictable, timely and enforceable justice decisions are important structural components of an attractive business environment. They contribute to trust and stability throughout the entire business cycle by maintaining the confidence for starting a business, enforcing a contract, attracting investment, settling private debt or protecting property and other rights.

The impact of national justice systems on the economy is underlined by the International Monetary Fund[8], the European Central Bank[9], the OECD[10], the World Economic Forum[11] and the World Bank[12]. The effectiveness of the justice system incentivizes investment in a given country[13]. Research shows that there is a positive correlation between firm size and effective justice systems and weaker incentives to invest and to employ in the presence of shortcomings in the functioning of justice[14]. Growth in more innovative sectors notably, those which often rely on intangible assets like intellectual property rights, is dependent on a well-functioning law enforcement system[15]. Effective justice systems also foster competition in the market. Where justice systems guarantee a good enforcement of contracts, firms are dissuaded from opportunistic behaviour in their economic relationships and transaction costs are reduced. Finally, trust in well-functioning systems facilitates entrepreneurship. Shortcomings in judicial systems lead to higher borrowing costs[16]. Creditors are more likely to lend when they are confident that the effectiveness of the justice system guarantees that they will be able to collect their loans.

A wide debate on the effectiveness of justice systems

The presentation of the first edition of the Scoreboard contributed to a wide exchange of views on the effectiveness of national justice systems in the EU. In its Resolution of 4 February 2014 on the EU Justice Scoreboard[17], the European Parliament expressed its great interest for the Scoreboard and called on the Commission to take this exercise forward. It highlighted the importance of ensuring an efficient and independent justice system that can contribute to economic growth in Europe and boost competitiveness and stressed that an effective and trustworthy justice system gives businesses incentives to develop and invest at national and cross-border level.

The Council had an exchange of views on the justice-related aspects of the 2014 European Semester, including the 2013 Scoreboard, in the informal Justice and Home Affairs Council meeting in December. In the Justice and Home Affairs Council meeting of March 2014, the Commission presented the main characteristics of the upcoming 2014 EU Justice Scoreboard. The Council and the Member States adopted on 4 March Conclusion on the civil and commercial justice systems of the Member States[18].

8 IMF, «Fostering Growth in Europe Now» 18 June 2012.
9 Available at: http://www.ecb.europa.eu/press/key/date/2013/html/sp130516.en.html
10 See for example «What makes civil justice effective?", OECD Economics Department Policy Notes, No. 18 June 2013 and «The Economics of Civil Justice: New Cross-Country Data and Empirics», OECD Economics Department Working Papers, No. 1060.
11 World Economic Forum, «The Global Competitiveness Report; 2013-2014», available at: http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2013-14.pdf
12 Available at: http://www.doingbusiness.org/reports/global-reports/~/media/GIAWB/Doing%20Business/Documents/Annual-Reports/English/DB14-Chapters/DB14-Enforcing-contracts.pdf
13 See IMF Country Report No. 13/299.
14 See Bank of Spain Working Paper 1303; Bank of Italy Working Paper 898; IMF Country Report 13/299 referred to above.
15 OECD Economics Department referred to above.
16 IMF Country Report No. 13/299.
17 Resolution «EU Justice Scoreboard- civil and administrative justice in the Member States».
18 As regards the Committee of the Regions, the Chair of the Commission in charge of Citizenship, Governance, Institutional and External Affairs (CIVEX) transmitted a series of remarks underlining the importance of effective justice and growth at local and regional level.

The effectiveness of the national justice systems and the 2013 Scoreboard were also discussed during the *"Assises de la Justice"*, a high-level conference organised by the European Commission in Brussels on 21 and 22 November 2013 on the shaping of justice policies in Europe for the years to come[19]. Representatives of the judiciary (e.g. the Supreme Courts, the Councils for the judiciary and judges) and of practitioners (e.g. lawyers and judicial officers) expressed their interest and made suggestions for its future development. Certain Member States contributed to the discussion and highlighted aspects of the methodology that could be further improved. On this occasion, a Eurobarometer survey[20] on "Justice in the European Union" was published which highlighted, notably, that the level of trust in national justice systems varies significantly between Member States.

The Commission initiated a systematic dialogue with Member States experts to promote the exchange of best practices on the effectiveness of justice systems and to further develop the Scoreboard. Member States have been asked to designate two contact persons, one from the Judiciary and one from the Ministry of Justice. The first two meetings of the contact persons discussed the availability of data on the functioning of justice systems and good practices on data collection.

19 Information on the conference, speeches and written contributions available at: http://ec.europa.eu/justice/events/assises-justice-2013/index_en.htm
20 Flash Eurobarometer 385 Justice in the EU, available at: http://ec.europa.eu/public_opinion/archives/flash_arch_390_375_en.htm#385

2. FOLLOW-UP TO THE 2013 EU JUSTICE SCOREBOARD

The findings of the 2013 Scoreboard helped, together with the specific assessment of the situation in Member States, to define country-specific-recommendations in the area of justice. Following a proposal from the Commission, the Council made recommendations to ten Member States[21] to improve, depending on the country concerned, the independence, quality and/or efficiency of their justice system or to further strengthen the judiciary. Out of these ten Member States, six Member States[22] were already identified in 2012 as facing challenges relating to the functioning of their justice system.

These Member States are taking measures concerning the functioning of the judiciary. These measures range from operational measures, such as the modernisation of the management process in court, the use of new information technology, the development of alternative dispute resolution; to more structural measures, such as restructuring the organisation of courts or simplification of civil procedural rules that may lead to decreasing the length of proceedings. The intensity and the state of the reforms vary according to the Member States. Whilst in certain Member States measures have already been adopted and are being implemented, in other Member States, the measures are still at the early stages. The Scoreboard presents data from 2012 and therefore cannot yet reflect the effects of on-going reforms, including for Member States which have already adopted ambitious measures[23].

The findings of the Scoreboard help to establish priorities for EU structural funds. Previous experiences have shown that EU funds can be used to improve the effectiveness of justice systems. For example, Estonia has used structural funds to develop e-justice tools and is now one of the most advanced countries in the use of ICT tools for the management of courts and for communication between courts and parties.

The Commission identified justice as a priority area for twelve Member States for funding in the context of the multi-annual financial framework 2014-2020[24]. Member States are setting out their strategy on the deployment of EU funds to support the EU 2020 strategy in the so-called "Partnership Agreements". These agreements are an opportunity to ensure the adequate allocation of funds to fully reflect the importance of rendering judicial systems more effective.

21 Council Recommendation (2013/C 217/03), of 9 July 2013, on the National Reform Programme 2013 of **Bulgaria** and delivering a Council opinion on the Convergence Programme of Bulgaria, 2012-2016 (see §5); Council Recommendation (2013/C 217/20), of 9 July 2013, on the National Reform Programme 2013 of **Spain** and delivering a Council opinion on the Stability Programme of Spain, 2012-2016 (see §9); Council Recommendation (2013/C 217/10), of 9 July 2013, on the National Reform Programme 2013 of **Hungary** and delivering a Council opinion on the Convergence Programme of Hungary, 2012-2016 (see §5); Council Recommendation (2013/C 217/11), of 9 July 2013, on the National Reform Programme 2013 of **Italy** and delivering a Council opinion on the Stability Programme of Italy, 2012-2017 (see §2): Council Recommendation (2013/C 217/12), of 9 July 2013, on the National Reform Programme 2013 of **Latvia** and delivering a Council opinion on the Convergence Programme of Latvia, 2012-2016, of 9 July 2013 (see §7); Council Recommendation (2013/C 217/15), of 9 July 2013, on the National Reform Programme 2013 of **Malta** and delivering a Council opinion on the Stability Programme of Malta, 2012-2016 (see §5); Council Recommendation (2013/C 217/16), of 9 July 2013, on the National Reform Programme 2013 of **Poland** and delivering a Council opinion on the Convergence Programme of Poland, 2012-2016 (see §7); Council Recommendation (2013/C 217/17), of 9 July 2013, on the National Reform Programme 2013 of **Romania** and delivering a Council opinion on the Convergence Programme of Romania, 2012-2016 (see §7); Council Recommendation (2013/C 217/19), of 9 July 2013, on the National Reform Programme 2013 for **Slovenia** and delivering a Council opinion on the Stability Programme of Slovenia, 2012-2016, (see §7); Council Recommendation (2013/C 217/18), of 9 July 2013, on the National Reform Programme 2013 of **Slovakia** and delivering a Council opinion on the Stability Programme of Slovakia, 2012-2016 (see §6). Available at: http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2013:217:SOM:EN:HTML

22 BG, IT, LV, PL, SI, SK.

23 For example, following the signature of the Economic Adjustment Programme in 2011, PT has taken measures to improve the effective and timely enforcement of contracts, restructure the court system, and eliminate backlog of court cases. Preliminary data for 2013 show positive developments for instance as regards clearance rate of enforcement cases.

24 BG, CZ, EL, HR, IT, LV, LT, HU, PL, RO, SI and SK. Positions of the Commission Services on the development of Partnership Agreement and programmes for these countries are available at: http://ec.europa.eu/regional_policy/what/future/program/index_en.cfm

3. INDICATORS OF THE 2014 EU JUSTICE SCOREBOARD

Efficiency of justice systems

The 2014 Scoreboard maintains the same indicators relating to the efficiency of proceedings as were used in 2013: length of proceedings, clearance rate and number of pending cases. In addition, the 2014 Scoreboard presents the outcome of two pilot studies[25], aimed at providing more fine-tuned data on the length of judicial proceedings relating to competition law and consumer law, expressed in average days. The effectiveness of judicial systems in these two areas is important for the economy. For example, the negative consumer welfare impact of all the hard-core cartels, expressed as a proportion of the EU's gross domestic product, is estimated as ranging from 0.20% to 0.55% of the EU's GDP in 2011[26]. Similarly, the application of consumer law is equally important to the economy as final household consumption represents 56% of GDP[27].

Quality of justice systems

As regards the quality of justice systems, the 2014 Scoreboard uses the same indicators as in 2013. It focuses on certain factors that can help to improve the quality of justice such as training, monitoring and evaluation of court activities, budget, human resources, the availability of Information and Communication Technology (ICT) systems for courts (which facilitate in particular the relation between the parties and the courts) and the availability of alternative dispute resolution methods (ADR) which enable the parties to find other methods for solving their disputes. In addition the 2014 Scoreboard provides more refined data on training in EU law, the use of satisfaction surveys, budget for courts and the number of judges.

Independence of the judiciary

The Scoreboard presents data on the perceived independence of the justice system as provided by the World Economic Forum (WEF) in its annual Global Competitiveness Report.

While the perceived independence is important, as it can influence investment decisions, what is more important is that judicial independence is effectively protected in a justice system through legal safeguards. As announced in the 2013 Scoreboard, the Commission has started cooperation on the structural independence of the judiciary with the European judicial networks, particularly the European Network of Councils for the Judiciary. The 2014 Scoreboard presents, in an annex, a first general comparative overview on the legal safeguards for the protection of the structural independence of the judiciary in the legal systems of Member States.

25 Study on the functioning of national courts for the application of competition law rules, carried out by ICF GHK, 2014; Study on the functioning of national courts for the application of consumer law rules carried out by the Centre for Strategy and Evaluation Services LPP, 2014.

26 Commission Staff Working Document, Impact Assessment Report, Damages actions for breach of the EU antitrust rules accompanying the proposal for a Directive of the European Parliament and of the Council on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union, 11 June 2013, SWD 2013 (203) (paragraph 65).

27 Commission Staff Working Paper Consumer Empowerment in the EU, 7 April 2011, SEC (2011) 469, (paragraph 2).

4. KEY FINDINGS OF THE 2014 EU JUSTICE SCOREBOARD

4.1 Efficiency of justice systems

Justice delayed is justice denied. Timely decisions are essential for businesses and investors. In their investment decisions, companies take into account the risk of being involved in commercial disputes, labour or taxation disputes or insolvencies. The efficiency with which a judicial system in a Member States handles litigation is very important. For example, the legal enforcement of a supply or services contract becomes very costly the longer the judicial dispute takes, and even meaningless beyond a certain time, as the probability of retrieving money from payments and penalties diminishes.

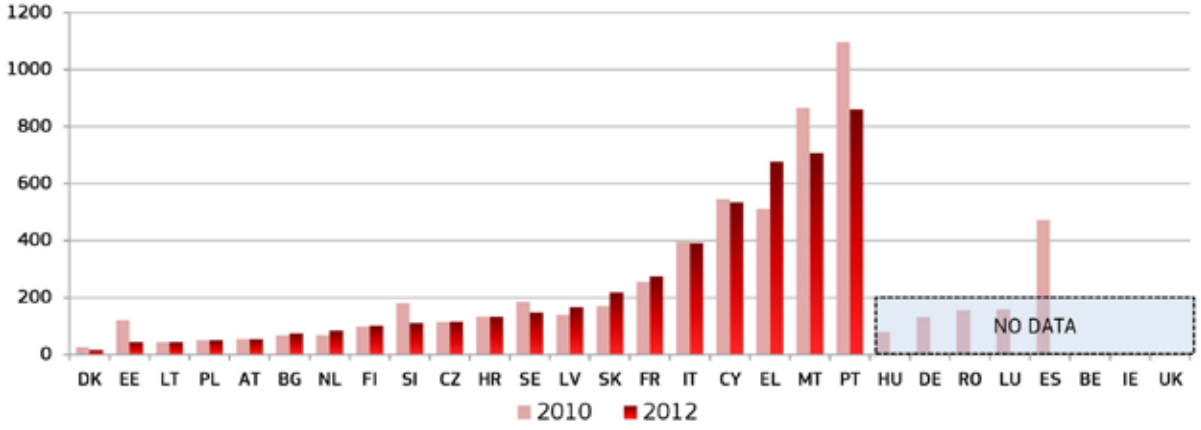
4.1.1 Length of proceedings

The length of proceedings expresses the time (in days) needed to resolve a case in court, that is the time taken by the court to reach a decision at first instance. The 'disposition time' indicator is the number of unresolved cases divided by the number of resolved cases at the end of a year multiplied by 365 days[28].

Except in figures 4, 11 and 12 all figures concern proceedings at first instance. Although different appeal procedures can have a major impact on length of proceedings, the efficiency of a judicial system should already be reflected at first instance, as the first instance is an obligatory step for everyone going to court.

Figure 1

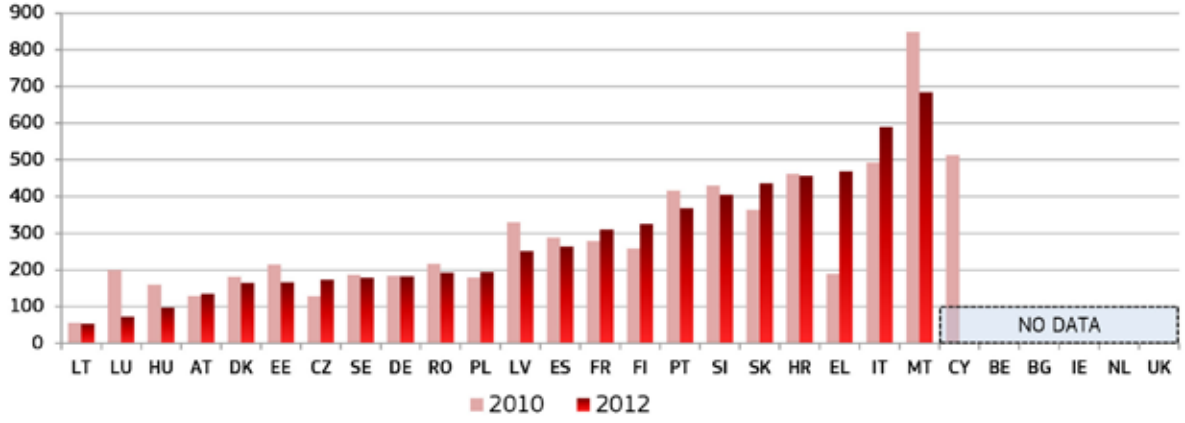
Time needed to resolve **civil, commercial, administrative and other cases*** (1st instance/in days)
source: CEPEJ study[29]



**According to the CEPEJ methodology this figure includes all civil and commercial litigious and non-litigious cases, enforcement cases, land-registry cases, administrative law cases (litigious or non-litigious) and other non-criminal cases.*

Figure 2

Time needed to resolve **litigious civil and commercial cases*** (1st instance/in days)
source: CEPEJ study



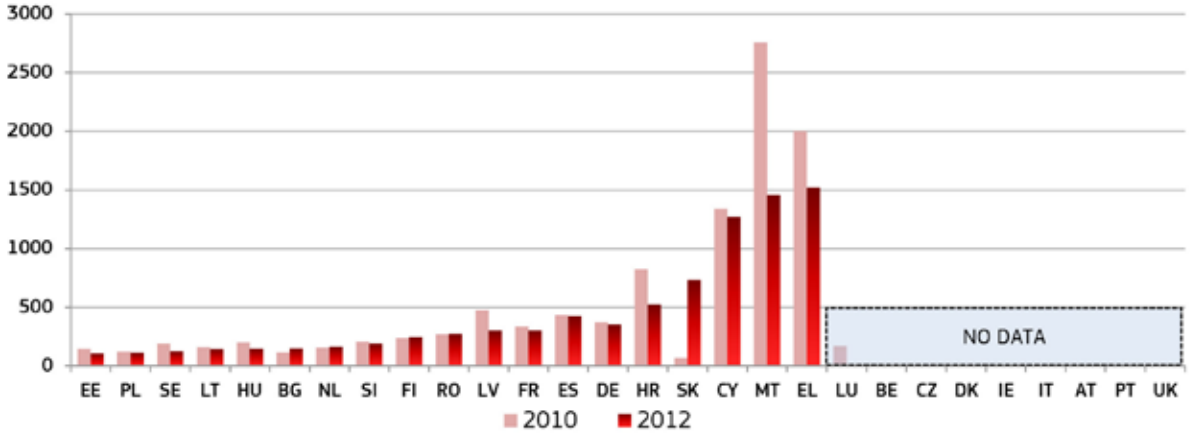
**Litigious civil (and commercial) cases concern disputes between parties, for example disputes regarding contracts, following the CEPEJ methodology. By contrast, non-litigious civil (and commercial) cases concern uncontested proceedings, for example, uncontested payment orders. Commercial cases are addressed by special commercial courts in some countries and handled by ordinary (civil) courts in others.*

28 Length of proceedings, clearance rate and number of pending cases, are standard indicators defined by CEPEJ. Their definition and interrelation is available at http://www.coe.int/t/dghl/cooperation/cepej/evaluation/default_en.asp

29 Report on the functioning of judicial systems in the EU Member States, carried out by the CEPEJ Secretariat for the Commission. All charts compare, where available, data for 2010 with data for 2012. 2010 data includes updates made by CEPEJ after the publication of their 2013 study as transmitted to the Commission.

Figure 3

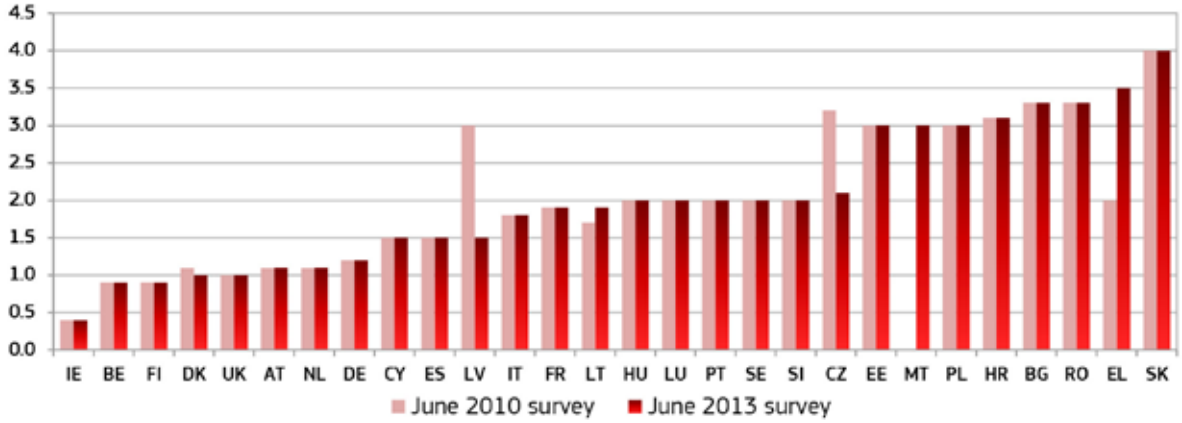
Time needed to resolve **administrative cases*** (1st instance/in days) source: CEPEJ study



**Administrative law cases concern disputes between citizens and local, regional or national authorities, following the CEPEJ methodology. Administrative law cases are addressed by special administrative courts in some countries and handled by ordinary (civil) courts in others.*

Figure 4

Time needed to resolve **insolvency*** (in years) ***source:*** *World Bank: Doing Business*



**Time for creditors to recover their credit. The period of time is from the company's default until the payment of some or all of the money owed to the bank. Potential delay tactics by the parties, such as the filing of dilatory appeals or request for extension, are taken into consideration. The data are collected from questionnaire responses by local insolvency practitioners and verified through a study of laws and regulations as well as public information on bankruptcy systems.*

4.1.2 Clearance rate

The clearance rate is the ratio of the number of resolved cases over the number of incoming cases. It measures whether a court is keeping up with its incoming caseload. The length of proceedings is linked to the rate at which the courts can resolve cases, the 'clearance rate', and to the number of cases that are still waiting to be resolved, 'pending cases'. When the clearance rate is about 100% or higher it means the judicial system is able to resolve at least as many cases as come in. When the clearance rate is below 100%, it means that the courts are resolving fewer cases than the number of incoming cases, and as a result, at the end of the year, the number of unresolved cases adds up as pending cases. If this situation persists over several years, this could be indicative of a more systemic problem as backlogs build up which further aggravate the workload of courts, and which cause the length of proceedings to rise further.

Figure 5

Rate of resolving **civil, commercial, administrative and other cases** (1st instance/in % - values higher than 100% indicate that more cases are resolved than come in, while values below 100% indicate that fewer cases are resolved than come in)
source: CEPEJ study

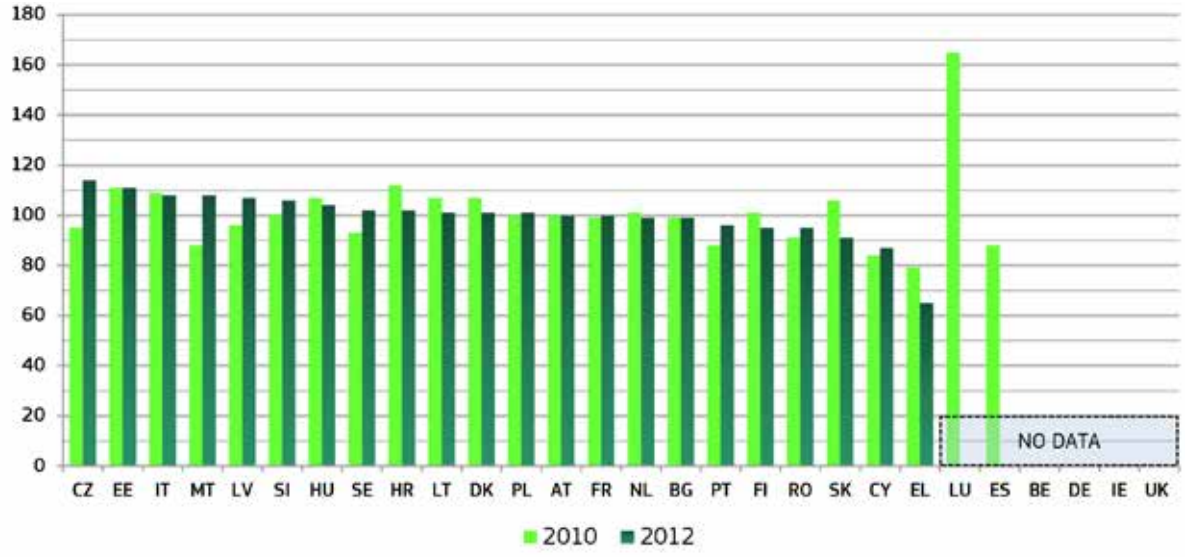


Figure 6

Rate of resolving **litigious civil and commercial cases** (1st instance/in %)
source: CEPEJ study

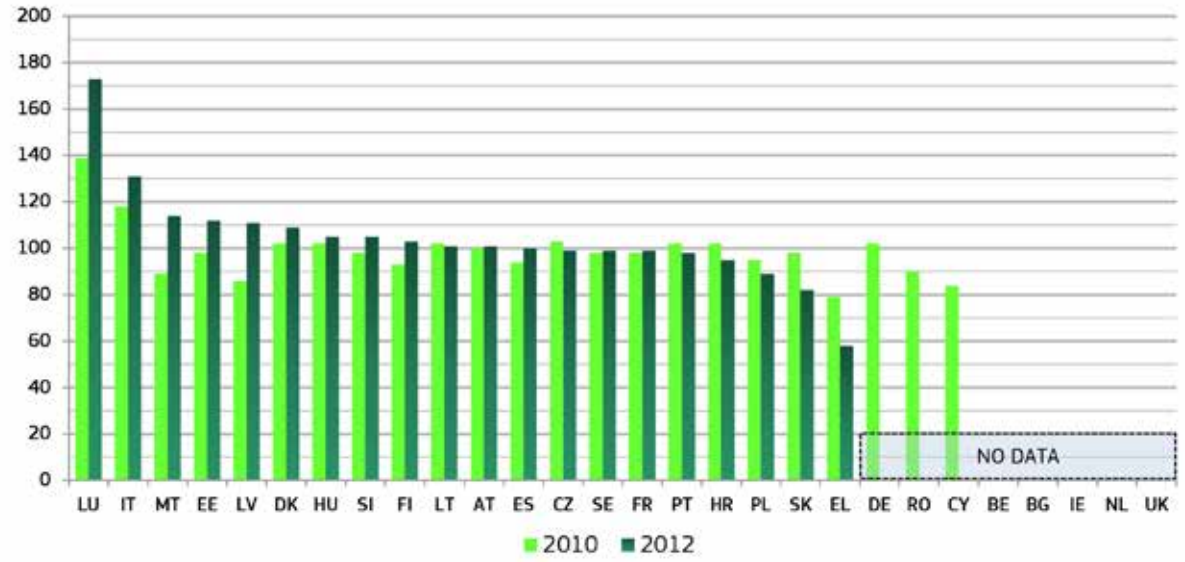
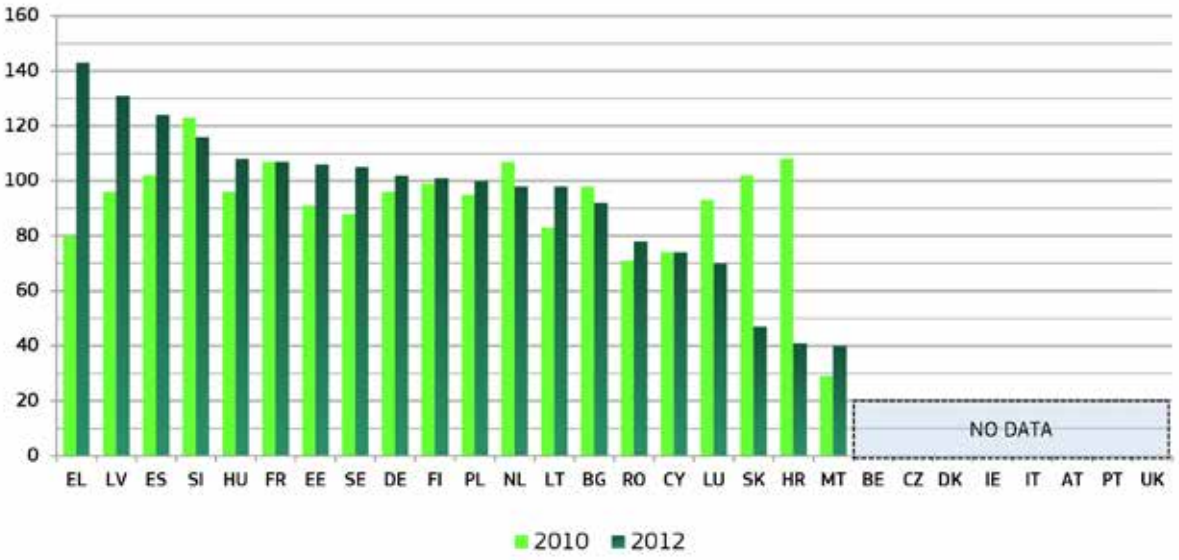


Figure 7

Rate of resolving **administrative cases**
(1st instance/in %)
source: *CEPEJ study*



4.1.3 Pending cases

The number of pending cases expresses the number of cases that remains to be dealt with at the end of a period. The number of pending cases influences the disposition time. Therefore, in order to improve the length of proceedings measures to reduce the number of pending cases are required.

Figure 8

Number of **civil, commercial, administrative and other pending cases** (1st instance/ *per* 100 inhabitants)
source: CEPEJ study

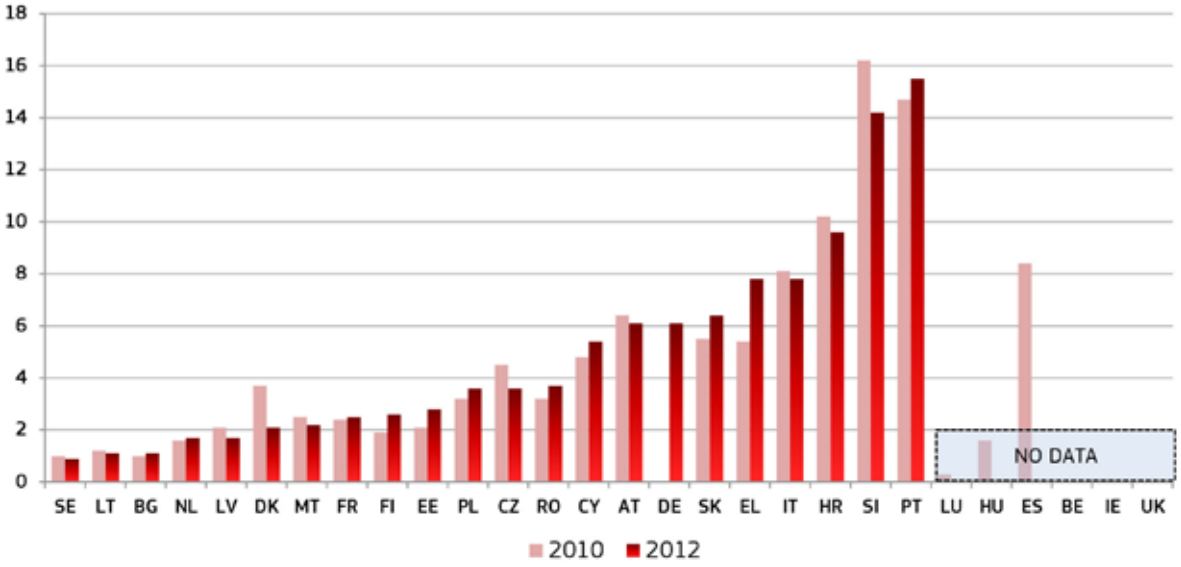


Figure 9

Number of **litigious civil and commercial pending cases** (1st instance/*per* 100 inhabitants)
source: CEPEJ study

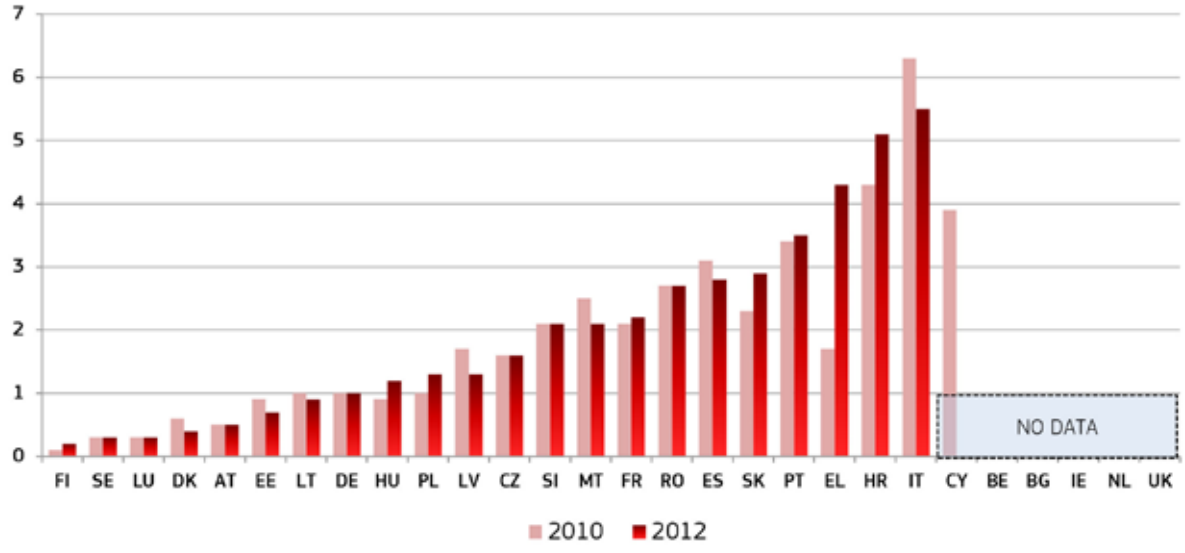
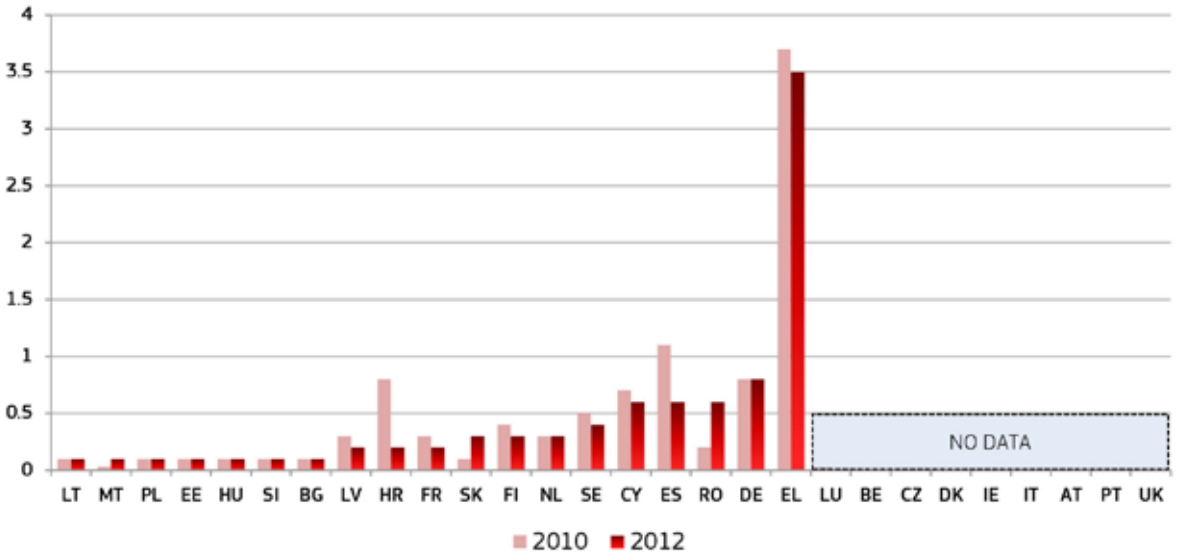


Figure 10

Number of **administrative pending cases** (1st instance/*per* 100 inhabitants)
source: *CEPEJ study*



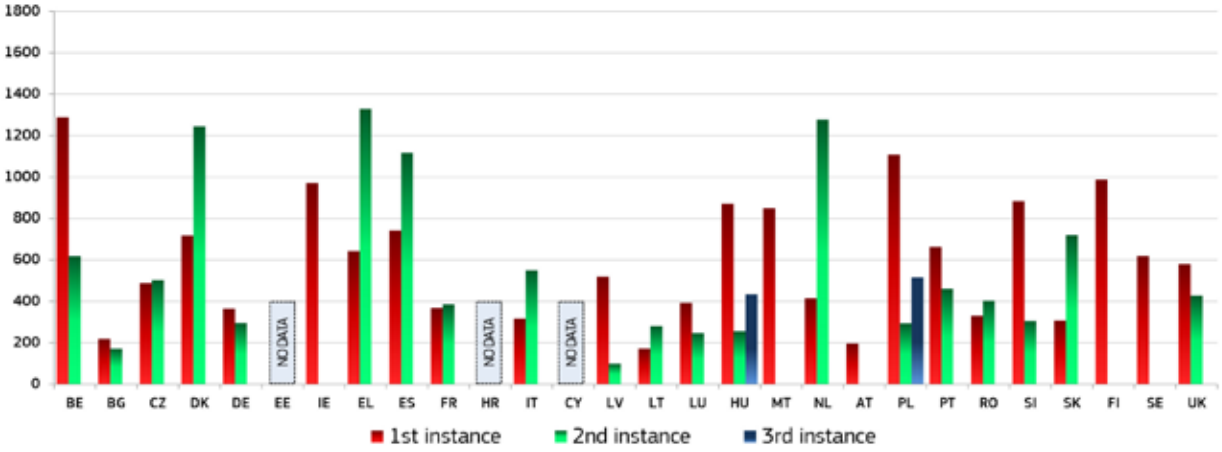
4.1.4 Results of the pilot field studies

The results of the pilot field studies concerning length of proceedings in the field of competition and consumer law show the average number of days which it takes to have a decision on the substance in cases pertaining to these two specific fields. The average duration in days is provided for first, second and (if relevant) third instance cases where such information is available. Given the divergences in the way data is presented for these instances, Member States are ordered alphabetically in their original languages.

The average length for resolving judicial review cases in competition law indicated below appears to be generally higher than the average length for civil, commercial, administrative and other cases in Figure 1. This could be due to the complexity involved in this type of specialized litigation. The figure below also shows that in several Member States significant differences in length can be observed between first, second (and where existing) third judicial review instances.

Figure 11

Average time needed to resolve **judicial review cases against decisions of national competition authorities applying Articles 101 and 102 TFEU*** (in days)
source: pilot field study[30]

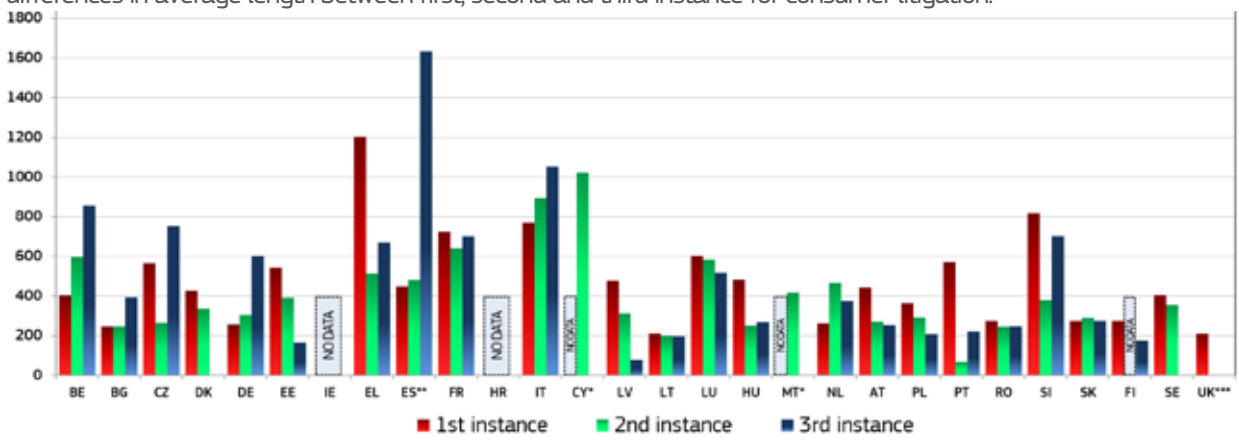


**The calculation on the length has been carried out on the basis of a study that sought to identify all cases of appeal of national competition authority decisions applying Articles 101 and 102 of the Treaty on the Functioning of the European Union for which judicial decisions on the substance were issued between 2008 and 2013. The figures are provided for1st and 2nd instance and, in those cases where it was relevant, for 3rd instance.*

While the average length appears to be higher than that of litigious civil and commercial cases presented in Figure 2, account should be taken of the fact the length has been calculated on the basis of consumer litigation published cases, which tend to be more complex. The chart also confirms that a number of Member States present significant differences in average length between first, second and third instance for consumer litigation.

Figure 12

Average time needed to resolve **consumer law cases*** (in days)
source: pilot field study[31]



**The calculation on the length has been carried out on the basis of samples of cases relating to the application of the Unfair Contract Terms Directive, Distance Sales Directive, Consumer Sales and Guarantee Directive, Unfair Commercial Practices Directive and their national implementing provisions where decisions were issued between 2008 and 2013. As the sample size varied according to the availability of published decisions, the figures provided should be approached cautiously* [32].

30 Study on the functioning of national courts for the application of competition law rules, carried out by ICF GHK, available at: http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

31 Study on the functioning of national courts for the application of consumer law rules carried out by Centre for Strategy & Evaluation Services LLP, available at: http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

32 For some Member States (*) only length in last instance is indicated, as no sufficient data were available for other instances. For ES (**), the average length of proceedings at 3rd instance differs significantly between 2008 and 2012: in 2008 it was over 2,600 days and has been reduced to about 1,000 days in 2012. In the UK (***), data refer to England and Wales and they provide the average length of county court proceedings at 1st instance.

CONCLUSIONS
on the efficiency of justice systems

- The Scoreboard shows that there are Member States which continue to face particular challenges with regard to the efficiency of their justice systems, i.e. lengthy first instance proceedings together with low clearance rates or a large number of pending cases. These Member States have already been identified in the 2013 European Semester and the Economic Adjustment programmes and are in the process of defining, adopting or implementing measures for improving the functioning of their justice systems. The figures confirm the importance of committing to all necessary reforms and of pursuing these efforts with determination.

- For a few Member States the figures indicate an increase in the length of proceedings. The reasons behind this may differ. For example, for countries especially affected by the sovereign debt, financial and economic crisis, the increase of incoming cases has had an impact on the functioning of the justice system[33].

- The effects of ambitious reforms recently adopted in certain Member States cannot yet be reflected as the data are from 2012. Implementing and reaping the benefits of structural justice reforms, in particular for countries which are subject to the Economic Adjustment programmes[34], takes time. As the Scoreboard is a regular exercise, the outcome of these reforms could become visible in future Scoreboards.

33 For example, in EL, the number of incoming civil and commercial litigious cases increased by 42% between 2010 and 2012.
34 See note 23.

4.2 Quality of justice systems

Effective justice requires quality throughout the whole justice chain. A lack of quality of justice decisions may increase business risks for large companies and SMEs and affect consumer choices. Certain input indicators, such as training, monitoring and evaluation of activities, availability of ICT systems and ADR methods and budgetary and human resources can help to improve the quality of justice systems.

4.2.1 Monitoring and evaluation help to shorten the length of proceedings

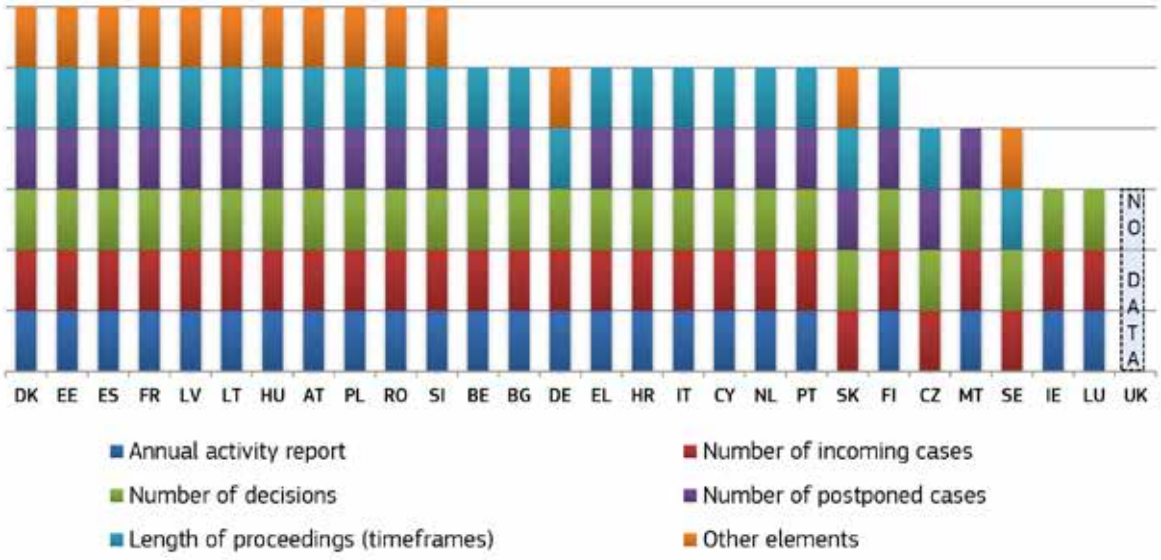
The definition of quality policies and the evaluation of the activities of courts are tools which increase the quality of justice in order to improve access to justice, trust, predictability and timeliness of justice decisions. These tools can consist in monitoring the day-to-day activity of the courts thanks to data collection or the evaluation of the performance of court systems by using indicators or by the introduction of quality systems in courts. The absence of reliable monitoring and evaluation can make improving the functioning of a justice system more difficult. An effective time management of court cases requires that the courts, the judiciary and all justice end-users can be informed on the functioning of courts through a regular monitoring system.

The data for stacked charts on quality factors are from 2012, as they reflect descriptive indicators which tend to remain stable. Divergences from previous exercises for certain Member States are explained individually. Member States on the right side of the charts without values are those for which data were not available. When the indicators do not exist or are not possible in certain Member States, this has been made explicit on the right side of the charts.

Figure 13

Availability of **monitoring of courts' activities** in 2012*

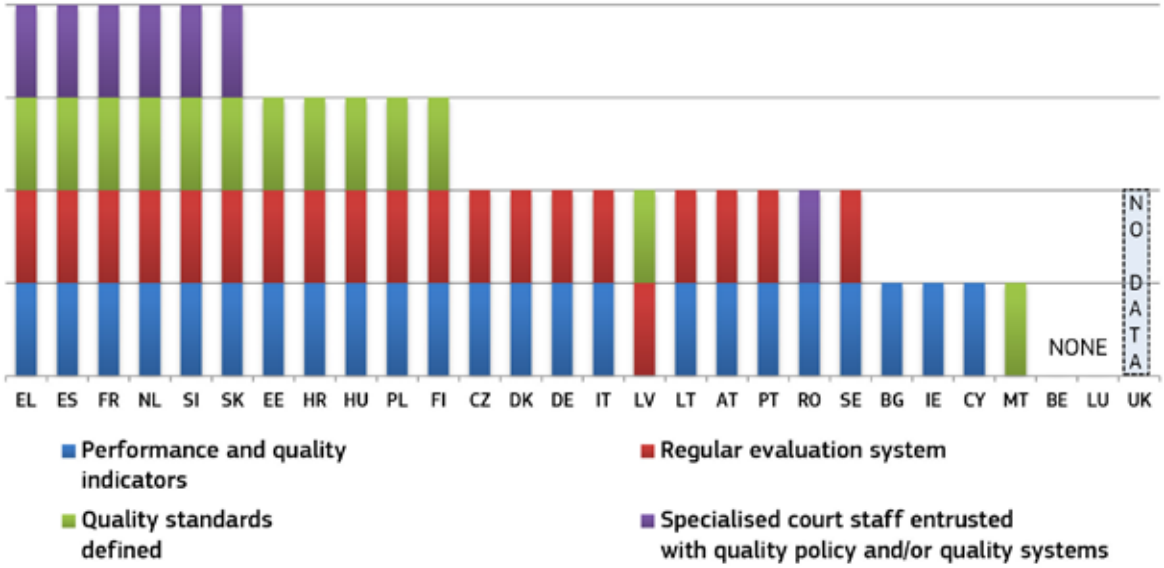
source: *CEPEJ study*



**Availability of monitoring tools has been reported as increasing in CY, EL (annual activity reports) and SI (other monitoring elements) and decreasing in SK (no annual activity report, as individual courts are required to send statistical data to the Ministry of Justice that publishes data for the whole judiciary).*

Figure 14

Availability of **evaluation of courts' activities** in 2012*
source: CEPEJ Study

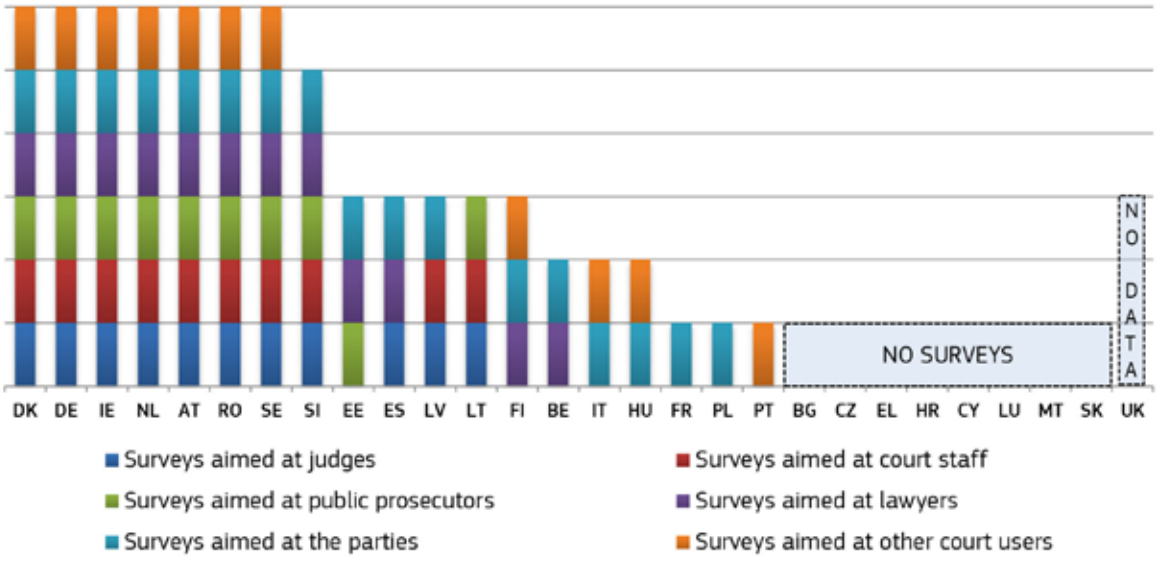


*Availability of these tools has been reported to have increased in EE, HU and SI and decreased in LV.

Surveys conducted amongst professionals who work in courts and/or users of the courts can provide relevant information on the quality of the justice system. An additional indicator has been introduced to reflect the target groups and the extent to which such surveys are used in Member States.

Figure 15

Surveys conducted among court users or legal professionals in 2012*
source: CEPEJ Study



*Surveys aimed at persons who were in direct contact with a court (professionals, litigants and other courts users, for example witnesses, experts, interpreters, etc.) following the CEPEJ methodology.

4.2.2 Information and communication technology systems help to reduce the length of proceedings and to facilitate access to justice

ICT systems for the registration and management of cases are indispensable tools at the disposal of courts for an effective time management of cases, as they help to improve the rate at which the court can treat cases and thereby to reduce the overall length of proceedings[35].

Figure 16

ICT Systems for the **registration and management of cases** (weighted indicator-min=0, max=4) [36]
source: *CEPEJ study*

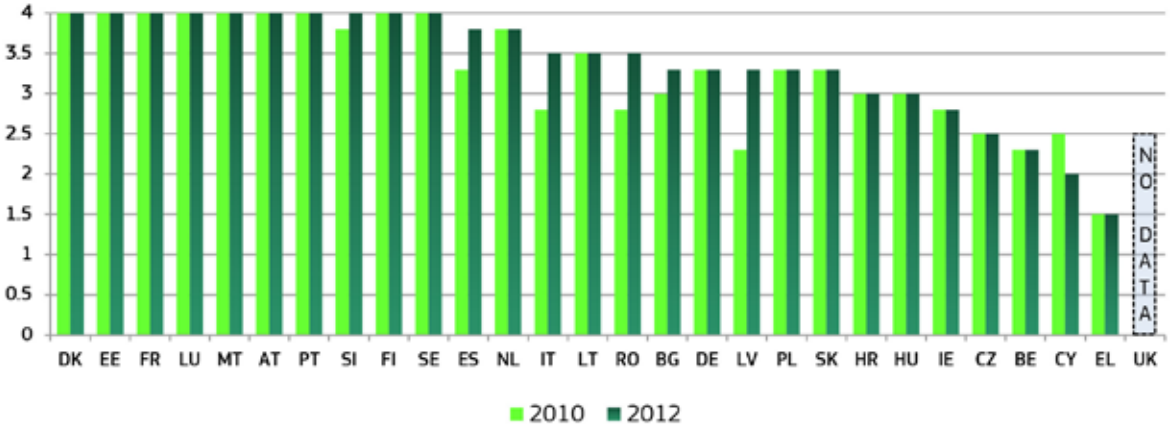
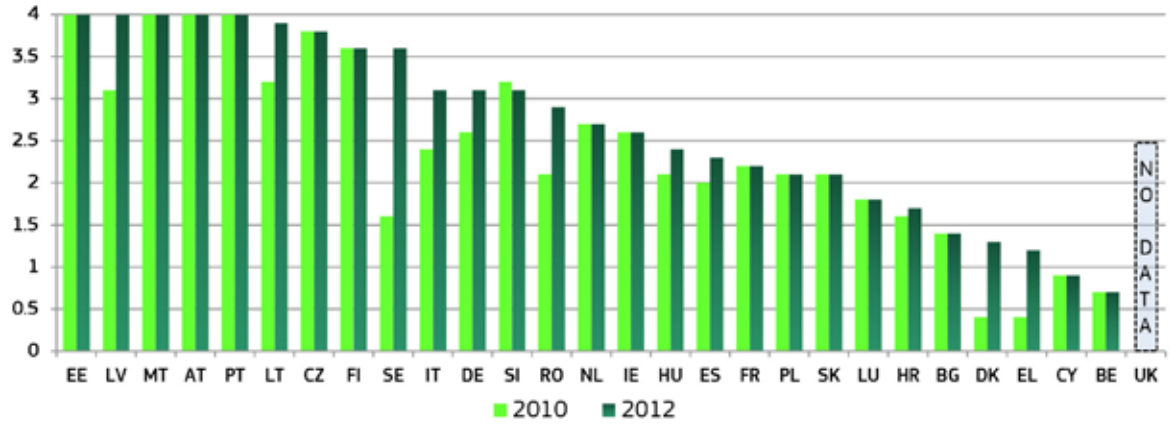


Figure 17

Electronic **communication between courts and parties** (weighted indicator -min=0, max=4) (source: CEPEJ study)



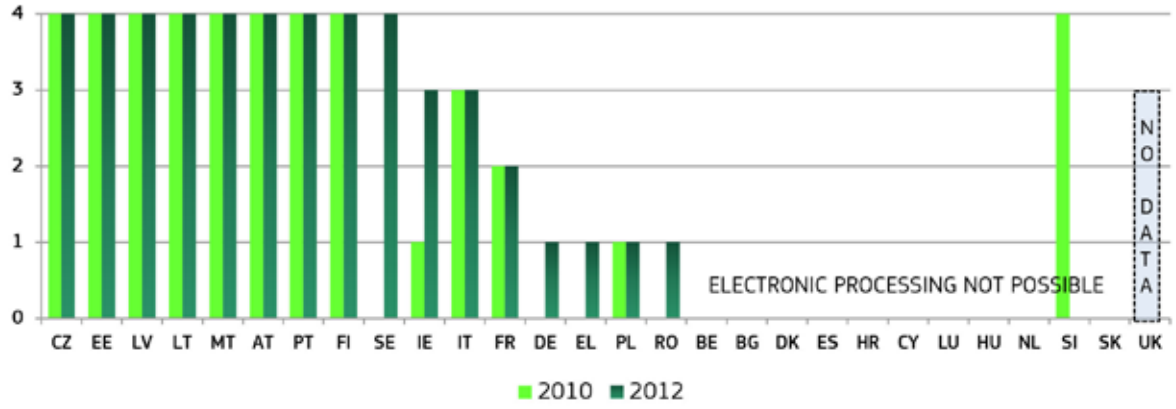
ICT systems for communication between courts and parties (e.g. electronic submission of claims) can contribute to reducing delays and costs for citizens and businesses by facilitating the access to justice. ICT systems also play an increasing role in cross-border cooperation between judicial authorities and thereby facilitate the implementation of EU legislation.

35 CY, IE and SI indicated to CEPEJ that they have interpreted some questions on ICT differently than in 2010. This explains why the values for certain ICT indicators are lower in 2012 than in 2010.

36 Figures 16 and 17 show composite indicators constructed from several ICT indicators that each measures availability of these systems from 0 to 4 (0= available in 0% of courts; 4=available in 100% of courts).

Figure 18

Electronic processing of **small claims*** (0 = available in 0% of courts; 4 = available in 100% of courts) *source: CEPEJ study*



**The notion of "small claims" indicates a civil case where the monetary value of the claim is relatively low. This notion varies between the Member States and the CEPEJ Study uses the national definition in each Member State.*

Figure 19

Electronic processing of **undisputed debt recovery** (0 = available in 0% of courts; 4 = available in 100% of courts) *source: CEPEJ study*

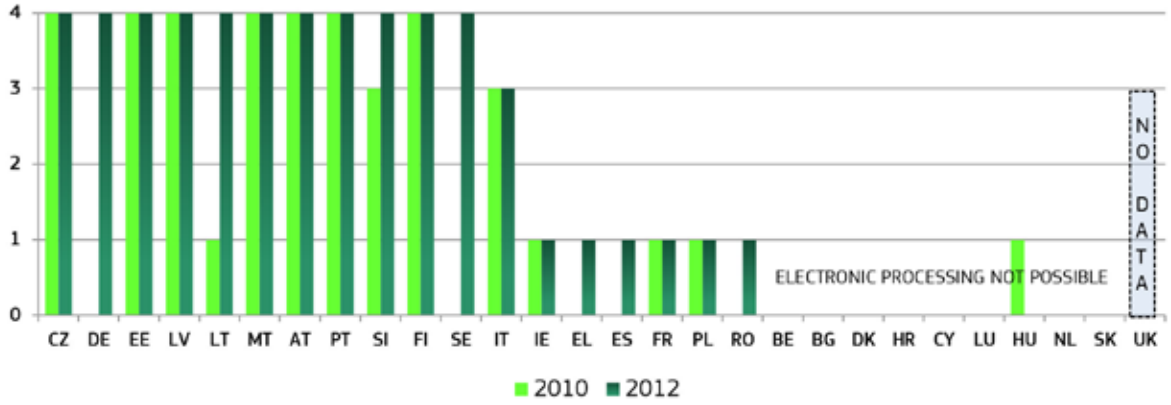
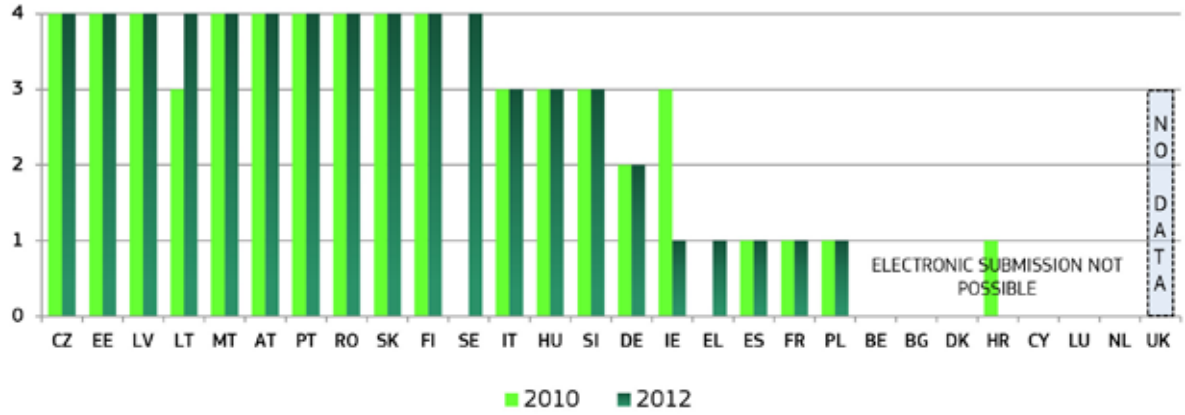


Figure 20

Electronic submission of **claims** (0 = available in 0% of courts; 4 = available in 100% of courts) *source: CEPEJ study*

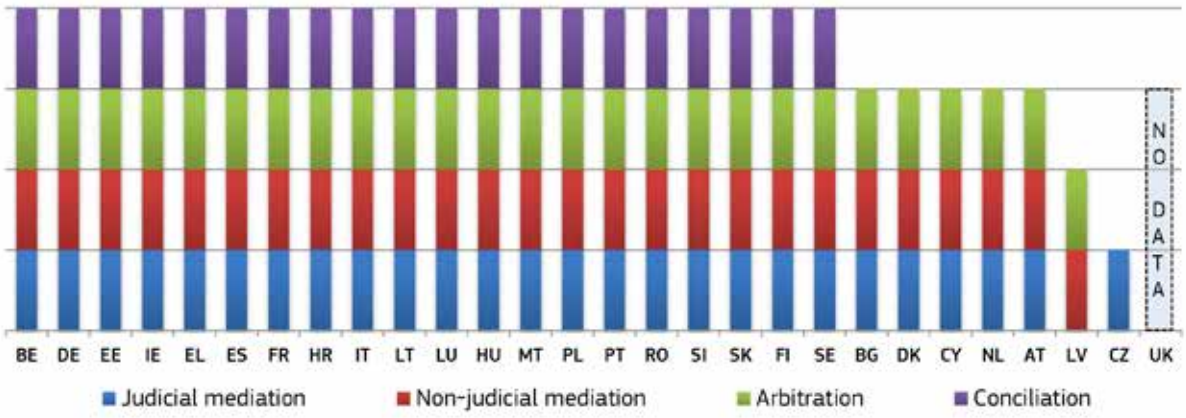


4.2.3 Alternative Dispute Resolution (ADR) methods help to reduce the workload of courts

Effective mediation and other alternative dispute resolution methods broaden the possibilities for citizens and businesses to have disputes solved and contribute to a culture of peaceful resolution of disputes. The interest in such methods is confirmed by a Eurobarometer survey which shows that 89% of respondents would seek an agreement out of court whilst 8% say they would go to court anyway[37]. ADR also contributes to the better functioning of courts. By facilitating an early settlement between parties on a voluntary basis, ADR reduces the number of pending cases and can have a positive impact on the workload of courts, which are then better able to keep reasonable timeframes.

Figure 21

Availability of **alternative dispute resolution methods** in 2012*
source: *CEPEJ study*



**Almost no changes have been reported on the availability of ADR which appeared to increase in CY and decrease in LV, that is in the early stage of establishing a new legal basis for mediation and a mediation institute.*

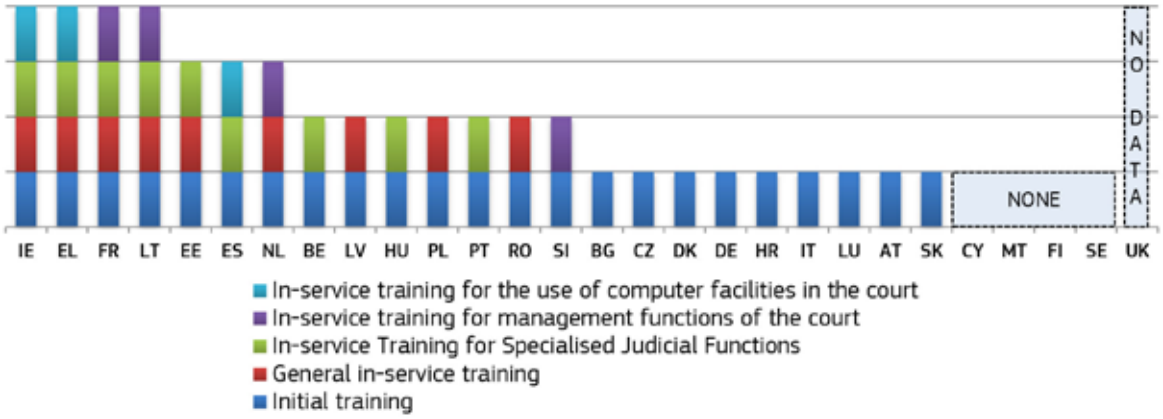
37 Flash Eurobarometer 385, November 2013, available at: http://ec.europa.eu/public_opinion/flash/fl_385_en.pdf

4.2.4 Promoting training of judges can help to improve the effectiveness of justice

Training of judges is an important element for the quality of judicial decisions. An additional indicator has been introduced to provide information on the actual percentage of judges participating in continuous training in EU law or in the law of another Member State.

Figure 22

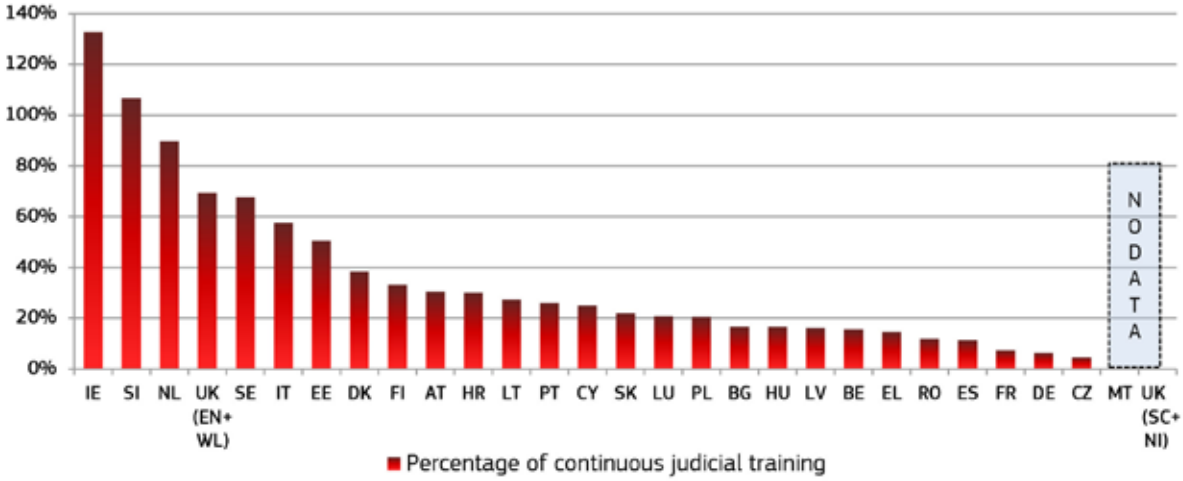
Compulsory training for judges in 2012*
source: CEPEJ study



**EL, HU and LT have increased the number of compulsory training categories in comparison to 2010, whereas in LU, SE and RO some categories that were compulsory have become optional.*

Figure 23

Judges participating in continuous training activities in EU Law or in the law of another Member State (as a % of total number or judges)*
source: European Commission, European Judicial Training, 2012[38]



**In a few cases reported by the Member States the ratio of participants to existing members of a legal profession exceeds 100%, meaning that participants took part in more than one training activity on EU law. Some of the exceptionally high figures may suggest that, the data delivered concerns training in all subjects and not just in EU law.*

38 Available at: http://ec.europa.eu/justice/criminal/files/european_judicial_training_annual_report_2012.pdf

4.2.5 Resources

Figure 24

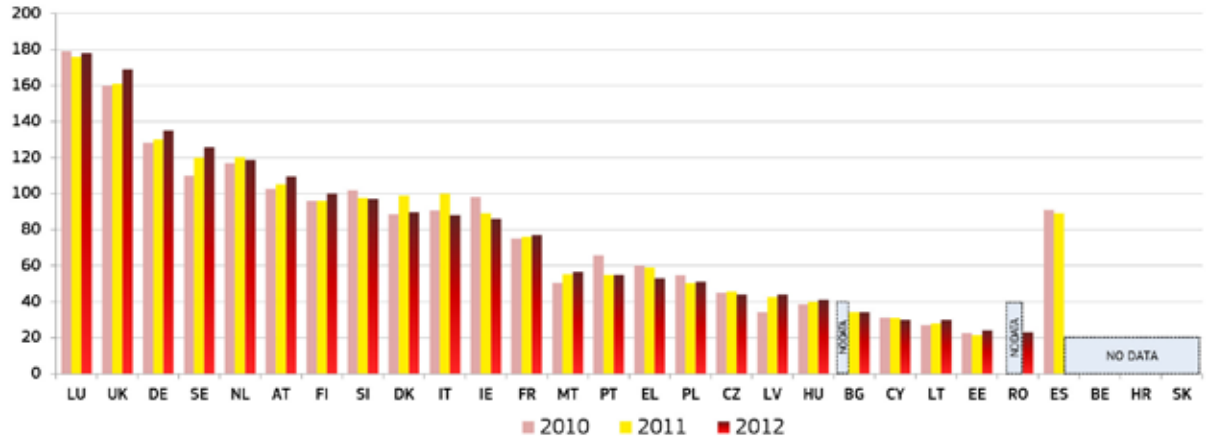
Budget for courts (in EUR *per* inhabitant)*
source: *CEPEJ study*

**Figure 24 indicates the annual approved budget allocated to the functioning of all courts, whatever the source and level of this budget (national or regional). It does not take into account Prosecution Services (except in BE, DE, EL, ES (for 2010), FR, LU and AT) or legal aid (except in BE, ES (for 2010) and AT).*[39]

This additional indicator on resources draws upon Eurostat's data on government expenditure. It presents the budget actually spent, which complements the existing indicator on allocated budget for courts. The comparison is made between 2010, 2011 and 2012.

Figure 25

General Government total expenditure on "law courts"* (in EUR *per* inhabitant)
source: *Eurostat*



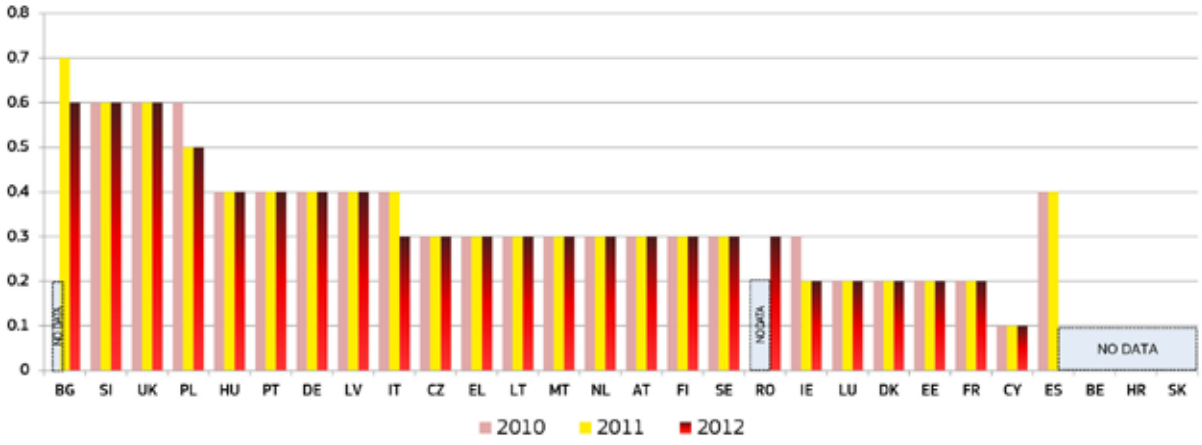
**Whereas Figure 24 indicates the annual approved budget allocated to the functioning of all courts, whatever the source and level of this budget (national or regional), Figure 25 presents general government total (actual) expenditure on courts (National Accounts Data, Classification of the Functions of Government, group 03.3). Figure 25 also includes probation systems and legal aid.* [40]

39 In Figure 24, the significant decrease for ES reflects the fact that data from the Autonomous Communities and from the Council for the Judiciary have not been included in 2012 data.

40 The following values are provisional: BG, EL and HU for all years, SE for 2012.

Figure 26

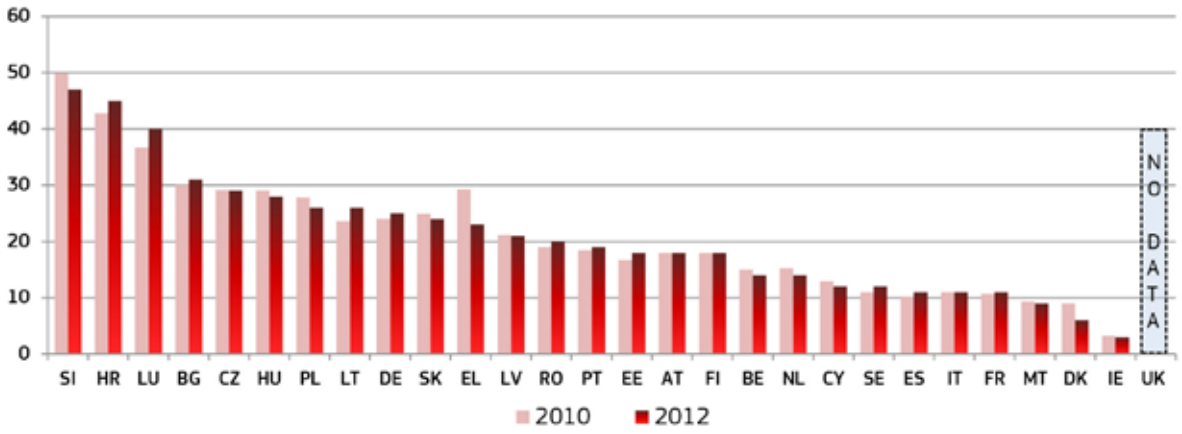
General government expenditure on law courts as a percentage of GDP
source: *Eurostat* [41]



In order to improve comparability and provide a more focused view, the indicator has been revised in comparison to the 2013 Scoreboard. It no longer includes *Rechtspfleger*/court clerks which exist only in some Member States. Exclusively full-time judges are taken into account.

Figure 27

Number of judges* (*per* 100.000 inhabitants)
source: *CEPEJ study*

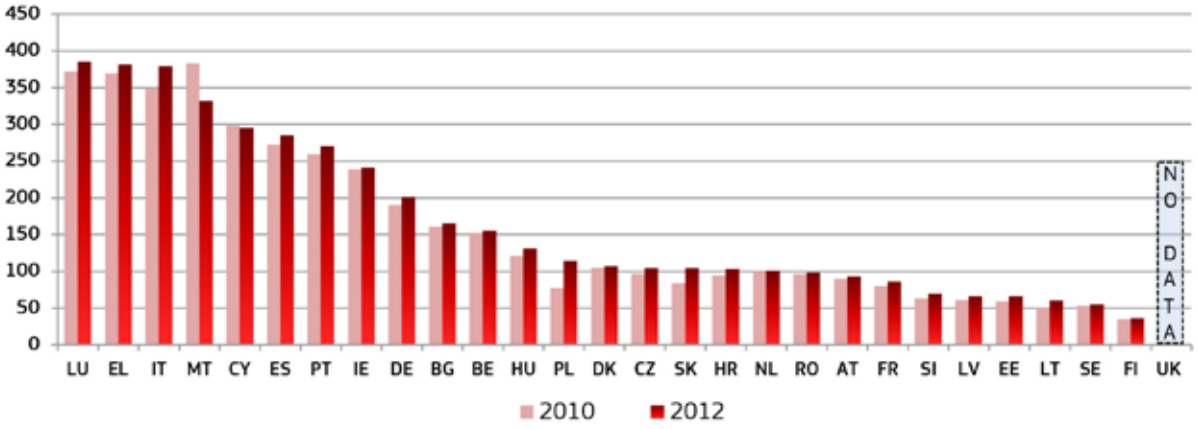


**The category consists of judges working full-time judges, following the CEPEJ methodology. It does not include Rechtspfleger/court clerks who exist in some Member States.*

41 The following values are provisional: BG, EL and HU for all years; for SE, values for 2012 are provisional.

Figure 28

Number of **lawyers*** (*per* 100.000 inhabitants)
source: *CEPEJ study*



**A lawyer is a person qualified and authorised according to national law to plead and act on behalf of his or her clients, to engage in the practice of law, to appear before the courts or advise and represent his or her clients in legal matters (Recommendation Rec (2000)21 of the Committee of Ministers of the Council of Europe on the freedom of exercise of the profession of lawyer).*

CONCLUSIONS
on the quality of justice systems

- Monitoring and evaluation of court activities already exist in most Member States. Only a few countries have no evaluation systems in place. User surveys are conducted among court users or legal professionals in more than half of the Member States.
- Alternative dispute resolutions methods are available in nearly all Member States. Updated data on the use of such methods are not available.
- The availability of information and communication technology (ICT) tools for courts increased. They are largely available for the administration and management of courts and to a lesser extent for electronic communications between courts and parties. Electronic processing of small claims, undisputed debt recovery and electronic submission of claims is not possible in a significant number of Member States.
- In nearly a third of Member States the participation rate of judges in continuous training activities on EU law is above 50%. For half of the Member States the participation of judges in EU law training represents less than 20%.
- Training of judges and legal practitioners and ICT tools are crucial for the effective functioning of a European area of justice based on mutual trust. The findings of the Scoreboard confirm that training and ICT should be key components of the future EU Justice policy and will help to consolidate what has been achieved during the past 15 years in this area.

4.3 Independence

Judicial independence is important for an attractive business environment. It assures the predictability, certainty, fairness and stability of the legal system in which businesses operate. For this reason, improving the independence of national judicial systems, together with their quality and efficiency, is an important element in the European Semester. The independence of the judiciary is also a requirement stemming from the right to an effective remedy enshrined in the Charter of Fundamental Rights of the EU. Judicial independence is also important for an effective fight against corruption, as highlighted in the EU Anti-corruption Report[42].

In order to provide information on the independence of the judiciary in Member States the 2013 Scoreboard used the indicator of the perception of independence of the judicial system. The perceived independence of the judiciary is indeed a growth-enhancing factor as a perceived lack of independence can deter investments. As a general rule, justice must not only be done, it must be seen to be done.

While perceived independence is a relevant indicator, information on how judicial independence is legally guaranteed and upheld is necessary. For this reason, the 2013 Scoreboard announced that the Commission, with the networks of judges and judicial authorities, will examine how the quality and availability of comparable data on structural independence could be improved.

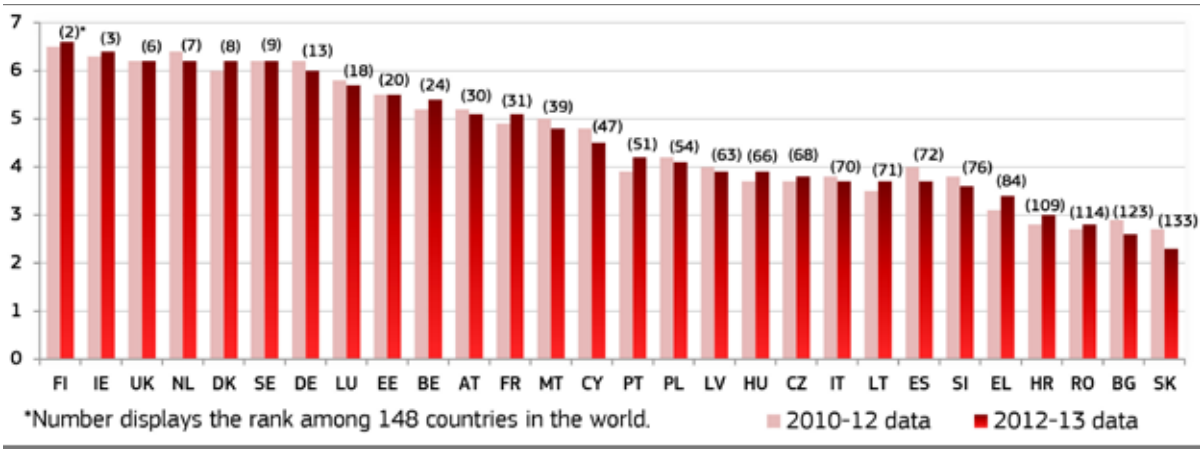
In cooperation with the European Network of Councils for the Judiciary (ENCJ), the Commission has started to collect information on the legal protection of judicial independence in Member States. The figures in the annex present a first comparative overview on how justice systems are organised to protect judicial independence in certain types of situations where their independence can be at risk. Five indicators are used to cover the following situations:
(i) *the safeguards regarding the transfer of judges without their consent,* (ii) *the dismissal of judges,* (iii) *the allocation of incoming cases within a court,* (iv) *the withdrawal and recusal of judges* and (v) *the threat against the independence of a judge*. For such situations, the 2010 Council of Europe Recommendation on judges: independence, efficiency and responsibilities ('the Recommendation') presents standards to ensure that the independence of the judiciary is respected[43].

42 COM (2014)38 final, 4.2.2014, available at:
http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/organized-crime-and-human-trafficking/corruption/docs/acr_2014_en.pdf
and http://ec.europa.eu/anti-corruption-report/

43 Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities.

Figure 29

Perceived judicial independence
(perception – higher value means better perception)
source: *World Economic Forum* [44]



CONCLUSIONS on judicial independence

- In several Member States the perception of independence has improved whilst in some Member States it has deteriorated.
- 2014 Scoreboard also presents in the annex a first factual comparative overview of the legal safeguards aiming at protecting judicial independence in certain situations where independence could be at risk. The Commission will further examine with the networks of judicial authorities and judges, as well as the Member States, how the Scoreboard could further develop comparative data on the effectiveness of these legal safeguards and on other safeguards relating to the structural independence.

44 The WEF indicator is based on survey answers to the question: «To what extent is the judiciary in your country independent from the influences of members of government, citizens, or firms?» The survey was replied to by a representative sample of firms in all countries representing the main sectors of the economy (agriculture, manufacturing industry, non- manufacturing industry, and services). The administration of the survey took different formats, including face-to-face interviews with business executives, telephone interviews and mailings, with an online survey as an alternative. Available at: http://www.weforum.org/reports/global-competitiveness-report-2013-2014

5.FURTHER STEPS

The findings of the Scoreboard will be taken into account in preparing the forthcoming country specific analysis of the 2014 European Semester. They will also be taken into account in the context of the Economic Adjustments Programmes.

The 2014 Scoreboard confirms that the gathering of objective, comparable and reliable data on the effectiveness of justice systems covering all Member States remains a challenge. This may be for different reasons: lack of availability of data due to insufficient statistical capacity, lack of comparability due to procedures or definitions which may vary significantly or the unwillingness to cooperate fully with the CEPEJ.

The Commission considers that it is important to make real progress in the ability to gather and provide relevant data on the quality, efficiency and independence of the justice systems. In view of the importance of well functioning national justice systems in achieving the objectives of the Union, all Member States should address, as a priority, the collection of sound, impartial, reliable, objective and comparable data and make it available in support of this exercise. There is a mutual interest for Member States and national judiciaries to develop the collection of such data in order to better define justice policies.

The Commission intends to intensify the work of the expert group on national justice systems to improve the availability, quality and comparability of data relevant for the EU. In addition to cooperating with the CEPEJ, the Commission is strengthening cooperation with the European networks in the area of justice, in particular the European Network of Councils for the Judiciary, the Network of the Presidents of the Supreme Judicial Court of the European Union, the Association of the Councils of State and Supreme Administrative Jurisdictions, and with the associations of legal practitioners, in particular the lawyers. The possibility to collect data on the functioning of justice systems in other focused areas relevant for growth, such as financial and economic crimes, will be explored.

6.CONCLUSIONS

The EU Justice Scoreboard contributes towards identifying, in an open dialogue with Member States, the good examples and possible shortcomings of national justice systems. In line with the principle of equal treatment, it is important that all Member States are covered by the Scoreboard and provide the necessary data. This is a matter of common interest for the smooth functioning of a common European area of justice based on mutual trust and more generally of the Union.

The 2014 EU Justice Scoreboard shows the importance of pursuing with determination the efforts made to improve the effectiveness of justice systems in order to enjoy the full benefits of these reforms. On the basis of this Scoreboard, the Commission invites the Member States, the European Parliament and all stakeholders to an open dialogue and constructive collaboration towards this objective.

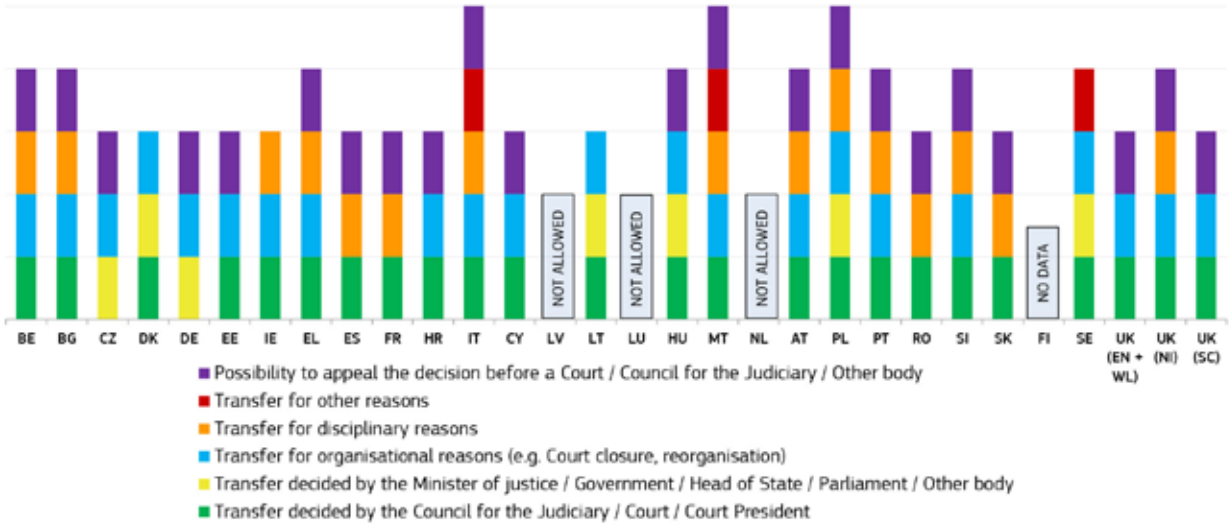
ANNEX:
STRUCTURAL JUDICIAL INDEPENDENCE

The figures below present a first overview of the legal safeguards in certain types of situations without making an assessment of their effectiveness[45]. The figures are based on the replies to a questionnaire elaborated by the Commission in close association with the ENCJ[46].

The figure examines the scenario of the transfers of judges without their consent and shows whether such transfer is allowed and when it is allowed: (i) the authorities that decide on such transfers, (ii) the reasons (e.g. organisational, disciplinary) for which such a transfer is allowed and (iii) whether an appeal against the decision is possible[47].

Figure I

The safeguards regarding the **transfer of judges without their consent** (irremovability of judges)



45 This overview contains only basic information on how the justice systems are organised and does not intend to reflect the complexity and details of these systems. The objective of this section is to provide a first mapping of safeguards for judicial independence and therefore the figures present the Member States according to the alphabetical order of their geographical names in the original language.

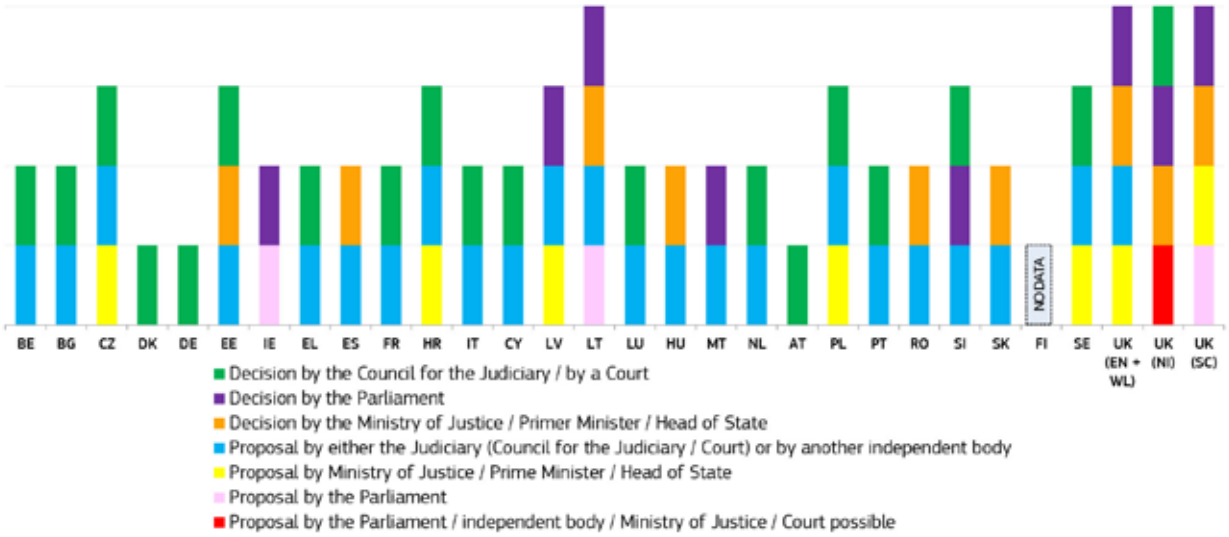
46 For those Member States where Councils for the Judiciary do not exist, the replies to the questionnaire have been obtained in cooperation with the Network of the Presidents of the Supreme Courts of the European Union.

47 § 52 of the Recommendation contains guarantees on the irremovability of judges, in particular that a judge should not be moved to another judicial office without consenting to it, except in cases of disciplinary sanctions or reform of the organisation of the judicial system.

This figure presents the authorities that have the power to propose and decide on the dismissal of judges of first and second instance in the different Member States[48]. The upper part of the column indicates who takes the final decision[49] and the lower part shows – where relevant- who proposes dismissal or who must be consulted before a decision is taken.

Figure II

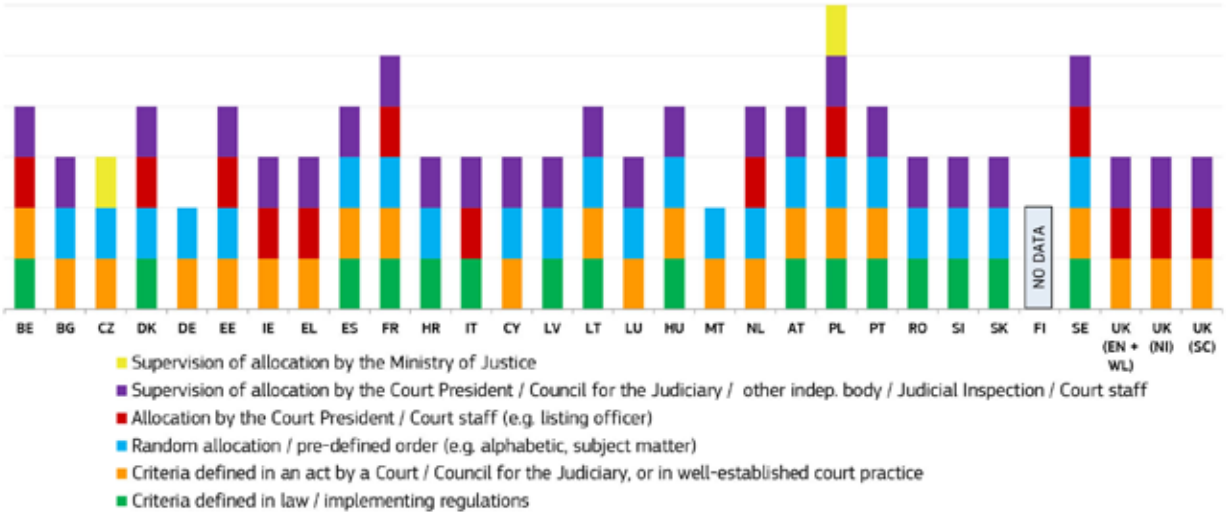
The **dismissal** of 1st and 2nd instance judges



The figure presents at what level the criteria for distributing cases within a court are defined (e.g. law, well-established practice), how cases are allocated (e.g. by court president, by court staff, random allocation, pre-defined order) and which authority supervises the allocation[50].

Figure III

The **allocation of cases** within a court



48 § 46 and 47 of the Recommendation require that national systems provide for safeguards regarding the dismissal of judges.

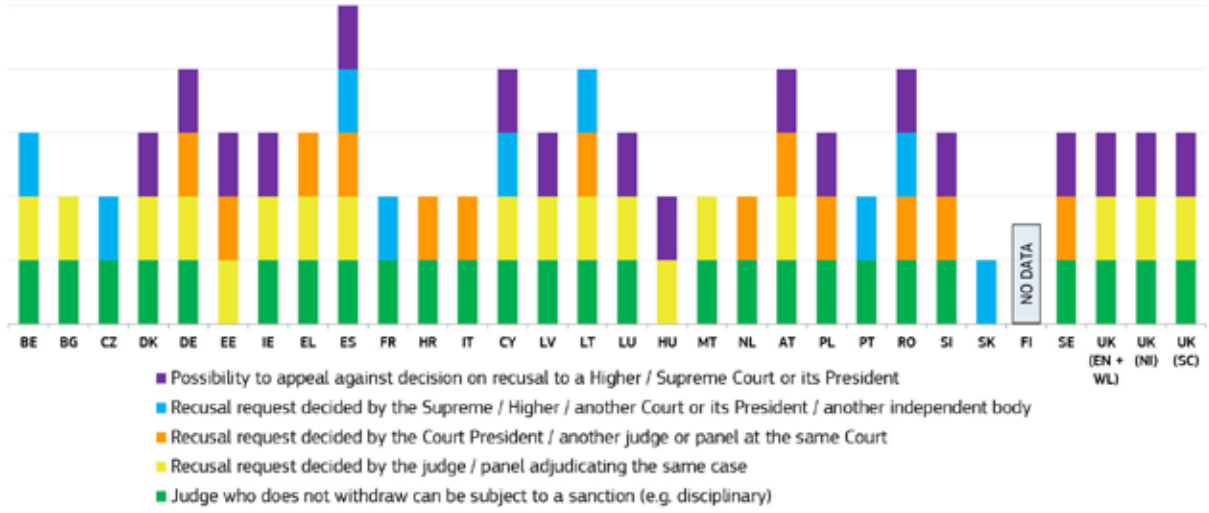
49 It can be one or two different bodies depending on the reason for dismissal or the type of judge (e.g. president, etc.).

50 § 24 of the Recommendation requires that the systems for the distribution of cases within a court follow objective pre-established criteria in order to safeguard the right to an independent and impartial judge.

The figure presents whether judges can be subject to sanctions if they disrespect the obligation to withdraw from adjudicating a case in which their impartiality is in question or is compromised or where there is a reasonable perception of bias. The figure also presents which authority[51] decides on a recusal request by a party aimed at challenging a judge[52].

Figure IV

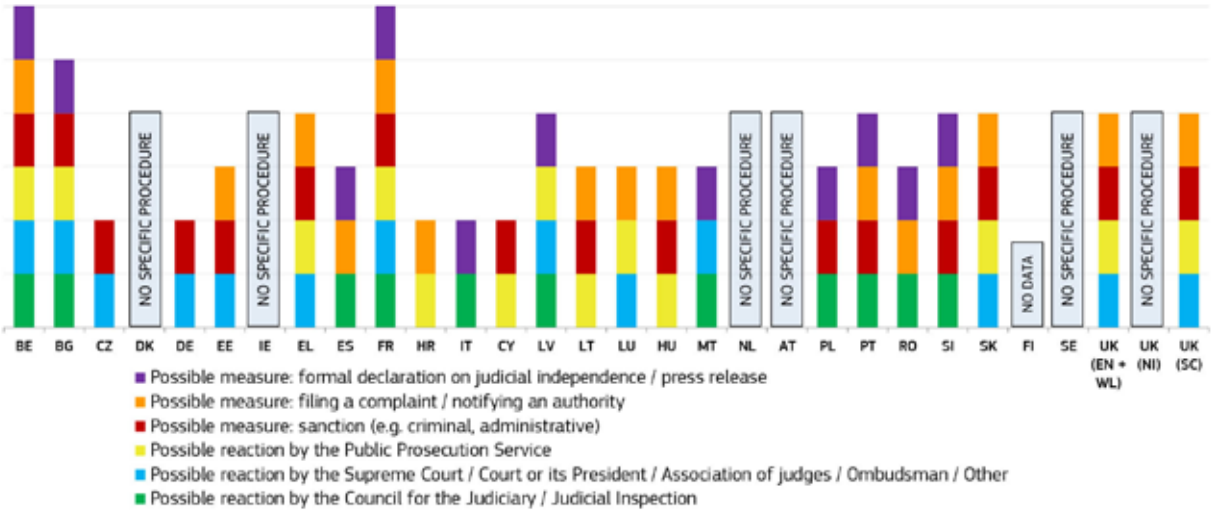
The **withdrawal and recusal of** a judge



The figure presents which authorities can act in specific procedures for protecting judicial independence when judges consider that their independence is threatened[53]. It also presents the measures these authorities can adopt (e.g. issuing a formal declaration, filing of complaints or sanctions against persons seeking to influence judges in an improper manner). Action taken for the protection of judicial independence comes from a public prosecution service or a court in case of sanctions, or from the Council for the Judiciary in case of other measures.

Figure V

The **procedures in case of threat against the independence** of a judge



51 Sometimes more than one authority can take this decision, depending on the level of the court where the recused judge sits.

52 § 59, 60 and 61 of the Recommendation provide that judges should act independently and impartially in all cases and should withdraw from a case or decline to act where there are valid reasons defined by law, and not otherwise.

53 § 8, 13 and 14 of the Recommendation provide that where judges consider that their independence is threatened, they should be able to have recourse to effective means of remedy.

Country Codes

BE	Belgium
BG	Bulgaria
CZ	Czech Republic
DK	Denmark
DE	Germany
EE	Estonia
IE	Ireland
EL	Greece
ES	Spain
FR	France
HR	Croatia
IT	Italy
CY	Cyprus
LV	Latvia
LT	Lithuania
LU	Luxembourg
HU	Hungary
MT	Malta
NL	Netherlands
AT	Austria
PL	Poland
PT	Portugal
RO	Romania
SI	Slovenia
SK	Slovakia
FI	Finland
SE	Sweden
UK	United Kingdom
UK (EN+WL)	United Kingdom (England and Wales only)
UK (NI)	United Kingdom (Northern Ireland only)
UK (SC)	United Kingdom (Scotland only)

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EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

Study on the functioning of judicial systems in the EU Member States

Facts and figures from the CEPEJ 2012-2014 evaluation exercise

Study prepared by scientific experts of the CEPEJ under the authority of the Working Group on the evaluation of judicial systems (CEPEJ-GT-EVAL) for the attention of the European Commission (Directorate General Justice)

The information and views set out in this study are those of the authors and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission's behalf may be held responsible for the use which may be made of the information contained therein.

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Les informations et les opinions exprimées dans cette étude ne lient que leurs auteurs et ne peuvent en aucun cas être considérées comme reflétant la position officielle de la Commission en la matière. La Commission ne garantit pas l'exactitude des données intégrées dans cette étude. Ni la Commission, ni aucune autre personne agissant en son nom ne peuvent être tenues responsables de l'éventuelle utilisation de l'information contenue dans le présent document.

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Abstract

The European Commission has requested the European Commission for the Efficiency of Justice (CEPEJ), Council of Europeto conduct a study aimed at collecting and providing data on the functioning of judicial systems in the EU member states. This study is based on the facts and figures collected, processed and analyzed by the CEPEJ according to its own methodology and it aims at providing objective, reliable and comparable information to be used by the European Commission in the “EU justice Scoreboard”.

The methodology used for this report is fully based on the methodology used by the CEPEJ for its biennial evaluation cycles, using its "Scheme for evaluating judicial systems" to be filled by the CEPEJ’s national correspondents (often established within the ministries of justice), whose responses are statistically processed analyzed and validated by the scientific experts of the CEPEJ.

Following the technical specifications provided by the European Commission, the study is structured in two main parts: the first part examines the judicial systems in the European Union member States providing data tables per indicator for the Member States, and the second part contains country fiches.

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La Commission européenne a demandé à la Commission pour l’efficacité de la justice (CEPEJ) du Conseil de l’Europe de réaliser une étude visant à collecter et fournir des données relatives au fonctionnement des systèmes judiciaires dans les Etats membres de l’UE. Cete étude, basée sur des faits et chiffrescolloectés, traités et analysés par la CEPEJ selon sa propre méthodologie et vise à fournir une information objective, fiable et comparable qui sera utilisée par la Commission européenne dans son « Tableau de bord de la justice de l’UE ».

La méthodologie utilisée pour le présent rapport se base en totalité sur celle que la CEPEJ emploie pour ses cycles d’évaluation biannuels, en utilisant une « Grille d’évaluation des systèmes judiciaires ». Cette grille est remplie par les correspondants nationaux de la CEPEJ (qui relèvent souvent du ministère de la Justice) et les réponses fournies font l’objet d’un traitement statistique, d’une analyse et d’une validation par les experts scientifiques de la CEPEJ.

Conformément à la note technique de la Commission Européenne, l’étude est divisée en deux parties, la première examinant les systèmes judiciaires des Etats membres de l’Union européenne à l’aide de tableaux de données par indicateur pour les Etats membres et la seconde contient des fiches par pays.

Executive summary

English version
The European Commission has requested the European Commission for the Efficiency of Justice (CEPEJ), Council of Europe, relying on its own methodology for evaluating the functioning of the judicial systems of Council of Europe Member States to conduct a study aimed at analyzing the situation of the judicial systems in the EU member states. This study is based on the facts and figures collected, processed and analyzed through the CEPEJ last evaluation cycles, and aimed at providing information to be used by the European Commission for drafting the "EU justice Scoreboard".

Structure of the study

Following the technical specifications provided par the European Commission, the study, based on 2012 data but also presenting the evolution in relation to 2010 data, is structured in two main parts: the first part examines the judicial systems in the European Union member States providing data tables per indicator for the Member States, and the second part contains country fiches.

Main elements

The study provides in particular an overview of the functioning of the justice public service based on the main elements, which, according to the CEPEJ, are constitutive of the effectiveness and quality of systems.

- Budget of judicial systems

The analysis of the data concerning the budgetary effort of States in the functioning of their judicial system indicates that, in a general context of control of public expenditure, a majority of the EU States continue to prioritize their judicial system.
Indeed, the analysed data do not allow a dominant trend to be discerned in the EU between 2010 and 2012, regarding the functioning of justice as a whole, as there are considerable disparities between States.
It must be highlighted that in most of the states where a decrease in the total budget was recorded, this phenomenon does not correspond to a decrease in the budget allocated to the functioning of courts. Only four states underwent a significant decrease – which remains limited, being between 2% and 9% - and only three states experienced a more significant decrease.

With more specific regard to the judicial system, depending on the state there are common or separate financing arrangements for the courts, the prosecution services and legal aid. These three elements have been broken down as far as possible to allow comparisons, not only of the resources allocated to the prosecution or trial functions, despite the difference in the organisation of systems, but also of the amounts budgeted for access to justice. These data thus afford an overview of the budgets for most of the EU member states.
For a closer insight into the budgets allocated to judicial systems, the different components of these budgets were examined with different entries singled out: gross salaries of staff, information technologies (computers, software, investments and maintenance), justice expenses (such as interpreters' or experts' remuneration), costs for the rental and running of premises, real estate investments and training.

- Human resources

Different categories of judges (permanent, occasional, non-professional) can serve the justice system. Regarding the number of permanent professional judges the European average of 21 judges per 100 000 habitants and the progression of the number in absolute terms are generally constant over two reference years. The number of professional judges sitting in courts varies in a considerable manner according to the judicial system of each State.

The principle of fair trial also carries the right for the parties to ask for a judge to be challenged if they have any suspicion as to his/her impartiality. All states replied that they had a procedure for effectively challenging a judge. In the majority of states the public prosecutor intervenes in civil or administrative cases. The existence alongside judges of competent staff with defined functions and a recognized status is essential for the effective functioning of the judicial system. A difference is made between the five types of non-judge staff: the "Rechtspfleger" function (defined by the European Union of Clerks of Justice and Rechtspfleger (EUR) as an independent judicial body), the non-judge staff whose function is to assist judges directly, those

responsible for administrative matters, as well as court management, technical personnel and other types of non-judge staff. It should be noted that the majority of states have reduced their non-judge staff.

- Judicial organisation

The study distinguishes between a) ordinary courts with jurisdiction in all matters for which jurisdiction has not been assigned to a specialised court; b) specialised courts of first instance (legal entities); c) courts as a geographic location.
We can note that generally States in South Europe generally have a larger number of courts of first instance per 100 000 habitants compared to Northern countries.

Nearly all states have specialised courts. On average at the European level, the specialised courts of 1st instance represent 28% of all courts of 1st instance (legal entities). A specialised court of 1st instance can deal with various matters. Most states mention the specialised courts for administrative litigation, the commercial courts and the labour courts. Some states have also identified other courts dealing, for example with family cases, juveniles or guardianship, insurance and social security, military cases.

- Legal aid

Legal aid is one of the fundamental elements guaranteeing equal access to justice for all individuals. It is intended to provide, particularly for citizens without sufficient financial resources, the benefit of assistance. Legal aid comprises two aspects clearly distinguished by certain states: on the one hand, aid for access to law (legal information and advice, aid for an alternative to court proceedings – ADR *alternative dispute resolution*), on the other hand aid in asserting one's rights in the context of a judicial action as applicant or defendant in civil proceedings.
In the tables relating to this indicator, the budgetary data of legal aid in the member states are presented as absolute values per inhabitant. Furthermore, it is important to determine the number of cases receiving legal aid. On the basis of these data it is possible to calculate the average value of the legal aid granted per case. Certain states in fact have few cases that are eligible for legal aid but grant a large amount per case, whereas other states make the opposite choice to limit the amounts granted per case while making the conditions of admission to legal aid more open.

- Legal expenses and fees

In virtually all states, the parties must pay a court fee or costs to institute non-criminal judicial proceedings. Only 2 member states provide free access to judicial proceedings. For a majority of states in Europe, increasingly moreover, the taxes and procedural costs levied by the courts constitute a by no means insignificant financial resource enabling some to defray an important part of the courts' operating costs, or one of them even to achieve a credit balance. A system of this kind, if accompanied by an effective legal aid apparatus allowing access to the court for litigants who would not have the means for it, is consistent with the current dominant trend in public management aimed at partially reapportioning the burden of the operating costs of the public services between those using them and the taxpayers.

- Lawyers

In most member states, the number of lawyers increased between 2010 and 2012. It should be noted that southern states tend to have larger bar associations. The number of lawyers per career judge varies considerably between countries. In 7 states, a monopoly on legal representation exists in the civil, and administrative spheres.. 8 states or entities provide for this monopoly in administrative cases. In most states, lawyers' remuneration is freely negotiated.

- Alternative dispute resolution measures (ADR)

In various European countries, use of alternative dispute resolution (ADR) measures is now widely accepted among the general public and legal professionals. It furthers improvement in the effectiveness of justice by providing persons before the courts with alternatives to a regular judicial procedure.
There are different types of ADR in the member countries: a) mediation generally concerns the civil, administrative and criminal spheres; b) conciliation; c) arbitration is most often used for the resolution of commercial disputes as it affords greater confidentiality.

Judicial mediation, presupposing the intervention of a judge who advises, decides and/or approves the procedure, is present in almost all states. Its use is particularly extensive in the civil and commercial spheres.

- Enforcement of court decisions

There is no real access to justice if court decisions are not enforced in order to produce the expected results. In almost half of the states, the number of enforcement agents is steady. The cost of enforcement is made up of enforcement costs *stricto sensu* (costs relating to the procedural act) and of the enforcement agent's fees, linked with the outcome that may be achieved. In the great majority of states, enforcement costs and fees are transparent and foreseeable.

- Performance of the courts

One of the essential factors of the proper functioning of the courts is linked with respect for the fundamental principle of fair trial in reasonable time (Article 6 of the European Convention of Human Rights). This should be fully taken into account when considering the workload of the court, the length of proceedings and the specific measures to shorten them and improve their efficiency.
The CEPEJ elected to develop indicators of the efficiency of courts at European level. The first indicator is the rate of variation in the backlog of pending cases (*clearance rate*) which precisely indicates the ability of the court and the judicial system to cope with the flow of incoming cases.
The second indicator is the estimated time taken to shift the backlog of pending cases (*calculated disposition time*), and measures in days the estimated time needed for a pending case to be concluded. If the productivity of the courts of first instance in 2012 in non-criminal cases is scrutinised from the quantitative angle alone, approximately half of the states (10) for which data concerning the *clearance rate* and the *disposition time* are available achieve *clearance rates* above 100% while managing to maintain a disposition time below 180 days in the categories of cases concerned. By contrast, 3 states achieve *clearance rates* above 100% but they have much higher values of disposition time. Less positive results emanate from higher courts and more particularly the supreme courts, where the *clearance rate* in most states is below 100%.
Specific procedures for urgent cases which may be used to enable the judge to deliver a provisional decision (for example award of custody of a child), or where evidence needs to be preserved or damage is there is imminent or difficult redress (summary application procedure, for example), exist in most states in the civil, and administrative spheres. Besides, simplified procedures exist in most states in all spheres. However, only 10 states provide that judges can deliver judgments in an oral pronouncement, accompanied by the operative clauses in writing, and be exempted from stating the grounds in writing.

- System for measuring and evaluating the functioning of courts

Numerous activities of courts (including by the courts' judges and administrative staff) currently undergo evaluation and monitoring procedures in many countries.
The system for evaluating the performance of courts comprises a longer-term perspective which makes use of indicators and objectives. Compared to the monitoring systems, this evaluation may be of a more qualitative nature. Virtually all member states have one. In most cases the High Council of Judiciary has charge of it (13 states), followed by the Ministry of Justice (10 states). There is provision for an external auditing body in a single country.

In terms of court management, arrangements for regular monitoring of the activity are made everywhere in Europe. These are intended to review the day-to-day activity of courts and in particular what they produce, particularly through data gathering and statistical analyses. All member states set up monitoring systems for the number of new incoming cases and the number of decisions concluded. Only three states do not have a monitoring system for the duration of proceedings and of cases involving a referral.. Finally, a large number of states indicate that the courts are required to draw up an annual activity rapport.
The great majority of states have adopted quality indicators for the activity of courts. On the other hand, quality norms laid down for the entire judicial system are rarer. 15 states have made provision for performance goals at the level of the courts.
A substantial majority of states also use specific systems for measuring the backlogs of civil cases (only 2 states have no such system of measurement). 20 states have a system for measuring the backlogs of civil, and administrative cases.

In fact the European Court of Human Rights recalls that it is crucial that the courts of a democratic society should inspire confidence in persons amenable to justice.
In that regard, most states indicate that they carry out surveys allowing the level of satisfaction with and confidence in the judicial system to be measured. These are conducted on the persons who have actually had contact with a court (litigants, victims, lawyers, other legal professions – judicial experts, interpreters,

representatives of government agencies, etc.) – and are directly involved in proceedings (for example parties and victims). They are not general opinion polls, which only measure general representations of justice at a given time. This also concerns the satisfaction surveys conducted on the persons employed by the courts (judges and non-judicial staff) or the prosecution department (prosecutor and non-prosecuting staff).

- Information and communication technologies (ICTs) in courts and court users

ICTs henceforth perform a major role in the administration of justice and in the delivery of justice services. Analysis of the provision of computer equipment in European courts has highlighted three separate applications: computer equipment used for direct assistance to the judge or the court staff; systems for the registration and management of cases; electronic communication and exchange of information between courts and their environment.
In general, use of ICTs in the courts is constantly increasing in Europe. 4 states are 100% computer equipped in all sectors mentioned in the questionnaire, whereas 3 states display a relatively low level of computer equipment compared to the other member states. In some cases the changes can no longer be measured on a quantitative basis, for example when software is updated.
Use of video conferencing is on the increase in European judicial systems as it provides the means to expedite proceedings and reduce the costs of non-criminal cases, to question parties, witnesses and experts.

French version

La Commission européenne a demandé à la Commission pour l'efficacité de la justice (CEPEJ), du Conseil de l'Europe de se baser sur sa propre méthodologie pour l'évaluation du fonctionnement des systèmes judiciaires des Etats membres du Conseil de l'Europe, pour réaliser une étude visant à analyser la situation des systèmes judiciaires dans les Etats membres de l'UE. Cette étude, basée sur des faits et données recueillis, traités et analysés à travers les derniers cycles d'évaluation, et visant à fournir de l'information qui sera utilisée par la Commission Européenne pour rédiger le « Tableau de bord de la justice de l'UE ».

Structure du rapport

Conformément à la note technique de la Commission Européenne, l'étude, fondée sur les données de 2012, mais présentant aussi l'évolution par rapport aux données 2010, est divisée en deux parties, la première examinant les systèmes judiciaires des Etats membres de l'Union européenne à l'aide de tableaux de données par indicateur pour les Etats membres et la seconde contient des fiches par pays.

Principaux éléments

L'étude permet notamment d'avoir un état des lieux de la manière dont fonctionne le service public de la justice à partir des principaux éléments qui, d'après la CEPEJ, sont constitutifs de l'efficacité et de la qualité des systèmes.

- Le budget des systèmes judiciaires

L'analyse des données concernant l'effort budgétaire des Etats dans le fonctionnement de leur système judiciaire permet d'indiquer que, dans un contexte général de maîtrise des dépenses publiques, une majorité d'Etats de l'UE continuent d'accorder une priorité à leur système judiciaire.

En effet, les données analysées ne permettent pas de dégager une tendance majoritaire au sein de l'UE entre 2010 et 2012 en ce qui concerne le fonctionnement de la justice dans son ensemble. De fortes disparités existent parmi les Etats.
Il doit être souligné que dans la plupart des Etats où une diminution du budget total a été constatée, ce phénomène ne correspond pas à une diminution du budget alloué au fonctionnement des tribunaux. Seuls quatre Etats ont connu une diminution significative - qui reste limitée puisque comprise entre 2% et 9% - et seuls trois Etats ont connu des baisses plus importantes. En ce qui concerne le système judiciaire plus spécifiquement, il existe, selon les Etats, des modes de financement communs ou distincts des juridictions, des ministères publics et de l'aide judiciaire. Ces trois éléments ont été décomposés au maximum pour permettre des comparaisons, non seulement des moyens alloués aux fonctions de poursuite ou de jugement, malgré la différence d'organisation des systèmes, mais aussi des montants attribués à l'accès à la justice. Ces données permettent donc une vue globale des budgets concernant la plupart des Etats membres de l'UE.
Afin d'appréhender les budgets alloués aux systèmes judiciaires de façon plus fine, les différentes composantes de ces budgets ont été examinées en distinguant différents postes : les salaires bruts des personnels, les technologies de l'information (ordinateurs, logiciels, investissements et maintenance), les frais de justice (comme la rémunération des interprètes ou des experts), les coûts de location et de fonctionnement des bâtiments, les investissements immobiliers, la formation.

- Ressources humaines

Plusieurs catégories de juges (permanents, occasionnels, non professionnels) peuvent servir le système judiciaire. En ce qui concerne le nombre de juges professionnels siégeant à titre permanent, la moyenne européenne de 21 juges pour 100 000 habitants ainsi que l'évolution du nombre en termes absolus sont globalement stables sur les deux derniers exercices. Le nombre de juges professionnels siégeant en juridiction varie considérablement d'un Etat à l'autre en fonction du système judiciaire.
Dans la plupart des Etats membres, le recrutement des juges se fait par voie de concours et en tenant compte de l'expérience des candidats (combinaison des deux). Le panel de connaissances nécessaires à l'exercice de la fonction de juge suppose souvent une période de formation initiale. La rémunération des juges joue aussi un rôle important : l'objectif est d'offrir au juge une rémunération juste qui prend en compte les contraintes de l'exercice de cette fonction et qui lui permet de se préserver des pressions pouvant altérer son indépendance et son impartialité. La rémunération se compose d'un traitement principal, auquel peuvent

s'ajouter des primes et divers avantages (matériels ou financiers). Ces données doivent être interprétées avec précaution. En effet, les rémunérations accordées dépendent de multiples facteurs qui se conjuguent au niveau de vie, aux modalités de recrutement, à l'ancienneté, etc.
Le principe du procès équitable implique aussi le droit pour les parties de demander la récusation d'un juge si elles ont une suspicion quant à son impartialité. Tous les Etats ont répondu qu'ils disposent d'une procédure de récusation effective d'un juge. Dans la majorité des Etats le procureur intervient en matière civile ou administrative.
L'existence aux côtés des juges d'un personnel compétent avec des fonctions définies et un statut reconnu est une condition essentielle pour un fonctionnement efficace du système judiciaire. Une différence est opérée entre cinq types de personnel non-juge : la fonction de "Rechtspfleger" (définie par L'Union Européenne des Greffiers de Justice et Rechtspfleger (EUR) comme un organe judiciaire indépendant), le personnel non-juge dont la fonction est d'assister les juges directement, les personnes responsables des questions administratives, ainsi que de la gestion des tribunaux, le personnel technique et les autres types de personnel non-juge. Il convient de noter que la majorité d'Etats ont diminué leurs personnels non-juges.

- Organisation judiciaire

L'étude différencie a) les tribunaux de droit commun compétents dans toutes les matières pour lesquelles la compétence n'a pas été donnée à une juridiction spécialisée, b) les tribunaux spécialisés de première instance compris comme entités juridiques et c) les tribunaux en tant qu'implantations géographiques. On peut constater que les Etats de l'Europe du Sud ont généralement un nombre plus élevé de tribunaux de première instance par 100 000 habitants par rapport aux Pays du Nord.
Presque tous les Etats ont des tribunaux spécialisés. En moyenne au niveau européen, les tribunaux spécialisés de 1ère instance représentent 28% de l'ensemble des tribunaux de 1ère instance (entités juridiques). La plupart des Etats mentionnent les tribunaux spécialisés en matière administrative, les tribunaux de commerce et les tribunaux du travail. Certains Etats ont énuméré également des tribunaux traitant par exemple d'affaires familiales, des mineurs et de la tutelle, des assurances et de la sécurité sociale, des affaires militaires.

- Aide judiciaire

L'aide judiciaire est un des éléments fondamentaux garantissant un égal accès à la justice pour tous les individus. Elle doit permettre, en particulier pour les citoyens qui n'ont pas de moyens financiers suffisants de pouvoir bénéficier gratuitement ou à moindre coût de l'assistance. L'aide judiciaire comprend deux aspects que distinguent clairement certains Etats : d'une part, l'aide à l'accès au droit (information et conseil juridique, aide pour une alternative au procès – ADR *alternative dispute resolution*), d'autre part l'aide pour faire valoir ses droits dans le cadre d'une action en justice en tant que demandeur ou défendeur dans un procès civil.
Dans les tableaux concernant cet indicateur, sont présentées les données budgétaires de l'aide judiciaire dans les Etats membres, en valeur absolue, par habitant. En outre, il est important d'identifier le nombre d'affaires qui bénéficient de l'aide judiciaire. A partir de ces données, il est possible de calculer le montant moyen de l'aide judiciaire alloué par affaire. Certains Etats ont en effet un faible nombre d'affaires susceptibles de bénéficier de l'aide judiciaire, mais accordent un montant important par affaire alors que d'autres Etats font le choix inverse de limiter les montants accordés par affaire tout en ouvrant plus largement les conditions d'accessibilité à l'aide judiciaire.

- Frais de justice et taxes

Dans quasiment tous les Etats, les parties doivent payer des frais de justice pour initier une procédure judiciaire autre que pénale. Seuls 2 Etats membre prévoient un accès gratuit à l'ensemble des procédures judiciaires. Pour une majorité d'Etats en Europe, et de plus en plus, les taxes et frais de procédure perçus par les tribunaux constituent une ressource financière non négligeable, permettant pour quelques-uns de couvrir une partie importante des frais de fonctionnement des tribunaux, voire pour l'un d'entre eux de dégager un résultat bénéficiaire. Un tel système, s'il est accompagné d'un dispositif efficace d'aide judiciaire permettant l'accès au tribunal aux justiciables qui n'en auraient pas les moyens, s'inscrit dans la tendance actuelle forte en matière de gestion publique visant à rééquilibrer en partie la charge des frais de fonctionnement des services publics entre usagers et contribuables.

- Avocats

Dans la plupart des Etats membres, le nombre d'avocats a augmenté entre 2010 et 2012. Il convient de noter que les Etats du sud ont tendance à avoir des barreaux plus importants. Le nombre d'avocats par juge professionnel varie considérablement entre les pays. Dans 7 Etats, le monopole existe en matière civile, pénale et administrative. 8 Etats ou entités prévoient un monopole dans les affaires administratives. Dans la plupart des Etats, la rémunération des avocats est librement négociée.

- Mesures alternatives au règlement des litiges (ADR)

Dans différents pays européens, l'utilisation des mesures alternatives au règlement des litiges (ADR) est maintenant largement acceptée par le public et les professionnels du droit. Il contribue à l'amélioration de l'efficacité de la justice en fournissant aux usagers des alternatives à une procédure judiciaire régulière.
Il existe différents types d'ADR dans les pays membres : a) la médiation concerne généralement la matière civile, administrative et pénale ; b) la conciliation c) l'arbitrage est le plus souvent utilisé pour la résolution des litiges commerciaux car il offre une plus grande confidentialité.
La médiation judiciaire, qui présuppose l'intervention d'un juge qui conseille, décide ou/et approuve la procédure, est aujourd'hui utilisée quasiment dans tous les Etats. Elle est en particulier largement utilisée en matière civile et commerciale.

- Exécution des décisions de justice

Il n'y a pas de véritable accès au droit si les décisions de justice ne sont pas effectivement exécutées pour produire les effets attendus. Dans presque la moitié Etats, le nombre d'agents d'exécution est stable. Le coût de l'exécution se compose des frais d'exécution *stricto sensu* (frais relatifs à l'acte de procédure) et des honoraires de l'agent d'exécution, liés au résultat obtenu le cas échéant. Dans la grande majorité des Etats, le coût des frais d'exécution est transparent et prévisible.

- Performance des tribunaux

Un des éléments essentiels du bon fonctionnement des tribunaux est lié au respect du principe fondamental du procès équitable dans un délai raisonnable (Article 6 de la Convention Européenne des Droits de l'Homme). Il convient d'en tenir pleinement compte lorsque l'on considère la charge de travail du tribunal, la durée des procédures et les mesures spécifiques pour en réduire la longueur et en améliorer l'efficacité.
La CEPEJ a choisi de développer des indicateurs d'efficacité des tribunaux au niveau européen. Le premier indicateur est le taux de variation du stock d'affaires pendantes (*clearance rate*) qui montre précisément la capacité du tribunal et du système judiciaire à faire face aux flux d'affaires entrantes.
Le second indicateur est la durée estimée d'écoulement du stock d'affaires pendantes (*calculated disposition time*) et il mesure en nombre de jours la durée nécessaire estimée pour qu'une affaire pendante soit terminée. Si la productivité des tribunaux de première instance en 2012 en matière non pénale est observée sous le seul angle quantitatif, environ la moitié des Etats (10) pour lesquels les données concernant le clearance rate et le disposition time sont disponibles atteignent des *clearance rates* égaux ou supérieurs à 100% tout en parvenant à maintenir un *disposition time* en deçà de 180 jours dans les catégories d'affaires concernées. En revanche, trois Etats atteignent des *clearance rates* égaux ou supérieurs à 100% mais ils parviennent à des *disposition time* qui vont bien au-delà de 180 jours. Des résultats moins positifs proviennent des instances supérieures et notamment des Cours suprêmes, où le *clearance rate* est dans la plupart des Etats inférieur à 100%.
Des procédures spécifiques pour les affaires urgentes qui peuvent être utilisées pour permettre au juge de rendre une décision provisoire (par exemple l'attribution de la garde d'un enfant), ou en cas de nécessité de préserver des éléments de preuve ou de dommage imminent ou difficilement réparable (par exemple procédure de référé), existent dans la plupart des Etats dans les domaines civil et administratif. En outre, des procédures simplifiées existent dans la plupart des Etats dans tous les domaines. Toutefois, seulement 10 Etats prévoient que les juges peuvent rendre des jugements par oral, accompagnés du dispositif écrit, et être dispensés de motivation écrite.

- Système pour mesurer et évaluer le fonctionnement des tribunaux

De nombreuses activités des tribunaux (y compris les juges et le personnel administratif des tribunaux) font actuellement l'objet, dans de nombreux pays, de procédures d'évaluation et de suivi.

Le système pour évaluer la performance des tribunaux inclut une vision à plus long terme et utilisant des indicateurs et des objectifs. Par rapport aux systèmes de suivi cette évaluation peut avoir une nature plus qualitative. La presque totalité des Etats membres en possèdent un. Dans la plupart des cas, c'est le

Conseil supérieur de la magistrature qui en est chargé (13 Etats), suivi par le Ministère de la Justice (10 Etats). Un organe d'audit extérieur est prévu dans un seul pays.

En matière de gestion des tribunaux, des systèmes de suivi régulier de l'activité sont prévus partout en Europe. Ces derniers visent à contrôler l'activité quotidienne des tribunaux et en particulier leur production, au travers de collectes de données et d'analyses statistiques. La totalité des Etats membres mettent en place des systèmes de suivi concernant le nombre de nouvelles affaires entrantes et le nombre de décisions rendues. Seulement trois Etats n'ont pas de système de suivi pour la durée des procédures et des affaires faisant l'objet d'un renvoi. Enfin, un nombre élevé d'Etats indiquent que les tribunaux sont tenus de préparer un rapport annuel d'activité.
La grande majorité des Etats a adopté des indicateurs de qualité pour l'activité des tribunaux. En revanche, les normes de qualité définies pour l'ensemble du système judiciaire sont plus rares. 15 Etats ont prévu des objectifs de performance au niveau des tribunaux.
Une large majorité d'Etats utilise également des systèmes spécifiques permettant de mesurer les stocks d'affaires civiles (seulement 2 Etats n'ont pas de tel système de mesure). 20 Etats disposent d'un système de mesure des stocks d'affaires en matière civile et administrative.
Enfin, la Cour Européenne des Droits de l'Homme rappelle qu'il est fondamental que les tribunaux d'une société démocratique inspirent confiance aux justiciables.
La plupart des Etats indiquent pratiquer des enquêtes qui permettent de mesurer le niveau de satisfaction et de confiance envers le système judiciaire. Elles sont menées auprès des personnes ayant effectivement eu un contact avec un tribunal (justiciables, victimes, avocats, autres professions juridiques –experts judiciaires, interprètes, représentants des agences gouvernementales, etc.), et directement impliquées dans la procédure (par exemple les parties, les victimes). Il ne s'agit pas d'enquêtes générales d'opinion qui ne mesurent que des représentations générales de la justice à un moment donné. Cela concerne également les enquêtes de satisfaction conduites auprès des employés des tribunaux (juges et personnel non juge) ou du Ministère public (procureur et personnels non procureurs).

- Technologies de l'information et de la communication (TIC) dans les tribunaux et usagers des tribunaux

Les TIC jouent désormais un rôle majeur au sein de l'administration de la justice et dans la prestation des services de justice. L'analyse de la mise en place des équipements informatiques au sein des tribunaux européens a mis en exergue trois applications distinctes : l'équipement informatique utilisé pour l'assistance directe au juge ou au personnel des tribunaux ; les systèmes pour l'enregistrement et la gestion des affaires ; la communication électronique et échanges d'informations entre les tribunaux et leur environnement.
De manière générale, l'utilisation des TIC au sein des tribunaux augmente constamment en Europe. 4 Etats ont 100% d'équipements informatiques dans tous les secteurs mentionnés dans le questionnaire, alors que 3 Etats présentent un taux d'équipement informatique relativement faible comparé aux autres Etats membres. Dans certains cas, les changements ne peuvent plus être mesurés sur une base quantitative, par exemple lorsque des logiciels sont mis à jour.
L'utilisation de la vidéoconférence est en hausse dans les systèmes judiciaires européens, car elle permet d'accélérer les procédures et de réduire les coûts des affaires non pénales, d'interroger les parties, témoins et experts.

Methodology

The methodology used for this Study is fully based on the methodology used by the CEPEJ for its biennial evaluation cycles, using its "Scheme for evaluating judicial systems" to be filled by the CEPEJ's national correspondents (often established within the ministries of justice), whose responses are statistically processed and analyzed by the scientific experts of the CEPEJ. Through the data collected, provided by the member states themselves, the CEPEJ has built a 3 million entry data base enabling to compare the situations among the member states (when such comparisons are scientifically consistent) and the evolution of the situations from one cycle to another.
Such governmental work involves especially a permanent dialogue and a total transparency within the member States of the Council of Europe.
From a methodological point of view, and with a commitment to quality, consistency and comparability of the data supplied, data collection is primarily assigned to the CEPEJ's national correspondents.
For some issues covered by the Study, no data could be provided. This does not mean that none were available, but rather that the data cannot be collected as such or that no data meeting the quality requirements adopted by the CEPEJ were available, or that no data meeting these requirements was provided within the deadline set.

- Data collection, validation and analysis

The collection of the data has taken place in accordance with CEPEJ's methodology by using a selection of questions from the CEPEJ Scheme for Evaluating judicial systems 2012-2014 and using the common definitions provided in the explanatory note. The number indicated between brackets with the letter Q (for example Q12) refers to the questions of the CEPEJ questionnaire

From a methodological point of view, and with a commitment to quality, consistency and comparability of the data supplied, data providing is primarily assigned to the CEPEJ's national correspondents. The national correspondents were considered to be the main interlocutors of the Secretariat and the experts when collecting new figures. The States providing such data are liable for the quality of figures used in the survey. The data provided has then be validated by the CEPEJ experts according to CEPEJ methodology.

The report is bases on figures from 2012, In order to be able to follow trends, figures from 2010 have also been provided in certain cases.

- The quality of data

The reader should bear this in mind and always interpret the statistical figures given in the light of their attached narrative comments and the more delailed explanations provided. The CEPEJ has chosen to process and present only the figures which offered a high level of quality and accountability. It decided to disregard the figures which were too disparate from one country to another or from one exercise to another or did not present sufficient guarantee of reliability.

For some issues covered by the study, no data could be provided. This does not mean that none were available, but rather that no data meeting the quality requirements adopted by the CEPEJ were available, or that no data meeting these requirements were provided within the deadline set.

The following abbreviations have been used in this report:

NA: data not available, including not validated by the CEPEJ scientific experts;
NAP: data non applicable;
CR: Clearance Rate;
DT: Disposition Time;
CC total: total civil and commercial cases;
CC Lit: Litigious civil and commercial cases;
CC Nlit: Non-litigious civil and commercial cases;
ENF: Enforcement cases;
ADM: Administrative cases

Methodological disclaimer

1) The data analysed correspond to the ones indicated by the member states before the 12 February 2014 and validated by the CEPEJ experts at the date of the delivery of the report. Amendments Member

states may provide after this date will not be reflected in this study but may appear in other reports as CEPEJ's database is regularly updated. That also explains why 2010 data included in this study, which is the most updated, may not always coincide withthe one published in the 2013 report "The functioning of judicial systems and the situation of the economy in the European Member States – Compiled report")
The validation has been made according to CEPEJ's methodology. However, it is not possible to guarantee the full realibility of data. One must take into account the fact that the exactitude of some entris was confirmed by national correspondents without specific explanation as regards the difference which had been noted.

2) The data which are not consolidated and verified are not provided in this report. According to the deadline imposed in the contract between the European Commission and the CEPEJ, replies by States had to be given before 31 December 2013. Germany sent its replies on 7 February 2014. Replies of Germany were included in the Study as far as possible, but in some tables only, in order to respect the CEPEJ methodology. According to the CEPEJ methodology, data are submitted to a strict quality check. If this quality check is negative, the data is replaced by NA. For Romania, there are still some NA because the replies from the authorities to the quality check were sent the 11 February 2014 after the deadline to submit the study.

3) Some questions (for example 88.1, 99.1) were not part of the previous CEPEJ exercise. Therefore only 2012 data are provided.

4) Some data cannot be compared with the 2010 data (e.g data from question 12 of the questionnaire CEPEJ) because the questionnaire was modified between both evaluation cycles.

5) It should be noted that some data or certain changes in data may be explained by the exchange rates between the national currency and the Euro.

Part 1 Data tables per indicator for all EU Member States

General data

General Data: Economic and demographic data in 2012, in absolute values (Q1 to Q4)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Austria	8 451 860	157 799 650 000	36 430	€ 29 723
Belgium	11 161 642	206 852 000 000	34 000	€ 40 980
Bulgaria	7 284 552	14 228 377 332	5 436	€ 4 486
Croatia	4 262 140	18 152 164 367	10 290	€ 12 571
Cyprus	865 900	8 257 831 260	20 512	€ 24 124
Czech Republic	10 509 286	68 087 191 726	14 557	€ 12 463
Denmark	5 602 628	69 900 000 000	43 738	€ 51 774
Estonia	1 286 479	6 977 616 000	13 495	€ 10 644
Finland	5 426 674	52 353 408 000	35 571	€ 38 472
France	65 585 857	421 200 000 000	31 059	€ 34 100
Germany	80 233 100	356 353 000 000	32 550	€ 44 991
Greece	11 062 508	NA	17 161	NA
Hungary	9 908 798	51 573 528 468	9 800	€ 9 137
Ireland	4 591 087	69 812 000 000	35 752	€ 33 358
Italy	59 685 227	535 003 616 032	25 729	€ 28 619
Latvia	2 044 813	4 956 691 251	10 858	€ 8 981
Lithuania	3 003 641	7 471 460 554	11 025	€ 7 381
Luxembourg	525 000	19 082 100 000	83 600	€ 42 500
Malta	421 364	3 668 677 000	21 100	€ 19 500
Netherlands	16 778 025	302 089 000 000	35 772	€ 52 800
Poland	38 533 000	77 785 333 399	10 126	€ 10 338
Portugal	10 487 289	80 869 200 000	15 607	€ 19 800
Romania	21 305 097	33 329 365 079	6 200	€ 5 556
Slovakia	5 410 836	15 640 711 000	13 207	€ 9 660
Slovenia	2 058 821	17 377 000 000	17 172	€ 18 300
Spain	46 006 414	480 111 000 000	22 300	€ 22 899
Sweden	9 555 893	209 462 351 800	43 867	€ 41 733

Comments - General data: Economic and demographic data in 2012, in absolute value (Q1 to Q4)

Bulgaria: Data includes expenditures including contribution to the EU budget. 2 104 815 133 € are for municipalities and are included in the total of annual public expenditure at state level. For 2010 total of annual public expenditure at state level (including expenditures including contribution to the EU budget) is 13 679 819 038 €, of which 2 200 203 820 € are for municipalities.
Ireland: In view of the economic climate and in line with the Government commitment to ongoing strong expenditure control, budget allocations across the public sector have generally decreased since the 2012 Report was compiled. In 2012, decreases in both the current expenditure allocation for the courts as well as the capital investment allocation were necessitated by the fiscal demands of the period (it should be noted that since 1999 there had been significant capital investment in the courts).
Italy: For Q.4 the current figure (28619 €) comes from a new survey developed and conducted by the Italian National Statistical Institute (ISTAT). Such data differs from what we provided during the last cycles.
Lithuania: The exact figure of GDP- 11 024,882. Figures for "Regional / federal entity level (total for all regions / federal entities)" are the budget of municipalities.
Netherlands: Q2: Source: Statistics Netherlands
(http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=81192NED&D1=0&D2=a&D3=0&D4=15-17&HD=130923-0752&HDR=G2,G3&STB=T,G1)
The figures for state level include regional level and social security institutions. They cannot be separated due to transfers from state level to regional level (and to a lesser extent the other way around). Public expenditure according to EU-definition also includes official social security institutions. This is neither state nor regional level. Transfers from state level to official social security institutions are also possible. According to EU-rules the figures are revised up to 30 months after the end of the reporting period.
Q3: GDP for 2012 is 599,338,000,000 (source: Statistics Netherlands,
http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=81117NED&D1=21,97,142&D2=41-43&HD=130923-0805&HDR=G1&STB=T). This is divided by the average population in 2012 [16,730,348 (on jan 1st 2012)+16,778,025 (on jan 1st 2013)]/2. Note: the explanatory notes say nothing on how to calculate per capita GDP.
Q4: Source: Statistics Netherlands:
(http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=81111NED&D1=3&D2=0&D3=41,l&HD=130923-1033&HDR=T&STB=G1,G2)
Romania: Q1 National Institute of Statistics. The population established on 1 January 2013 does not cover the entire migration phenomenon amounting to a severe under-evaluation of the population of Romania. The presented data have a temporary character.
Slovenia: Q2: Eurostat, Government finance statistics, Summary table – 1/2013. In previous evaluation cycles the provided data for this question included only expenditure on state level, which was represented in the final account of the budget. The current provided data includes expenditure of the whole public sector in accordance with the ESA 95 methodology. This sector includes state budget, mandatory pension and invalidity insurance, mandatory health insurance, municipalities budget and public funds, agencies and institutes which receive more than 50 % of their means for functioning from public finances, Pension Fund Management and Slovene Compensation Company.
Sweden: Statistics Sweden. The answer to question 4 excludes social expenses.

Indicator 1: The budget and resources of courts and the justice system

Table 1.1 Public budget allocated to courts, legal aid and public prosecution in 2012, in € (Q6, Q12, Q13)

States	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid	Total annual approved public budget allocated to legal aid	Total annual approved public budget allocated to the public prosecution system	Total annual approved public budget allocated to all courts, public prosecution and legal aid	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid, per capita	Total annual approved public budget allocated to all courts including prosecution and legal aid, per capita
Austria	NA	19 000 000	NA	770 790 000	NA	91,20
Belgium	NA	87 024 000	NA	998 125 000	NA	89,42
Bulgaria	124 911 954	5 811 015	83 876 607	214 599 576	17,15	29,46
Croatia	156 601 458	166 632	42 040 323	198 808 413	36,74	46,65
Cyprus	30 611 480	NA	17 971 759	NA	35,35	NA
Czech Republic	370 751 152	24 142 835	84 706 722	479 600 709	35,28	45,64
Denmark	243 294 736	83 643 048	NA	NA	43,43	NA
Estonia	29 728 350	2 857 850	9 256 322	41 842 522	23,11	32,52
Finland	249 704 356	67 697 000	45 312 000	362 713 356	46,01	66,84
France	NA	367 180 000	NA	4 014 305 137	NA	61,21
Germany	8 302 304 846	344 535 431	523 346 503	9 170 186 780	103,48	114,29
Greece	NA	8 300 000	NA	450 970 924	NA	40,77
Hungary	325 687 695	907 974	125 851 993	452 447 662	32,87	45,66
Ireland	107 090 000	83 159 000	40 528 000	230 777 000	23,33	50,27
Italy	2 986 521 397	153 454 322	1 435 025 477	4 575 001 196	50,04	76,65
Latvia	44 494 921	962 294	20 495 958	65 953 173	21,76	32,25
Lithuania	53 138 612	4 543 826	26 101 135	83 783 573	17,69	27,89
Luxembourg	NA	3 500 000	NA	77 236 940	NA	147,12
Malta	11 527 427	49 500	1 828 559	13 405 486	27,36	31,81
Netherlands	983 764 000	483 000 000	636 924 000	2 103 688 000	58,63	125,38
Poland	1 379 338 000	24 107 000	424 128 567	1 827 573 567	35,80	47,43
Portugal	453 077 390	55 184 100	97 551 326	605 812 816	43,20	57,77
Romania	324 611 610	7 958 050	148 321 292	480 890 952	15,24	22,57
Slovakia	152 715 786	1 771 287	69 947 692	224 434 765	28,22	41,48
Slovenia	165 060 055	6 741 620	18 198 295	189 999 970	80,17	92,29
Spain	1 241 560 960	36 890 711	211 352 960	1 489 804 631	26,99	32,38
Sweden	637 246 965	236 399 146	144 485 809	1 018 131 920	66,69	106,54
Average	835 170 143	81 114 871	200 345 300	1 205 635 363	39,48	62,22
Median	246 499 546	21 553 500	83 876 607	452 447 662	35,32	47,43
Maximum	8 302 304 846	483 000 000	1 435 025 477	9 170 186 780	103,48	147,12
Minimum	11 527 427	49 500	1 828 559	13 405 486	15,24	22,57

Table 1.1. bis Public budget allocated to courts, legal aid and public prosecution in 2010, in € (Q6, Q12, Q13)

States	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid	Total annual approved public budget allocated to legal aid	Total annual approved public budget allocated to the public prosecution system	Total annual approved public budget allocated to all courts, public prosecution and legal aid	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid, per capita	Total annual approved public budget allocated to all courts including prosecution and legal aid, per capita
Austria	NA	18 400 000	NA	709 980 000	NA	84,64
Belgium	NA	75 326 000	NA	934 837 000	NA	86,24
Bulgaria	112 211 184	3 867 730	79 203 203	195 282 117	15,24	26,52
Croatia	211 304 301	229 550	41 296 176	252 830 027	47,89	57,30
Cyprus	33 546 827	NA	15 964 412	49 511 239	41,70	61,54
Czech Republic	346 497 809	28 361 213	83 446 289	458 305 311	32,95	43,58
Denmark	216 795 693	87 896 311	NA	NA	38,99	NA
Estonia	26 797 340	2 982 213	9 135 614	38 915 167	20,00	29,04
Finland	243 066 350	58 100 000	42 937 000	344 103 350	45,22	64,02
France	NA	361 197 138	NA	3 935 548 101	NA	60,52
Germany	NA	382 382 576	NA	8 171 552 490	NA	99,96
Greece	NA	2 500 000		623 500 911	NA	55,13
Hungary	259 501 133	304 823	102 321 320	362 127 276	25,99	36,26
Ireland	148 722 000	87 435 000	43 854 000	280 011 000	32,46	61,12
Italy	3 051 375 987	127 055 510	1 249 053 619	4 427 485 116	50,33	73,03
Latvia	36 919 820	842 985	15 913 545	53 676 350	16,56	24,07
Lithuania	50 567 945	3 906 105	29 555 000	84 029 050	15,59	25,90
Luxembourg	NA	3 000 000	NA	70 458 676	NA	137,66
Malta	10 260 000	85 000	2 569 000	10 345 000	24,57	24,77
Netherlands	990 667 000	460 000 000	615 642 000	2 066 309 000	59,48	124,06
Poland	1 365 085 000	23 244 000	312 514 570	1 700 843 570	35,74	44,52
Portugal	528 943 165	51 641 260	119 901 622	700 486 047	49,73	65,85
Romania	355 246 737	7 915 238	162 428 333	525 590 308	16,58	24,52
Slovakia	139 851 564	1 357 776	63 702 886	204 912 226	25,73	37,70
Slovenia	178 158 919	5 834 338	19 263 376	203 256 633	86,90	99,14
Spain	NA	35 477 067	NA	4 202 016 219	NA	91,37
Sweden	557 260 358	195 683 782	127 316 425	880 260 565	59,18	93,49
Average	443 138 957	77 885 601	165 053 599	1 211 006 644	37,04	62,77
Median	214 049 997	20 822 000	63 702 886	410 216 294	34,34	60,82
Maximum	3 051 375 987	460 000 000	1 249 053 619	8 171 552 490	86,90	137,66
Minimum	10 260 000	85 000	2 569 000	10 345 000	15,24	24,07

Table 1.1 ter Public budget allocated to courts, legal aid and public prosecution, 2012 vs. 2010

States	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid	Total annual approved public budget allocated to legal ai	Total annual approved public budget allocated to the public prosecution syste	Total annual approved public budget allocated to all courts, public prosecution and legal aid	Total annual approved public budget allocated to all courts with neither prosecution nor legal aid, per capita	Total annual approved public budget allocated to all courts including prosecution and legal aid, per capi
Austria		3%		9%		8%
Belgium		16%		7%		4%
Bulgaria	11%	50%	6%	10%	13%	11%
Croatia	-26%	-27%	2%	-21%	-23%	-19%
Cyprus	-9%		13%		-15%	
Czech Republic	7%	-15%	2%	5%	7%	5%
Denmark	12%	-5%			11%	
Estonia	11%	-4%	1%	8%	16%	12%
Finland	3%	17%	6%	5%	2%	4%
France		2%		2%		1%
Germany		-10%		12%		14%
Greece		232%		-28%		-26%
Hungary	26%	198%	23%	25%	26%	26%
Ireland	-28%	-5%	-8%	-18%	-28%	-18%
Italy	-2%	21%	15%	3%	-1%	5%
Latvia	21%	14%	29%	23%	31%	34%
Lithuania	5%	16%	-12%	0%	14%	8%
Luxembourg		17%		10%		7%
Malta	12%	-42%	-29%	30%	11%	28%
Netherlands	-1%	5%	3%	2%	-1%	1%
Poland	1%	4%	36%	7%	0%	7%
Portugal	-14%	7%	-19%	-14%	-13%	-12%
Romania	-9%	1%	-9%	-9%	-8%	-8%
Slovakia	9%	30%	10%	10%	10%	10%
Slovenia	-7%	16%	-6%	-7%	-8%	-7%
Spain		4%		-65%		-65%
Sweden	14%	21%	13%	16%	13%	14%

Table 1.2. Break-down by component of the court budget in 2012 (Q6)

States	Annnual public budget allocated to (gross) salaries	Annual public budget allocated to computersation (equipment,investments,maintenance)	Annual public budget allocated to justice expenses	Annual public budget allocated to court building (maintenance,operation cost)	Annual public budget allocated to investments in new buildings	Annual public budget allocated to training and education	Other
Austria	416 840 000	35 800 000	103 750 000	59 700 000	0	2 200 000	152 500 000
Belgium	697 424 000	37 697 000	87 080 000	65 782 000	7 924 000	5 220 000	96 998 000
Bulgaria	80 210 055	375 878	NA	NA	NAP	25 427	32 726 448
Croatia	149 182 668	6 134 132	NA	809 410	NA	475 248	NA
Cyprus	22 793 540	124 970	117 374	2 474 850	3 000 060	92 480	2 008 206
Czech Republic	274 251 486	6 332 315	15 406 078	9 648 595	NAP	455 033	64 657 645
Denmark	157 585 434	16 162 826	10 076 344	43 388 631	NA	2 106 506	13 974 995
Estonia	22 560 006	812 487	326 259	4 970 552	0	177 645	881 401
Finland	188 215 108	12 726 529	7 850 083	34 483 581	NA	NA	6 429 055
France	2 298 785 554	50 457 182	478 570 000	252 782 592	140 770 000	84 275 231	341 484 578
Greece	382 542 800	5 947 969	3 316 045	34 564 099	6 903 321	9 396 689	0
Hungary	235 373 000	1 195 000	14 426 154	27 507 000	7 692 308	318 785	39 175 448
Ireland	49 544 000	5 581 000	4 797 000	13 572 000	25 043 000	550 000	8 003 000
Italy	2 319 976 073	64 830 009	324 337 299	182 503 436	NA	229 971	94 644 609
Latvia	32 592 664	1 049 170	2 602 683	7 264 546	NA	249 939	735 919
Lithuania	46 314 146	397 069	329 306	1 644 012	1 013 670	311 973	3 128 436
Luxembourg	58 857 450	1 000 000	3 920 000	791 000	NAP	100 000	9 068 490
Malta	8 425 403	1 342 265	1 476 078	200 000	82 681	1 000	NAP
Netherlands	724 526 000	65 557 000	4 089 000	117 266 000	NA	18 753 000	53 573 000
Poland	897 425 000	56 686 000	158 928 000	92 443 000	38 237 000	2 822 000	132 797 000
Portugal	396 291 048	7 965 991	10 310 000	31 220 522	NA	7 289 829	NA
Romania	186 052 154	682 766	115 873	34 669 478	11 567 120	3 554 195	87 970 023
Slovakia	86 354 081	3 555 096	8 423 500	13 362 799	0	1 414 040	39 606 270
Slovenia	123 329 428	3 454 684	30 732 240	7 037 588	NA	506 115	NA
Spain	1 006 059 080	45 277 000	0	45 058 050	18 275 620	2 743 370	124 147 840
Sweden	446 449 529	15 379 625	NA	90 513 800	NA	7 706 415	77 197 596

Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements in 2012, in € (Q 15.1, 15.2)

States	Annual approved public budget allocated to the whole justice system, in €	Court	Legal aid	Public Prose-cution services	Prison system	Proba-tion services	Council of the judiciary	Constitu-tionnal court	Judicial manage-ment body	State advocacy	Enforce-ment services	Notariat	Forensic services	Judicial protection of juveniles	Functioning of the Ministry of Justice	Refugees and asylum seekers services	Other
Austria	1 276 420 000	Yes	Yes	Yes	Yes	Yes	NAP	No	NAP	NAP	Yes	No	No	No	Yes	No	No
Belgium	1 855 485 000	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	No	Yes	No	No
Bulgaria	NA	Yes	NAP	Yes	NAP	NAP	No	NAP	No	NAP	NAP	NAP	Yes	NA	NAP	NAP	NAP
Croatia	340 465 130	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	No	No	No	Yes	Yes	No	No
Cyprus	76 527 498	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	No
Czech Republic	509 966 190	Yes	Yes	Yes	No	Yes	NAP	No	Yes	No	Yes	Yes	No	No	Yes	No	No
Denmark	2 387 211 425	Yes	Yes	No	Yes	Yes	NAP	NAP	NA	No	Yes	Yes	No	No	Yes	Yes	Yes
Estonia	111 404 414	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NAP	NAP	NAP	Yes	Yes	Yes	NA	Yes
Finland	855 857 000	Yes	Yes	Yes	Yes	Yes	NAP	NAP	Yes	Yes	Yes	No	No	No	Yes	No	Yes
France	8 087 936 029	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	NA	No	No	Yes	Yes	No	No
Greece	641 115 896	Yes	Yes	Yes	Yes	Yes	Yes	NAP	Yes	No	NAP	Yes	Yes	Yes	Yes	No	No
Hungary	1 609 052 020	Yes	Yes	Yes	Yes	NA	Yes	No	Yes	NAP	No	No	NA	No	Yes	NA	No
Ireland	2 346 727 000	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	No
Italy	8 038 108 740	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	No	No	No	Yes	Yes	No	No
Latvia	144 823 662	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	No	Yes	No	Yes
Lithuania	179 756 697	Yes	Yes	Yes	Yes	No	No	Yes	No	No	No	No	No	No	Yes	No	Yes
Luxembourg	124 017 268	Yes	Yes	Yes	Yes	Yes	NAP	Yes	NAP	Yes	Yes	No	Yes	Yes	Yes	No	No
Malta	105 152 000	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	No
Netherlands	5 972 900 000	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
Poland	2 472 780 000	Yes	Yes	No	Yes	Yes	No	No	Yes	No	Yes	No	No	Yes	Yes	No	Yes
Portugal	1 744 093 667	Yes	No	Yes	Yes	Yes	Yes	No	Yes	NAP	No	NAP	Yes	Yes	Yes	No	Yes
Romania	718 812 448	Yes	Yes	Yes	Yes	Yes	Yes	No	NAP	NAP	No	No	Yes	No	Yes	No	Yes
Slovakia	310 844 502	Yes	Yes	No	Yes	Yes	Yes	No	NAP	NAP	No	No	No	NA	Yes	Yes	Yes
Slovenia	254 154 443	Yes	Yes	Yes	Yes	NAP	Yes	Yes	NAP	Yes	NAP	NAP	NAP	NAP	Yes	No	No
Spain	4 111 000 000	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes
Sweden	4 519 656 078	Yes	Yes	Yes	Yes	Yes	NAP	NAP	Yes	NAP	No	NAP	Yes	Yes	No	No	Yes

Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15,1)

States	Annual approved budget allocated to the whole justice system in 2010	Cost of justice system per capita in 2010	Annual approved budget allocated to the whole justice system in 2012	Cost of justice system per capita in 2012	Change in justice system cost per capita (2012 vs 2010)
Austria	1 174 830 000	140,07	1 276 420 000	151,02	8%
Belgium	1 802 642 657	166,30	1 855 485 000	166,24	0%
Bulgaria	224 069 853	30,43	NA	0,00	NA
Croatia	352 621 340	79,92	340 465 130	79,88	0%
Cyprus	79 536 746	98,86	76 527 498	88,38	-11%
Czech Republic	557 183 160	52,98	509 966 190	48,53	-8%
Denmark	2 086 000 000	375,14	2 387 211 425	426,09	14%
Estonia	98 519 256	73,51	111 404 414	86,60	18%
Finland	792 410 000	147,42	855 857 000	157,71	7%
France	7 517 535 561	115,61	8 087 936 029	123,32	7%
Germany	13 320 680 442	162,94	13 392 212 369	166,92	2%
Greece	714 721 911	63,19	641 115 896	57,95	-8%
Hungary	1 604 399 373	160,66	1 609 052 020	162,39	1%
Ireland	2 540 438 000	554,53	2 346 727 000	511,15	-8%
Italy	7 716 811 123	127,28	8 038 108 740	134,68	6%
Latvia	137 747 332	61,78	144 823 662	70,82	15%
Lithuania	155 377 083	47,89	179 756 697	59,85	25%
Luxembourg	116 165 559	226,96	124 017 268	236,22	4%
Malta	83 998 000	201,14	105 152 000	249,55	24%
Netherlands	6 098 900 000	366,17	5 972 900 000	356,00	-3%
Poland	2 821 561 570	73,86	2 472 780 000	64,17	-13%
Portugal	1 693 952 793	159,25	1 744 093 667	166,31	4%
Romania	569 175 715	26,56	718 812 448	33,74	27%
Slovakia	278 261 799	51,20	310 844 502	57,45	12%
Slovenia	263 000 000	128,28	254 154 443	123,45	-4%
Spain	4 632 278 011	100,73	4 111 000 000	89,36	-11%
Sweden	4 064 159 050	431,64	4 519 656 078	472,97	10%

Table 1.5. Authorities formally responsible for the budgets allocated to the courts in 2012 (Q14)

country	Preparation of the total court budget	Adption of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Austria	Ministry of Justice, other Ministry, Parliament	Parliament	Ministry of Justice, Supreme Court, Other Authority	Ministry of Justice, Supreme Court, Other Authority
Belgium	Ministry of Justice, Other Ministry	Ministry of Justice, Other Ministry, Parliament	Ministry of Justice, Other Ministry	Ministry of Justice, Other Ministry
Bulgaria	Ministry of Justice, other Ministry, Supreme Court, High Judicial Council, Inspection Body	Parliament	Judicial Council	Other Ministry, HIGH Judicial Council
Croatia	Ministry of Justice, Other Ministry, Courts	Parliament	Ministry of Justice, Courts	Parliament
Cyprus	Supreme Court	Parliament, Supreme Court	Supreme Court	Supreme Court
Czech Republic	Ministry of Justice, Other Ministry	Parliament	Ministry of Justice	Ministry of Justice
Denmark	Ministry of Justice, Other Ministry	Parliament	Other Authority	Other Authority
Estonia	Ministry of Justice, Other Ministry, Supreme Court, Courts	Ministry of Justice, Other Ministry,Parliament, Supreme Court	Ministry of Justice, Supreme Court, Courts	Ministry of Justice, Other Ministry, Supreme Court, Inspection body
Finland	Ministry of Justice, Other Ministry, Supreme Court, Courts	Parliament	Ministry of Justice, Supreme Court, Courts	Ministry of Justice, Supreme Court, Inspection body
France	Ministry of Justice	Parliament	Ministry of Justice, Courts	Ministry of Justice, Parliament
Greece	Ministry of Justice	Other Ministry,Parliament	Ministry of Justice	Other Authority
Hungary	Courts, Other Authority	Parliament, Other Authority	Other Authority	Parliament
Ireland	Courts	Parliament	Courts	Inspection body
Italy	Ministry of Justice, Other Ministry	Ministry of Justice, Other Ministry	Ministry of Justice	Ministry of Justice, Other Ministry, Parliament

Latvia	Ministry of Justice, Other Ministry, Supreme Court, Courts, Other Authority	Parliament	Supreme Court, Courts, Other Authority	Ministry of Justice, Other Ministry, Supreme Court, Courts,Inspection body, Other Authority
Lithuania	Other Ministry, Courts, Other Authority	Parliament, High Judicial Council	High Judicial Council	Other Ministry, Inspection body
Luxembourg	Ministry of Justice	Parliament	Ministry of Justice	Inspection body
Malta	Ministry of Justice	Ministry of Justice	Ministry of Justice, Courts	Inspection body
Netherlands	Ministry of Justice, High Judicial Council, Other Authority	Parliament	High Judicial Council	Ministry of Justice, High Judicial Council, Other Authority
Poland	Ministry of Justice, High Judicial Council, Courts	Parliament	Ministry of Justice, Other Ministry, Courts	Ministry of Justice, Other Ministry, Courts, Inspection body, Other Authority
Portugal	Ministry of Justice	Ministry of Justice, Parliament	Ministry of Justice	Ministry of Justice
Romania	Ministry of Justice, Other Ministry, High Judicial Council, Courts	Other Ministry,Parliament	Ministry of Justice, Courts	Ministry of Justice, Other Ministry,Parliament, Courts, Inspection body
Slovakia	Ministry of Justice, Supreme Court, High Judicial Council, Courts	Parliament	Ministry of Justice, Supreme Court, Courts	Ministry of Justice, Supreme Court, High Judicial Council, Inspection body
Slovenia	Other Ministry, Supreme Court, Courts	Parliament	Supreme Court	Supreme Court, Courts, Other Authority
Spain	Ministry of Justice, Other Authority	Parliament, Other Authority	Ministry of Justice, Other Authority	Parliament, Other Authority
Sweden	Ministry of Justice, Other Ministry	Parliament	Other Authority	Ministry of Justice, Other Ministry, Parliament, Inspection body, Other Authority

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in 2012 (Q61)

country	Preparation of the budget	Arbitration and allocation	Day to day management of the budget	Evaluation and control of the use of the budget
Austria	Other Authority	Other Authority	Court President, Other Authority	Court President, Other Authority
Belgium	Other Authority	Other Authority	Head of the court clerk office, Other Authority	Other Authority
Bulgaria	Court administrative director, Other Authority		Other Authority	Court administrative director, Other Authority
Croatia	Court President, Other Authority	Court President, Other Authority	Court President, Other Authority	Court President, Other Authority
Cyprus	Court administrative director, Other Authority	Court administrative director, Other Authority	Court administrative director, Other Authority	Court administrative director, Other Authority
Czech Republic	Court President, Other Authority	Court President, Other Authority	Court President, Court administrative director	Court President, Other Authority
Denmark	Other Authority	Other Authority	Court President, Court administrative director, Head of the court clerk office	Court President, Court administrative director, Head of the court clerk office, Other Authority
Estonia	Court President, Court administrative director	Court President, Court administrative director	Court administrative director	Management board, Court President, Court administrative director, Other Authority

Finland	Management board, Court President, Court administrative director	Court President	Court President, Court administrative director	Management board, Court President
France	Court President, Head of the court clerk office, Other Authority	Other Authority	Head of the court clerk office	Other Authority
Greece	Court President, Other Authority	No	No	No
Hungary	Court President, Court administrative director	Court President	Court administrative director	Court administrative director
Ireland	Management board	Management board	Court administrative director, Head of the court clerk office	Management board, Court administrative director, Head of the court clerk office, Other Authority
Italy	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director
Latvia	Court President, Head of the court clerk office, Other Authority	Head of the court clerk office	Court President, Head of the court clerk office	Head of the court clerk office, Other Authority
Lithuania	Court President	Court President	Other Authority	Court President
Luxembourg	Court President, Other Authority	No	Other Authority	Other Authority
Malta	Other Authority	No	Court administrative director	Other Authority
Netherlands	Management board	Management board	Management board	Management board
Poland	Court President	Court President	Court President	Court President
Portugal	Head of the court clerk office	Management board	Court administrative director	Head of the court clerk office

Romania	Court President	Court President	Court President	Court President, Other Authority
Slovakia	Court President, Court administrative director	Court President, Court administrative director, Other Authority	Court President, Court administrative director	Court President, Court administrative director, Other Authority
Slovenia	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director
Spain	Other Authority	Other Authority	Other Authority	Other Authority
Sweden	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director	Court President, Court administrative director

Comments - Indicator 1 The budget and resources of courts and the justice system

Table 1.1: Public budget allocated to courts, legal aid and public prosecution in 2012 (Q6, Q12, Q 13)

Austria: Q. 6: The figures include the public prosecution services and the budget of legal aid (€ 19,0 Mio for legal representation is included). "Other": Postal services (€ 37,3 Mio), Traineeship (€ 13,9 Mio), office equipment, lump-sum payment for legal representation (€ 19,0 Mio) , travel expenses, other small expenses. Q. 12: The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.
Belgium: Q7: The budget includes the budgets of public prosecutors and legal aid. Other: operations, fees, mediation, legal aid, phonetapping; the budget for buildings does not reflect the total amount spent in buildings. The budget for the construction of new courts or furnishing of old buildings is not part of the budget of the Federal Public Justice Service. The real estate of the Belgian state is managed by the Building Authority. In his budget, there is no part allocated to justice.
Bulgaria: Q 6, column 5 (Annual public budget allocated to investments in new (court) buildings) – The sum of 5828727 € was allocated by the State budget to the Ministry of Justice under the Investments of Judiciary Bodies Programme. Q7: Others - compensations under the Labour Code and the Law on the Judiciary, expenses for Social household and Cultural Servicing, expenses for clothing, sickness leave paid by the employer, insurance payments and etc. Q12: Increased budget for legal aid for 2012 in comparison to 2010 is due to the extension of the service users due to increasing number of poor citizens who do not have own sufficient financial resources to authorize a lawyer.
Croatia: Q7 The budgets are separated. Q12: The budget allocated to legal aid in 2012 was 166.631,53 EUR. Due to the decreased budget planned for the Ministry of Justice in 2012, the amount is lower than in 2010.
Cyprus: the amount in question 9 includes also income from transfers. Q7: this amount includes costs for publication and compensation and costs in action. (annual public budget allocated to investments in new buildings), difference with previous data in question 6 is due to the fact that the last exercise for the 2010 the amount included a sum or the final settlement of the account for the erection of the new Supreme Court building. Q. 13 : this is only the budget for the Law Office of the Republic the Attorney General´s office
Czech Republic: other includes: operating costs, i.e. heating, energies, water, reparations, postal and other services etc.
Denmark: The budget allocated to the public prosecution services are included in the overall budget to the police. The total annual budget in question 6 is without the budget of the public prosecution services and without the budget of legal aid. Other (7): These are costs related to ordinary case management such as postage, office supplies, books, travel and transport, inventory etc.
Estonia: Legal aid can be granted for cases which are not brought to court but the budged allocated to it cannot be specified. Q 6 (annual public budget allocated to computerization): 812 487. The budget allocated to computerization has increased a lot due to the large IT development projects like digital court file project, the new court information system that brought along the need to develop other information systems and registers connected to it, and many others projects. Q 6 (annual public budget allocated to justice expenses): 326 259. The budget allocated to justice expenses has decreased a lot due to the fact that before the expenses of expertise were included in the budget allocated to the functioning of courts, now they are in the budget of Estonian Forensic Science Institute. Q7: Other: Cost of health care, postal service, equipment etc; membership fees of international organizations; pensions of former Supreme Court justices.
Finland: Q7: Other includes: incustrial health services, postage, office supplies, telephone and telecommunications services
France: The Legal aid budget is not included in the given numbers. Q7: The budget of the Public Prosecution can not be distinguished from the budget of all courts. The data correspond to the expenditure of judicial and administrative courts brought by two separate programs. "Other expenses" correspond to: - An assessment of the cost of transfer of persons under escort, cost for the guards of courtrooms, and the cost of prosecuting officers supported by the Ministry of the Interior (203 million euros); - An assessment of the rental value of judicial buildings made available to the court by the local authorities (69 million euros); - € 69.5 million corresponding to the contribution of the central government for the operation of courts (including legislative directions).
Greece: Q12: The observed increase is due to accumulated debts from previous years. The decrease in all categories is easily interpreted by the broadly known budgetary adjustment our country has been going through during the last years. The annual budget allocated to training and education is mostly the budget of the National School of Judges (legal entity of public law), which is responsible for the prefatory training of judges. The budget depends on the number of candidates who pass the annual exams (held by the same entity). In addition to that, these expenses are so far funded by programs of the National Strategic Reference Framework. Q7: Including the budget of the public prosecution services. Not including the budget of legal aid.

Hungary: 84% spent on salaries, income taxes, health insurance, social insurance for the staff 13.5% spent on functional costs including maintenance of office buildings 2.5 % reserve. Q6 (annual public budget allocated to computerisation): The difference in numbers between the two cycles is to to the fact that in 2010 the budget was exceptionally high for computerisation. Q6 (annual public budget allocated to investments in courts buildings): The difference in numbers between the two cycles is due to the fact that there was no source for investment like in 2010. In 2014 annual public budget allocated to investments in new (court) buildings will be 26 590 660 €. "Q 12: The difference between the two cycles is because each year this budget is developed.

Ireland: Net expenditure for the Office of the Director of Public Prosecutions in 2012 was €38,846,705.00. The 43,854,000 reported for 2010 was the gross figure and the comparable gross figure for 2012 is 40,528,000. It would be more appropriate to include the gross figure which is as voted and can be directly compared to the 2010 figure. The current figure of 38,846,075 included in the questionnaire as reported by the Office of the Director of Public Prosecutions is the net expenditure, however, it would be better to now include 40,528,000 if that is possible. Q 6: in the previous report items such as interpretation services were included under the general heading. The Courts Service has indicated that the current response more accurately reflects the budget allocated to expenses under 6.3. The figures at question 6 reflect the budget for 2012.

Italy: Due to the structure of the Italian judicial system, the ministry of justice has one single budget which does not distinguish between the budget allocated to the courts, the budget allocated to the public prosecution services and the one allocated to the administration. However an effort was made in order to provide the most reasonable figure for the budget of the prosecution service. The calculation was made taking into account several criteria (e.g. the number of staff allocated to the public prosecution service).Q7: "Other" includes for instance compensation, reimbursement, document issuing, luncheon vouchers, etc.

The economic crisis hugely affected our country and the public sector in particular. The spending review carried out by the Italian Government deeply affected the budgets of all the Italian Ministers. The overall reduction at Q.6 (functioning of all courts) is approx 2%. However a sharp pencil has been used only in specific areas (i.e. maintenance of the buildings, training and education) - in other words- in areas where cuts where possible.

Latvia: The budget for General Prosecutor Office during the economic crisis was reduced significantly. Financial means were reduced in almost all budget positions, but starting in 2012 the budget increased up to almost 5 000 000 EUR. Q7: The indicated budget for all courts includes, budget for district (city) courts, regional courts, Administrative regional court, Administrative district court and for the Supreme court. In the section "other" are included following items: taxes, health and life insurance for judges, service pension, social benefits given by employer, communication services, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance.

Lithuania: Q. 12: Annual approved public budget for primary legal aid (free legal advice) – 513 681,15 €. Annual approved budget for secondary legal aid (free legal representation) – 4 030 144,9 €. According to the types of cases information about the amounts paid for lawyers who provide secondary legal aid is available: In civil and administrative cases – 1 350 333,83 €; In criminal cases – 1 955 879,07 €. These numbers include the remuneration for lawyers and exclude other state-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation and etc.) For question 6: Taxes related to the salaries (insurance) paid by employer are included in 1. Finances for 2 (computerisation), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. Finances for 5 (investments in new buildings) in 2012 were allocated to the Ministry of Justice. "Other" includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

Luxembourg: The Public Ministry does not have a separate budget.

Malta: Q12: The amount indicated represents the full amount allocated by the Government to the appointment of Legal Aid lawyers for persons requiring their services. All judicial fees incurred by such persons are also borne by the Government, however it is not possible to quantify such expenses as these vary from case to case. The difference between the two cycles is due to the fact that the previous figure was more generic and this year's figure was obtained following a detailed examination of the funds available. The Public Prosecution Services is carried out by the Attorney General's office who not only acts as a Public Prosecution but also acts as the Principal Legal Advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution purposes, but also for other purposes relating to legal work and advise for the Government, both locally and internationally. Q13: The difference between the two cycles is due to the fact that the funds allocated to the Attorney General's Office were reduced for reorganisation purposes.

Netherlands: Q13: including justice expenses in criminal cases. Question 6: excluding the expenditures of the High Judicial Council and the "Raad van State". The expenditures of the High Judicial Council were 42.520.000 euro in 2010. They should be added to the total figure in question 6, but the requested sub items are not known. Also the expenditures of the court function of the "Raad van State" should be added to the total figure in question 6. But this figure is unknown. Only the total expenditures of the "Raad van State" are published. Moreover the "Raad van State" does not fall under the budget of the Ministry of security and

Justice but under the budget of the “Hoge colleges van Staat”. Q7: Other= depreciation and interest. Justice expenses exclude the justice expenses for criminal cases.
Poland: Expenditure on personal services, purchase of gods and services, expenditure on investments (building, purchase), loans on residential needs of judges, rehabilitation found payments, business trips, other taxes.
Portugal: Q 6 (justice expenses) The difference between the two cycles is due to the fact that in the previous exercise under 6.3 costs with computerization were included by mistake. This year’s value includes only costs with expertise and interpretation.
Romania: Q6: Starting with 2010, based on the Unitary Salary Law for 2009, the salary rights for magistrates and other judiciary staff included, as a monetary value, the supplements obtained through the case law (for the neuropsychological and risk overstress supplement representing 50% and for the confidentiality supplement representing 15%, respectively). From a technical point of view, some supplements were included in the base salary and others were considered as a supplement in addition to the base salary. Under these circumstances, the salary rights of the staff within the courts had increased during the first 5 months of 2010 by 18,5 % in comparison to the same period of 2009. 2012: The annual budget allocated to courts in 2012 decreased compared to the budget allocated in 2010 because of the legislative amendments referring to the wage rights paid to the staff in the budgetary sector in the period 2010 – 2012. There is an increase in the budget allocated to salaries in 2012 compared to 2010, because from June 2010 the salaries in the budgetary sector have been reduced by 25% (six months) and from January 2011 the budgetary salaries have been increased by 15%, and further increased by 8% from June 2012 compared to May 2012 and by 7,4 % from December 2012. Funds have been allocated to courts for purchasing furniture for the new personnel – about – 113.379 EUR, IT equipment – 407937 EUR, as well as for redevelopment works necessary for creating council chambers and offices within courts - 285.034 EUR at the courts of appeal and law courts identified by significant disturbances in courts activity. Q9: Due to the legislative amendments on judicial stamp duties in 2012 the income obtained through stamp duty was a local budget.
Slovakia: Q13: The sum represents the total budgetary expenses spent for the prosecution services. Q 6: The difference between the two cycles is due to significant investments to computerisation which were expected in the 2011 and 2012. ected from. The structure of the budgets of the Ministry of justice of the Slovak Republic and the Supreme Court of the Slovak Republic is different from the structure in the questionnaire. For this cycle the expenses for the “ex officio” appointed counsels in the criminal matters has been incorporated to this item. We are not able to change in the same way the answers for the previous cycle where it has been included to item “other”. Annual budget allocated to court buildings: In 2012 investments to several court buildings have been carried out. Q7: The budgetary data has been collected from the Ministry of justice of the Slovak republic and the Supreme Court of the Slovak republic. The budgetary structures of both institutions are different from the structure in this questionnaire. Lines 4 and 5: All investments to the court buildings are included in the sum in the line 4.
Line 7: Other expenses include: - the financial expenses for the pension and medical insurance of judges and employees; - boarding subsistence for employees; - travel expenses; - postal expenses; - communication expenses; - the office supplies; - costs of the lawyers appointed free of charge by the judge in the civil proceedings; - costs of the ex officio appointed counsels in the criminal proceedings
Slovenia: Q12 According to Article 26 of the Free Legal Aid Act legal aid may also be granted for legal advice surpassing initial legal advice; for the formulation, verification and certification of documents on legal relations, facts and statements and for legal advice and representation in cases of out-of-court settlement. The difference in the budget allocated to training and education (1 835 808 in 2008, 1 229 741 EUR in 2010 and 506 115 EUR in 2012) can be attributed to the effect of the economic and financial crisis. As there were cuts in the budget of the judiciary, one of the affected fields was training and education. This meant that the expenditures for international training of judges and court personnel were lowered (seminars, conferences, etc.). Similarly, fewer funds were available for national legal seminars and other educational events. Q7: The Courts Act prescribes: "The scope of the finances for the wages of the judges and the court personnel, as well as for the costs of the activities of the courts in the framework of the state budget of the Republic of Slovenia, based on the financial plans of the individual courts are provided in the budget user Supreme Court of the Republic of Slovenia for all courts" and "In the framework of the state budget of the Republic of Slovenia, the scope of the finances for the equipment of the courts and provision of spatial conditions for the courts, excluding the finances for wages, is formed and provided by the ministry responsible for justice, while for the computerisation of the courts by the Supreme Court of the Republic of Slovenia." This means that the cited amount of the total approved budget allocated to the functioning of all courts includes only the finances for the functioning and the informatisation of the courts. On the other hand, it does not include the budget dedicated to the investments and the rentals in justice sector (courts, prosecution, state attorneys), which is a part of the Ministry of Justice budget, because there is no data available as to the share dedicated to the courts. The courts, in their financial plans, include only so called “small” investments, which are the investments that are not included in the Ministry of Justice plan and cannot exceed a certain value and are represented in the category of the budget allocated to court buildings (7037588 EUR). As already mentioned, there is one exception: the computerisation of the judiciary is in the authority of the Supreme Court which

means that investments in hardware are included in the financial plan of the latter. The total budget does not include the resources that are provided for education of judges and court staff by the Ministry of Justice to its Judicial Training Center. The Judicial Training Center, part of the Ministry of Justice, spent 308317 EUR in 2012 for the education of judges, court staff, prosecutors and state attorneys. The resources in the cited amount (budget allocated to all courts) do not cover other bodies of the judiciary (the Judicial Council, the Ministry of Justice, State Prosecutor's Offices, State Attorney's Office, prisons, etc.). The annual public budget allocated to investments in new (court) buildings is not part of the budget allocated to the Supreme Court, but of the budget of the Ministry of Justice. It is also important to note, that for the most part of 2012 the Ministry of Justice was unified with the former Ministry for Public Administration into a uniform Ministry of Justice and Public Administration that as such existed until March of 2013, when a new government took office. Therefore for 2012 it is not possible to report the exact amounts of the budget allocated specifically to spatial planning specifically to the courts and justice system, as these were reported together with the figures for the whole public administration part of the formerly unified ministry. It is important to note that the data given reflects only the spent amounts not the approved budget. The approved budget for functioning of courts (without legal aid and the Judicial Council) in 2012 was 172 million EUR and was after the rebalance decreased to 155 million EUR. The final amount that was effectively executed in 2012 was 165 million EUR. The explanatory note states that the budget that was formally approved in Parliament should be inserted. Nevertheless, the effectively executed amount was inserted, as the two budgets approved in Parliament do not show the real value spent.

Spain: The data for 2012 regarding the functioning of all courts shows a reduction compared with 2010 data, this is due to the following: In 2012 the data related to the Ministry of Justice is included, and data related to the budgetary of the Council General of the Judiciary either the Autonomous Communities is excluded; Since 2010 the budget allocated to the functioning of all courts separates Prosecution Office budget. The main characteristic of our budgetary system is based in the territorial organisation, Spain is divided in 17 Autonomous Regions and 2 Autonomous Cities, with competence in the field of administration of justice and financial means, which means that in the Autonomous Regions holding powers in matters of justice, the role of the Ministry of Justice and the Parliament is played by the regional ministries and regional assemblies. Q7: In 2010 the budget allocated to the functioning of all courts did not separate the budget of public prosecution services. Since the reform of the Organic Statute of the Prosecutor Service (Estatuto Orgánico del Ministerio Fiscal) in 2007, a single budget was foreseen for the Prosecutor Office and for the Prosecutors´service. However until 2011 it was not possible to allocate separate budgets. For instance, in 2012 the public budget allocated to the functioning of all courts separates the budget for the functioning of all courts from the budget of legal aid and the budget of prosecution services.

Sweden: Q12: The difference with the previous cycle is the fact that more funds have been allocated for the purposes. Also the exchange rates make the increase seem somewhat bigger in Euro than it has been in Swedish kronor. Q13: The amount is included in the amount in question 15.1. The difference with the previous cycle is the fact more funds have been allocated for the purposes. Also the exchange rate has changed between the two years so the increase appears somewhat bigger in Euro than it has been in Swedish kronor. Q9: The change between the years is due to a misjudgment from our side about the budgeted amounts. It is not the outcome that has changed over the years, but the budgeted amounts. Due to differences in nomenclature within different audit systems there is an inherent problem in comparing numbers. As a result, the figures presented in question 6 should be used with caution. The figures are not approved budget but executed expenses. The difference with the previous cycle is the fact that last year's figure is much lower because of an underestimation of the budget need concerning the application fees. This was corrected in 2012. Q7: Public Prosecution offices not included. Legal aid is not included in the total.

Table 1.2: Break-down by component of the court budget in 2012 (Q6)

Austria: The figures include the public prosecution services and the budget of legal aid (€ 19,0 Mio for legal representation is included). "Other": Postal services (€ 37,3 Mio), Traineeship (€ 13,9 Mio), office equipment, lump-sum payment for legal representation (€ 19,0 Mio) , travel expenses, other small expenses. The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.

Belgium: Q6: The budget includes the budgets of public prosecutors and legal aid. Other: operations, fees, mediation, legal aid, phonetapping; the budget for buildings does not reflect the total amount spent in buildings. The budget for the construction of new courts or furnishing of old buildings is not part of the budget of the Federal Public Justice Service. The real estate of the Belgian state is managed by the Building Authority. In his budget, there is no part allocated to justice.

Bulgaria: Q 6, column 5 (Annual public budget allocated to investments in new (court) buildings) – The sum of 5828727 € was allocated by the State budget to the Ministry of Justice under the Investments of Judiciary Bodies Programme.

Denmark: The budget allocated to the public prosecution services are included in the overall budget to the police.

Estonia: Q 6 (annual public budget allocated to computerization): 812 487. The budget allocated to computerization has increased a lot due to the large IT development projects like digital court file project, the new court information system that brought along the need to develop other information systems and registers connected to it, and many others projects. Q 6 (annual public budget allocated to justice expenses): 326 259. The budget allocated to justice expenses has decreased a lot due to the fact that before the expenses of expertise were included in the budget allocated to the functioning of courts, now they are in the budget of Estonian Forensic Science Institute.
France: The Legal aid budget is not included in the given numbers.
Greece: The annual budget allocated to training and education is mostly the budget of the National School of Judges (legal entity of public law), which is responsible for the prefatory training of judges. The budget depends on the number of candidates who pass the annual exams (held by the same entity). In addition to that, these expenses are so far funded by programs of the National Strategic Reference Framework.
Hungary: Q6 (annual public budget allocated to computerisation): The difference in numbers between the two cycles is due to the fact that in 2010 the budget was exceptionally high for computerisation. (annual public budget allocated to investments in courts buildings): The difference in numbers between the two cycles is due to the fact that there was no source for investment like in 2010. In 2014 annual public budget allocated to investments in new (court) buildings will be 26 590 660 €.
Ireland: in the previous report items such as interpretation services were included under the general heading. The Courts Service has indicated that the current response more accurately reflects the budget allocated to expenses under 6.3.
Italy: Due to the structure of the Italian judicial system, the ministry of justice has one single budget which does not distinguish between the budget allocated to the courts, the budget allocated to the public prosecution services and the one allocated to the administration. The economic crisis hugely affected our country and the public sector in particular. The spending review carried out by the Italian Government deeply affected the budgets of all the Italian Ministers. The overall reduction at Q.6 (functioning of all courts) is approx 2%. However a sharp pencil has been used only in specific areas (i.e. maintenance of the buildings, training and education) - in other words- in areas where cuts where possible.
Latvia: The budget for General Prosecutor Office during the economic crisis was reduced significantly. Financial means were reduced in almost all budget positions, but starting in 2012 the budget increased up to almost 5 000 000 EUR.
Lithuania: Annual approved public budget for primary legal aid (free legal advice) – 513 681,15 €. Annual approved budget for secondary legal aid (free legal representation) – 4 030 144,9 €. According to the types of cases information about the amounts paid for lawyers who provide secondary legal aid is available: In civil and administrative cases – 1 350 333,83 €; In criminal cases – 1 955 879,07 €. These numbers include the remuneration for lawyers and exclude other state-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation and etc.)
Luxembourg: The Public Ministry does not have a separate budget.
Portugal: The difference between the two cycles is due to the fact that in the previous exercise under 6.3 costs with computerization were included by mistake. This year's value includes only costs with expertise and interpretation.
Romania: Starting with 2010, based on the Unitary Salary Law for 2009, the salary rights for magistrates and other judiciary staff included, as a monetary value, the supplements obtained through the case law (for the neuropsychological and risk overstress supplement representing 50% and for the confidentiality supplement representing 15%, respectively). From a technical point of view, some supplements were included in the base salary and others were considered as a supplement in addition to the base salary. Under these circumstances, the salary rights of the staff within the courts had increased during the first 5 months of 2010 by 18,5 % in comparison to the same period of 2009. 2012: The annual budget allocated to courts in 2012 decreased compared to the budget allocated in 2010 because of the legislative amendments referring to the wage rights paid to the staff in the budgetary sector in the period 2010 – 2012. There is an increase in the budget allocated to salaries in 2012 compared to 2010, because from June 2010 the salaries in the budgetary sector have been reduced by 25% (six months) and from January 2011 the budgetary salaries have been increased by 15%, and further increased by 8% from June 2012 compared to May 2012 and by 7,4 % from December 2012. Funds have been allocated to courts for purchasing furniture for the new personnel – about – 113.379 EUR, IT equipment – 407937 EUR, as well as for redevelopment works necessary for creating council chambers and offices within courts - 285.034 EUR at the courts of appeal and law courts identified by significant disturbances in courts activity.
Slovenia: The difference in the budget allocated to training and education (1 835 808 in 2008, 1 229 741 EUR in 2010 and 506 115 EUR in 2012) can be attributed to the effect of the economic and financial crisis. As there were cuts in the budget of the judiciary, one of the affected fields was training and education. This meant that the expenditures for international training of judges and court personnel were lowered (seminars, conferences, etc.). Similarly, fewer funds were available for national legal seminars and other educational events.

Spain: The data for 2012 regarding the functioning of all courts shows a reduction compared with 2010 data, this is due to the following: 2012 includes the data related to the Ministry of Justice, but does not include the data related to the budgetary of the Council General of the Judiciary or the Autonomous Communities; Since 2010, the budget allocated to the functioning of all courts separates Prosecution Office budget. The main characteristic of our budgetary system is based on territorial organisation, Spain is divided in 17 Autonomous Regions and 2 Autonomous Cities, with competence in the field of administration of justice and financial means, which means that in the Autonomous Regions holding powers in matters of justice, the role of the Ministry of Justice and the Parliament is played by the regional ministries and regional assemblies.
Sweden: Due to differences in nomenclature within different audit systems there is an inherent problem in comparing numbers. As a result, the figures presented in question 6 should be used with caution. The figures are not approved budget but executed expenses. The difference with the previous cycle is the fact that last year's figure is much lower because of an underestimation of the budget need concerning the application fees. This was corrected in 2012.

Table 1.3 Annual approved budget allocated to the whole justice system and its budgetary elements in 2012 (Q 15.1, 15.2)

Estonia: Other - Centre of Registers and Information Systems (agency that provides e-services in the jurisdiction of the Ministry of Justice).
Finland: Other elements included in the budget: election expenditure. There are also some other officies under the administrative sector of the Ministry of Justice like legal Register Centre, Office of the Bankruptcy Ombudsman, Office of the Data Protection Ombudsman, Council for Crime Prevention, Safety Investigation Authority, National Research Institute of Legal Policy and ICT Service Centre for Judicial Administration.
Greece: The budget for the refugees and asylum seekers is drawn by the Ministry of Public Order and Citizen Protection. The budget for the State Advocacy - which in Greece we call Legal Council of State-is drawn by the Ministry of Finance.
Hungary: Q15 Just as in 2010, the number includes the Ministry's total budget, as well as public administration and justice.
Ireland: Ireland does not have a Judicial Council, however, the costs of the Judiciary are included under Q 15.
Latvia: Compensation for bailiffs for enforcement activities in included in the budget of the Ministry of Justice. The section "other" includes the budget for institutions what are under supervision of the Ministry of Justice, health and life insurance for judges, expenditure for service pension for judges. Data doesn't include the budget for the prosecution system.
Lithuania: Other – National Courts Administration
Malta: Since this approved budgets actually spread between different ministries, a breakdown of the amount indicated in accordance with the various information collected is being provided for clarity: Attorney General's Office - €1,828,559; Courts -€11 527 427; Probation & Parole Services - €655,079; Prison system - €8,974,218; Commissioner for Refugees Office - €125,841; Commission for the Administration of Justice - €29,928.
Netherlands: The budget excludes the budget of the Police. The difference between the two years can be explained due to a major reorganization in 2010. On Jan 2011 the budget of the police, secret service, fire department amongst others, was transferred from the Ministry of internal affairs to the ministry of Justice, which is now the Ministry of Security and Justice.The figure is the entire budget of the ministry of security and justice. However other ministries may also finance parts of the justice system. Also third parties may contribute. This is not included here. The Netherlands have no constitutional court as such, but the tasks of a constitutional court are performed by the Council of State. Its budget is not included in the figure reported here. Other: Police, secret service (both since 2011).
Portugal: "Other" includes Criminal Investigation Police (Polícia Judiciária).
Romania: Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship.
Slovakia: The global budgetary data consists of the approved budget of the Ministry of justice and the approved budget of the Supreme Court. The budget of the Ministry of justice is composed of two parts - the part assigned to the prison service and the other part, which includes the budget assigned both to the courts and to the ministry itself. The budget of the Supreme Court includes the budget for the operation of the Supreme Court itself and the budget of the Judicial council of the Slovak republic. The difference with the previous cycle is influenced mainly by the increased budget of the prison service.
Spain: As "other" budgetary elements included in the whole justice system: Compensation to peace judges (jueces de paz): 2 107 761 €; Compensation to Psychologist 560 610€; Transferences to Autonomous Regions: 3 527 352, 85 €.
Sweden: The Swedish Police, The Swedish Security Service, The Swedish Economic Crime Authority
The Swedish National Council for Crime Prevention, The Swedish Gene Technology Advisory Board

The Crime Victim Compensation and Support Authority , Economic compensation for damages suffered due to crime, Econonomic costs for certain claim settlements, Economic contributions to local crime prevention, The Swedish Commission on Security and Integrity Protection, Judges Proposals Board

Table 1.4 Cost of justice system and evolution in justice costs per capita 2010-2012 (Q1, Q 15.1)

Finland: Other elements included in the budget: election expenditure. There are also some other officies under the administrative sector of the Ministry of Justice like legal Register Centre, Office of the Bankruptcy Ombudsman, Office of the Data Protection Ombudsman, Council for Crime Prevention, Safety Investigation Authority, National Research Institute of Legal Policy and ICT Service Centre for Judicial Administration.
Greece: The budget for the refugees and asylum seekers is drawn by the Ministry of Public Order and Citizen Protection. The budget for the State Advocacy - which in Greece we call Legal Council of State-is drawn by the Ministry of Finance.
Hungary: Q15 Just as in 2010, the number includes the Ministry's total budget, as well as public **administration and justice.**
Ireland: Ireland does not have a Judicial Council, however, the costs of the Judiciary are included under Q 15.
Latvia: Compensation for bailiffs for enforcement activities in included in the budget of the Ministry of Justice. The section "other" includes the budget for institutions what are under supervision of the Ministry of Justice, health and life insurance for judges, expenditure for service pension for judges. Data doesn't include the budget for the prosecution system.
Malta: Since this approved budgets actually spread between different ministries, a breakdown of the amount indicated in accordance with the various information collected is being provided for clarity: Attorney General's Office - €1,828,559; Courts -€11 527 427; Probation & Parole Services - €655,079; Prison system - €8,974,218; Commissioner for Refugees Office - €125,841; Commission for the Administration of Justice - €29,928.
Netherlands: The budget excludes the budget for the police.
Slovakia: The global budgetary data consists of the approved budget of the Ministry of justice and the approved budget of the Supreme Court. The budget of the Ministry of justice is composed of two parts - the part assigned to the prison service and the other part, which includes the budget assigned both to the courts and to the ministry itself. The budget of the Supreme Court includes the budget for the operation of the Supreme Court itself and the budget of the Judicial council of the Slovak republic. The difference with the previous cycle is influenced mainly by the increased budget of the prison service.
Spain: As "other" budgetary elements included in the whole justice system: Compensation to peace judges (jueces de paz): 2 107 761 €; Compensation to Psychologist 560 610€; Transferences to Autonomous Regions: 3 527 352, 85 €.

Table 1.5 Authorities formally responsible for the budgets allocated to the courts in 2012 (Q14)

Austria: Ministry of Finance, Federal Chancellery of the Republic of Austria; The President of the Higher regional courts manages and evaluates the budget of the courts.
Belgium: The Ministry for the Budget.
The Czech Republic: The Ministry of Finance is the ministry responsible for the preparation of the state budget and it is the Ministry of Finance that submits the proposal of the budget to the Government. After the budget is passed by the Government it is submitted to the House of Representatives (lower chamber).
Croatia: The Courts propose their courts' budget, but the bodies responsible for the budget are the Ministry of Finance the Government and the Parliament. The President of each court is responsible for the budget allocated to the Court.
Denmark: The Danish Court Administration
Estonia: Preparation - Ministry of Justice prepares the budget for courts of first and second instance. The Supreme Court prepares its budget and presents it to the Ministry of Finance, which prepares the budgets for constitutional institutions (Supreme Court, Chancellor of Justice, National Audit Office, Office of the President). Evaluation - the budgets are evaluated by Ministry of Finance and the National Audit Office. The Supreme Court is financed directly from the state budget; the volume and division of the Supreme Court expenditure must be approved by the Government of the Republic. The drafting of state budget is organised and co-ordinated by the Ministry of Finance in conformity with the requirements set out in the State Budget Act. The Supreme Court itself drafts the preliminary draft project and submits it to the Ministry of Finance. The Chief Justice of the Supreme Court must ensure, with the assistance of the director of the court, the timely submission of the court's budget and, if necessary, the draft amendments to the budget, to the ministry. Negotiations are held between representatives of the Ministry of Finance and the Supreme Court concerning a budget project and the justification for and feasibility of the expenditure included therein. After the negotiations and resolution of disagreements at the level of government the Ministry of Finance compiles a draft state budget and submits it, through the government, to the parliament. In negotiations concerning a budget project with the Ministry of Finance the Supreme Court is represented by the director of the court; in negotiations with the members of the government and the parliament the Supreme Court is represented by the Chief Justice. The implementation of the Supreme Court budget, approved by the parliament, and the purposeful use of budget funds is monitored by the Supreme Court director.
Finland: The Ministry of Finance. Inspection body: the National Audit Office of Finland
Greece: Ministry of Finance, the Court of Audit.
Hungary: Other: The president of National Office for the Judiciary in the scope of his/her general duties of central administration shall elaborate his/her proposal on the budget of the courts and his/her report on the implementation of the budget, to be submitted without modification by the Government to the Parliament as part of the Bill on the budget and the Bill on the implementation of the budget, shall perform the duties in connection with the financial management of the heading of courts and direct the internal control of the courts. The National Council of Justice (hereinafter: NCJ) shall form an opinion on the proposal on the budget of the courts and on the report on the implementation of the budget, shall control the financial management of the courts.
Within the confines of the control of the financial management of the finances the State Audit Office audits the operation and the financial management of the heading of courts – which belongs to the structure of the central budget. The president of the National Office for the Judiciary: In his/her role concerning the budgets of courts the President of the NOJ shall a) draw up his/her proposal concerning the budget of courts and the report on the implementation of the budget – requesting and communicating the opinions of the NJO, furthermore that of the President of the Curia with respect to the Curia – which the Government shall put forward to Parliament as part of the Act on the State Budget and its implementing provisions without amendment, b) he/she shall participate as an invited guest at the meeting of the Budget Committee of Parliament and the Government when discussing the Act on the State Budget and on implementing regulations concerning the chapter on the budget of courts, c) carry out the duties of the head of the organisation managing the chapter with respect to the chapter on the courts in the Act on the State Budget with the proviso that during the year he/she may re-distribute the appropriations for the Curia towards budgetary organisations included in the chapter with the consent of the President of the Curia, with the exception of re-allocations necessitated by changes in the headcount of budgetary organisations, d) exercise tasks relating to the financial management of the chapter on courts, e) manage the internal audit of courts, f) determine the annual budget for fringe benefits in collaboration with interest organisations, and g) determine the detailed conditions and levels of other benefits in collaboration with interest organisations.
Ireland: Inspection Body - Comptroller and Auditor General and the Public Accounts Committee. Other: Minister of Finance in relation to Judicial salaries, Courts Service Board Member fees.
Italy: Other Ministry is Ministry of Economy and Finance
Latvia: Other Ministry - Ministry of Finance; Inspection body - State Audit Office; Other - Court Administration; According to the Law On Judicial Power Judicial Council gives an opinion about the budget application for courts and land registry offices. According to the Law On Judicial Power the Court

Administration is responsible for financial resources of the district (city) courts, regional courts and Land registry Offices, as well as for preparing budget request for courts and Land Registry Offices. The management of finances of the Supreme Court is provided by the Supreme Court's Administration. Funding of the Supreme Court is provided by a separate item in the State budget. The Court accounts for its use of the funds to the Ministry of Finance, to the State Treasury and to the State Auditor.
Lithuania: Other ministry- the Ministry of Finance; Inspection body – National Audit Office of Lithuania, Division of Internal Audit of National Courts Administration; Other – National Courts Administration. The courts are the budget appropriation managers. Management and allocation of the budget among the individual courts cannot be interpreted as one under the laws of Lithuania. Allocation of the budget among the individual courts belongs to the initial stage of the budget preparation process and the management of budgets is the responsibility of each court individually.
Malta: The office of the Auditor General inspects all expenses incurred by the various Government Departments, from time to time, including that of the Justice Department.
Netherlands: Other: In particular the judiciary part of the Council of State ("Raad van State"). Note: contrary to what was reported in the previous edition, the Council of State is not part of the Ministry of Interior and Kingdom Relations, but has its own independent budget.
Poland: Minister of Finance. National Supervisory Board.
Romania: Ministry of Public Finances, Romanian Court of Accounts.
Slovakia: Other ministry - The Ministry of Finance. Inspection body - The Supreme audit office of the Slovak republic is entitled to control any of the budgetary subject.
Slovenia: The legal basis for the procedure for adoption of the budget are the Public Finance Act and the Regulation for the Basis and Procedures for the Preparation of the Proposal State Budget. The Supreme Court as the entity proposing the financial plans of all the courts has a specific role in this process. Although the Courts Act provides that “the volume of financial resources for the salaries of judges and judicial personnel, and for the operation costs of courts, shall be provided within the framework of the state budget of the Republic of Slovenia for all courts on the basis of financial plans of individual courts at the budget user, the Supreme Court of the Republic of Slovenia”, the Supreme Court has limited access to the first four phases, which are crucial. Once the priorities are set, it is impossible to reach important changes in the volume of financial resources during budget negotiations. During these four phases it is only the Ministry of Justice that can influence the decisions of the Government, but it has not sufficient knowledge of the needs of the courts, the Supreme Court has some influence only by informal ways. The Supreme Court enters the process between the fourth and fifth phase. It proposes a cross section of the budget quota specified by the Government of RS, regarding the judiciary for the following two years. The budget quotas are determined on the level of individual courts, whereby in addition to the initial rules determined by the budget manual, the following criteria are also taken into consideration: - level of the financial plan of the user for the current year; - semester realization of the financial plan of the user in the current year. The Supreme Court also prepares internal manuals for the users as well as internal forms for budgetary items, which may reflect any additional needs for funds along with a short explanation, which is used as a basis for subsequent negotiations with the Ministry of Finance. Then, each court prepares its own financial plan within the framework of the assigned quota in line with the budget items up to the level of a sub-account and submits it to the Supreme Court. During this process job allocation schedules are also prepared, because they have to be adjusted to the proposed budget. The Supreme Court examines every court's financial plan proposal and based on the gathered data and internal forms with appropriate explanations which reflect the additional needs of the users, prepares a new assessment of the needed funds to facilitate a smooth operation of the courts within the following two years. In addition, a complex analysis is prepared of the budgetary expenses and a dialogue is established between the users in regard to a concept for future negotiations. The negotiations with the Ministry of Finance may occur in several phases depending on the divergence between the posed requests on one hand and the possibilities or the constraints posed by Ministry of Finance. If the Ministry of Finance agrees, the additionally provided funds shall be distributed among the courts in line with the proposed priorities. However, if no agreement is reached, the proposed budget of the courts shall be submitted to Parliament, which takes the final decision.
Spain: At this question is needed a brief description about the territorial organization of Spain to identify the bodies involved in the budgetary process. Spain has a decentralized administrative structure divided into 17 Autonomous Regions and 2 autonomous cities, with wide legislative and executive powers, their own legislative assemblies and governing councils. The distribution of powers may be different among the regions, as laid out in their Statutes of Autonomy. The State is gradually transferring competences in the field of the administration of justice with the appropriate financial means to the Autonomous Regions, except for matters related to national corps (judges, prosecutors and secretarios judiciales/judicial secretaries). The State still holds powers in matters of justice in the Autonomous Regions where competences have not been transferred. Consequently, the budget allocated to courts within the scope of the Ministry of Justice is prepared by the Ministry itself, adopted by the Parliament, managed by the Ministry and lastly evaluated by the Parliament. In the Autonomous Regions holding powers in matters of justice, the role of the Ministry of Justice and the Parliament is played by the regional ministries and assemblies respectively.

Sweden: Other ministry: Ministry of Finance. Inspection body: Swedish National Audit office. Other: National Courts Administration

Tableau 1.6 (Q 61): Authorities entrusted with responsibilities related to the budget within the courts in 2012

Austria: The Presidents of the Higher regional Courts are entrusted with the individual court budget. The section “other” means the Federal Ministry of Justice
Belgium: The Ministry of Justice by the Justice Federal Public Service
Bulgaria: The persons responsible for the budget within the courts are the court administrator and the chief accountant
Croatia: The section “other” includes the Ministry of Justice of the Republic of Croatia and the court’s financial and accounting departments.
Cyprus: The accounting department of the Supreme Court is also responsible for the preparation and monitoring of the court Budget.
Czech Republic: Preparation of the budget, arbitration and allocation is the task of the Ministry of Justice.
Denmark: Other: The Danish Court Administration
Estonia: Other – The Ministry of Justice is also monitoring the budget of I and II instance courts. The Supreme Court's Management Board composed of the Chief Justice; Chairmen of the Chambers (Civil Chamber, Criminal Chamber and Administrative Law Chamber) and the administrative director evaluate the overall use of the Supreme Court's budget.
France: The court budget is prepared in close collaboration between the heads of jurisdiction (presiding judge and public prosecutor) and the Director of Registry (chief clerk) in charge of budget management. The credit assessment is centralized by the presidents of appeal courts for all courts within its jurisdiction. The persons responsible for the interregional budget, from one to four appellate courts, take turns in centralizing the needs of the courts of their territory and communicate them to the Legal Services Department of the Ministry of Justice for analysis and arbitration in relation to the funds of the parliament for all courts. The budget allocated to each manager and interregional budget is divided between the heads of the courts of appeal of the territory, who then divide between the ordinary courts under their jurisdiction (high courts, district courts , prud’hommes, etc ...). The chief clerk in charge of the budget ensures the daily management of the budget and reports on its use to the presiding judge and the prosecutor. The annual performance report contains a report to the parliament on the use of program funds, which explains the results achieved for all received funds. The review law closes the executed budget. The « other » instances in the table are the Legal Services Department of the Ministry of Justice, the officials responsible for the interregional budget and the parliament.
Greece: The government grant is administered by the three-member Grant Management Committee, which consists of members of the Court, appointed for a two-year term, following a decision of the relevant Court.
Hungary: The president of the National Office for the Judiciary performs the duties in connection with the financial management of the heading of courts and directs the internal control of the courts. The National Council of Justice (hereinafter: NCJ) forms an opinion on the proposal on the budget of the courts and on the report on the implementation of the budget, and controls the financial management of the courts. The State Audit Office, within the confines of the control of the financial management of the state finances audits the operation and the financial management of the headings of courts – which belong to the structure of the central budget.
Ireland: The Courts Service Board is assisted in evaluating expenditure of its budget by an Audit Committee and an independent audit unit. The Comptroller and Auditor General also has powers to enquire into the manner of expenditure of funds allocated to administration of the courts
Latvia: Management Board, in the Latvian judicial system Judicial Council - according to the Law on Judicial Power Judicial Council gives an opinion regarding the budget application for courts and land registry offices. The court clerk office is the Court administration. In the section "other" – the responsible of the "preparation of the budget" is the Ministry of Justice and in the section "evaluation and control of the use of the budget" for that is responsible also State Audit Office.
Lithuania: The Chairmen of the courts (Court Presidents) are the budget appropriation managers and are responsible for the budgets of their courts. Other – accountants of the courts.
Luxembourg: For the courts of the judiciary, the fiscal management is made by the Attorney General's Office together with the Ministry of Justice and the General Financial Services of the State. For the administrative courts it is made by the President of the Court together with the Ministry of Justice and the General Financial Services of the State. The Control lies with the Court of Auditors (2011 questionnaire).
Malta: The Budget of the Courts is drawn up by the Director General of Courts who prepares his annual budget on the expenses which the administration of the Court incurs from year to year, including investments and developments which have to be made. The members of the Judiciary are not involved in the drawing up and management of any budgets. As to the evaluation and control of the budget, as indicated before, the Office of the Auditor General is entrusted with evaluating the manner in which budgets of all Government Departments, including the one of Justice, is used.

Romania: The president of the court has such attributions, but he/she may delegate this competence to another person, who may be the economic manager. External control is ensured by the Ministry of Justice, through its Audit Unit, and by the Court of Audit.
Slovakia: other - Ministry of Justice. The president of the court together with the court administrative director prepare the draft of the court budget until the 15th November of the year preceding the year in which the budget for the following year is being prepared. The complete draft of the budget is prepared by the Ministry of justice for the whole judiciary (except the Supreme Court, who governs its own budget). The allocation of approved budget is made by the Ministry of justice to Regional courts, who allocate the budget to the District courts within their territorial authority.
Slovenia: Art. 61 of the Courts Act prescribes that the matters of court management shall be the responsibility of the president of the court and the secretary of the court, unless otherwise determined by this Act.
Spain: This question is not applicable to the Spanish judicial system as there is no public authority entrusted with such responsabilities.

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations in 2010 and 2012 (Q42)

States	First instance courts of general juridiction (general jurisdiction)		Specialised first instance courts		Total number of first instance courts in 2012	% of specialised first instance courts in 2012	All the courts (geographic locations)	
	2010	2012	2010	2012			2010	2012
Austria	154	154	7	7	161	4%	149	149
Belgium	27	27	263	262	289	91%	288	288
Bulgaria	NA	113	34	34	147	23%	184	70
Croatia	66	67	70	74	141	52%	154	158
Cyprus	6	6	11	14	20	70%	18	21
Czech Republi	86	86	NAP	NAP	86	NAP	98	98
Denmark	24	24	1	2	26	8%	29	29
Estonia	4	4	2	2	6	33%	22	22
Finland	27	27	11	11	38	29%	82	82
France	774	778	1 157	1 156	1 934	60%	630	640
Greece	462	402	4	NAP	402	NAP	462	402
Hungary	131	131	20	20	151	13%	157	157
Ireland	3	3	1	1	3*	NA	119	105
Italy	1 231	1 231	87	87	1 318	7%	1 378	1 378
Latvia	34	34	1	1	35	3%	48	48
Lithuania	59	59	5	5	64	8%	67	67
Luxembourg	5	5	5	3	8	38%	8	8
Malta	1	1	3	7	8	88%	2	2
Netherlands	19	19	2	1	20	5%	64	60
Poland	365	287	28	26	313	8%	705	827
Portugal	217	231	109	102	333	31%	336	318
Romania	235	233	10	10	243	4%	246	244
Slovakia	54	54	9	9	63	14%	64	64
Slovenia	55	55	5	5	60	8%	66	66
Spain	2 243	2 349	1 433	1 458	3 807	38%	749	763
Sweden	60	60	12	12	72	17%	95	95
TOTAL	**6 342**	**6 440**	**3 290**	**3 309**	**9 748**		**6 220**	**6 161**
Average	254	248	132	138	375	28%	239	237
Median	59	60	10	11	79	17%	109	97
Maximum	2 243	2 349	1 433	1 458	3 807	91%	1 378	1 378
Minimum	1	1	1	1	3	3%	2	2

* **Ireland:** The total number of 1st instance courts as legal entities is 3 (District, Circuit and High Court). There is 1 specialised court which is also a court of first instance (High Court jurisdiction), so the total of first instance court in 2012 is not equal to the sum of first instance court of general jurisdiction and specialised first instance court.

Table 2.2. Number of (legal entities) first instance specialized courts in 2012 (Q43)

States	Total	Commercial courts (excluded insolvency courts)	Insolvency courts	Labour courts	Family courts	Rent and tenancies courts	Enforcement of criminal sanctions courts	Fight against terrorism; organised crime and corruption	Internet related disputes	Administrative courts	Insurance and/or social welfare courts	Military courts	Other specialised first instance courts
Austria	7	2	0	1	0	0	2	0	0	0	1	0	2
Belgium	262	23	NA	21	NA	NA	NA	NA	NA	NA	NA	NA	218
Bulgaria	34	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	28	NAP	5	1
Croatia	74	7	NAP	1	NAP	NAP	NAP	NAP	NAP	4	NAP	NAP	62
Cyprus	14	NAP	NAP	1	3	3	NAP	NAP	NAP	NAP	NAP	1	NA
Czech Republic	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Denmark	2	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1
Estonia	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP
Finland	11	1	NAP	1	NAP	NAP	NAP	NAP	NAP	8	1	NAP	NAP
France	1156	143	NAP	216	NAP	NAP	NAP	NAP	NAP	42	115	NAP	640
Greece	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Hungary	20	NAP	NAP	20	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP
Ireland	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1
Italy	87	NAP	NAP	NAP	NAP	NAP	58	NAP	NAP	NAP	NAP	NAP	29
Latvia	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NA	NAP
Lithuania	5	0	0	0	0	0	0	0	0	5	0	0	0
Luxembourg	13	2	NAP	3	2	3	NAP	NAP	NAP	1	1	1	NAP
Malta	7	0	0	0	1	0	0	0	0	1	0	0	5
Netherlands	1	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Poland	26	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	17	NAP	9	NAP
Portugal	102	4	0	47	19	0	0	0	0	20	0	0	12
Romania	10	3	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	NAP	6	NAP
Slovakia	9	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	8	NAP	NAP	NAP
Slovenia	6	NAP	NAP	4	NAP	NAP	NAP	NAP	NAP	1	1	NAP	NAP
Spain	1458	65	NAP	345	103	NAP	17	NA	NAP	241	NAP	NAP	687
Sweden	12	NAP	NAP	1	NAP	8	NAP	NAP	NAP	NAP	NAP	NAP	3

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal in 2012 (Q 45)

country	Number of first instance court competent for a debt collection for small claims	Number of first instance court competent for a dismissal
Austria	141	16
Belgium	229	34
Bulgaria	NAP	NA
Croatia	73	66
Cyprus	6	3
Czech Republic	NAP	NAP
Denmark	NAP	NAP
Estonia	16	16
Finland	27	27
France	309	216
Greece	155	NA
Hungary	111	20
Ireland	102	NAP
Italy	846	385
Latvia	34	39
Lithuania	54	59
Luxembourg	3	3
Malta	2	2
Netherlands	51	51
Poland	245	245
Portugal	1	56
Romania	176	42
Slovakia	54	54
Slovenia	44	4
Spain	1745	345
Sweden	48	48

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases in 2012 (Q106 and Q106.1)

States	Role in civil and/or administrative cases?	Role in insolvency cases?
Austria	Yes	No
Belgium	Yes	Yes
Bulgaria	Yes	Yes
Croatia	Yes	Yes
Cyprus	Yes	No
Czech Republic	Yes	Yes
Denmark	No	No
Estonia	No	No
Finland	No	No
France	Yes	Yes
Greece	Yes	No
Hungary	Yes	Yes
Ireland	No	No
Italy	Yes	Yes
Latvia	Yes	No
Lithuania	Yes	Yes
Luxembourg	Yes	Yes
Malta	No	No
Netherlands	Yes	No
Poland	Yes	Yes
Portugal	Yes	Yes
Romania	Yes	No
Slovakia	Yes	Yes
Slovenia	Yes	No
Spain	Yes	No
Sweden	No	No
Yes	20	12
No	6	14

Comments - Indicator 2 The judicial organisation

Table 2.1 Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations in 2010 and 2012 (Q42)

Austria: If there is more than one court at one location (e.g regional court and county court in the same building) they are counted as one court.
Estonia: The number 22 reflects all different geographical locations of all the courts. There are: 4 courts of general jurisdiction of first instance that are divided in 17 courthouses that actually have 18 different locations; 2 specialised courts of first instance that are divided in 4 courthouses with 4 geographical locations; 2 courts of second instance with 2 geographical locations; 1 court of third instance (Supreme Court that reviews court judgements by way of cassation proceedings but is also the court of constitutional review). As some of these courts have the same geographical location (for example the county court, administrative court and circuit court in Tartu), the total number of geographical location is not 25 but 22.
Finland: In Finland there are 8 Administrative Courts, 1 Market Court, 1 Labour Court and 1 Insurance Court. Then there is the High Court of Impeachment that hears charges against Ministers (i.e. Members of the State Council), Chancellor of Justice, Parliamentary Ombudsman and Supreme Court Justices for unlawful conduct in office but it is convened only when necessary. There are altogether 82 courts (geographic locations) : 27 District Courts, 13 Branch offices of District Courts, 23 Auxiliary courtrooms of District Courts, 3 specialized courts, 8 Administrative Courts, 6 Courts of Appeal, The Supreme Court and The Supreme Administrative Court.
Italy: The figures provided at Q. 42-43 only concern courts administrated and financed by the Ministry of Justice. Moreover, in Italy specific matters (such as Labour, family,…) are dealt by specific divisions within the same Court. There are also 26 divisions called DDA (that is Direzioni Distrettuali Antimafia) which deal specifically with mafia and organized crime. Figures given at question Q.42 refer to the situation before the implementation of the review of judicial districts.
Latvia: In Latvia are district (city) courts – 34; Regional courts - 5 + 2 court houses; Administrative district court - 1 + 4 court houses; Administrative regional court – 1; Supreme court - 1
Luxembourg: Commercial and Family courts are organized at the district court level, whereas Labour courts and rent/tenancies courts are set at the justice of the peace level. This explains why the total sub 43, 1st line, is superior to the total in question 42.
Poland: There was a structural change concerning the District Courts – some of them were transformed into divisions of other courts.
Portugal: Directorate-General for Justice Administration (Direcção-Geral da Administração da Justiça).
Romania: First instance courts of general jurisdiction (legal entities)- total 233 composed of: First Instance Courts - 176; Tribunals - 42 Court of appeal- 15
Slovenia: The number given under question 43 is not the same as the one given under question 42.2, since there are 3 labour and 1 labour and social disputes court. Altogether (with the Administrative court) there are 5, but 1 is both labour and insurance / social welfare court. For that reason the sum is 6, although there are 5 specialised courts altogether.

Table 2.2 Number of (legal entities) first instance specialized courts in 2012 (Q 43)

Austria: Other specialised 1st Instance Courts: 2 civil law courts (in Vienna and Graz); the sum of the numbers in the categories exceeds the total number of specialised courts because the labour and social court in Vienna is one court that is competent for labor and (some) social welfare cases.
Belgium: Cinq tribunaux de première instance disposent de chambres spécialisées d'application de peines. On parle de tribunal d'application de peine, mais en réalité il s'agit d'une chambre spécialisée.
Dans "les autres" tribunaux spécialisés sont comptés les justices de paix (187) et les tribunaux de police (31).
Bulgaria: Specialized Criminal Court of the Republic of Bulgaria was established by the Law on amending the Law on the Judiciary, promulgated in State Gazette number 1/04.01.2011. In our country specialized courts with a view to the perpetrator of crimes are military courts and with a view to the subject of crime activity - administrative courts and specialized criminal court. Specialized Criminal Court is the only one in the country. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Specialized Criminal Court is treated as a District Court and is situated in Sofia. Criteria for determining the jurisdiction of the trials before the Specialized Criminal Court is the subject of the case, not the quality of the perpetrator. Subject matter jurisdiction of the Specialized Criminal Court and exhaustively listed cases for crimes are outlined in the provisions of Article 411 of the Criminal Procedural Code – basically crimes committed by organized criminal groups, or on behalf of them and following their decision, but also cases of crimes connected to the above - mentioned.
Croatia: Other specialized 1st instance courts are all misdemeanor courts and Municipal Criminal Court in Zagreb

Denmark: The Maritime and Commercial Court has been classified as a commercial court in the form above. However, it also deals to a great extent with insolvency cases (bankruptcies etc.), but not exclusively. So there is an overlap with the category 'Insolvency courts'. Other: The Land Registration Court.
Estonia: Estonia does not have any specialised court of first instance other than the administrative court. All these cases are dealt with by ordinary courts of first instance.
Finland: Q42.2 and Q43: the answer could also be 11(12). In Finland there are 8 Administrative Courts, 1 Market Court, 1 Labour Court and 1 Insurance Court. Then there is the High Court of Impeachment that hears charges against Ministers (i.e. Members of the State Council), Chancellor of Justice, Parliamentary Ombudsman and Supreme Court Justices for unlawful conduct in office but it is convened only when necessary.
France: The labor courts include 210 prud'hommes and 6 labor courts. The other specialized courts are: - first instance courts specialized in criminal matters: 3; - Local courts by the police courts: 3 - juvenile courts 155 – Disability litigation courts: 26 - Joint tenancies Courts: 281 - Courts of the enforcement of sentences : 50 - Courts of Military Pensions : 106 - Court for navigation on the Rhine 1 - Courts of maritime trade : 14 - Court of First Instance for the navigation of the Moselle: 1. It should be noted that the Paris Court of Army (TAAP) was abolished on 1 January 2012 and its functions were transferred to the division specializing in military matters of the tribunal de grande instance of Paris . The pole is now the sole jurisdiction in respect of offenses committed by or against French military in peacetime and outside the territory of the Republic.
Hungary: In Hungary the judicial system is structured in the following way: there are 111 generally competent district courts of first instance out of which the district courts in the seat of the regional courts have special competences in many cases. There are 20 administrative and labour courts in first instance, 20 regional courts – dealing with cases in first instance as well as appeals coming from administrative and labour courts in second instance; 5 regional courts of appeal – dealing with first instance cases coming from regional courts, third instance in criminal cases; the Curia – reviews legal remedies, appeals, adopts uniformity decisions, which are binding for all other courts, analyses final decisions to examine and explore judicial practice, publishes decisions on principles. The Curia passes decisions in cases where local government decrees violate legal rules, and reverse them, passes decisions in cases where the local government fails to legislate as laid down in the act on local governments.
Ireland: Other than distinctions between jurisdictional levels there is no specialisation - all judges within a court jurisdiction may be allocated to any category of case falling within the jurisdictional remit of the court concerned. In 2013 a new cadre of specialist judges was created in the Circuit Court with specific jurisdiction in relation to certain types of personal insolvency remedy and certain pre-trial order making powers.
Italy: Other: 29 Minor (or Juvenile) Courts. There are also specialized first instance courts which are not administered and financed by the Ministry of Justice: 29 Regional administrative courts; 21 Regional Audit Commissions; 103 Provincial Tax commissions; Military courts. The figures provided at Q. 42-43 only concern courts administrated and financed by the Ministry of Justice. Moreover, in Italy specific matters (such as Labour, family,…) are dealt by specific divisions within the same Court. There are also 26 divisions called DDA (that is Direzioni Distrettuali Antimafia) which deal specifically with mafia and organized crime.
Latvia: In Latvia only Administrative court as specialized court is established, therefore for all answers, except Administrative Courts and Military courts can be NAP. For Administrative court it is 1, and for military courts – NA. According to the Law on Judicial Power Article 1, part 3 judicial power in the Republic of Latvia is vested in district (city) courts, regional courts, the Supreme Court and the Constitutional Court, but in state of emergencies or during war – also military courts. The Military Courts Law shall regulate the activities of a military court.
Luxembourg: Commercial and Family courts are organized at the district court level, whereas labour courts and rent/tenancies courts are set at the justice of the peace level. This explains why the total sub 43, 1st line, is superior to the total in question 42.
Malta: At present there exist three specialized courts, namely the Family Court, the Court of First Instance and the Administrative Tribunal. There exist a couple of Tribunals, these being the Industrial Tribunal and the Small Claims Tribunal. There also exist several other Boards which exist, these being the Land Arbitration Board, Rural Leases Control Board, Value Added Tax Board, Partition of Inheritance Board and the Rent Regulation Board.
Netherlands: One specialised first instance court Trade and Industry Tribunal (College van Beroep voor het bedrijfsleven (CBb)
Portugal: Other specialised 1st instance courts include: Criminal Instruction Courts, Maritime Courts; Intelectual Property and Competition Court; Enforcement Courts.
Slovakia: 8 Regional courts - they are generally the courts of appeal acting in the appeal procedure against the decisions of the District courts within their local jurisdiction in the civil, commercial and the criminal cases. As the courts of first instance the Regional courts decide in the administrative matters and in the several types of civil cases,stipulated by the Code of the Civil proceedings. 1 Specialized Criminal court - the court competent to judge the grave criminal matters enumerated in the § 14 of the Code of the Criminal proceedings (e. g. premeditated murder, corruption, organised crime, severe economic crimes etc.)

Slovenia: The number given under question 43 is not the same as the one given under question 42.2, since there are 3 labour and 1 labour and social disputes court. Altogether (with the Administrative court) there are 5, but 1 is both labour and insurance / social welfare court. For that reason the sum is 6, although there are 5 specialised courts altogether.
Spain: Other first instance courts, with competence in concrete matters are: 380 Penal Courts; 17 Penal Courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile Courts; 1 Juvenile Enforcement Courts; 50 Prison Courts; 9 Capacity courts; 26 Civil Register Courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage Courts.

Table 2.3. Number of first instance courts competent for a debt collection for small claims/ a dismissal in 2012 (Q45)

Austria: € 10000,00
Belgium: Small claims concern claims of values under 1860 euros. 187 justices of the peace in 229 geographical locations; labor courts: districts seats and sections: 34; first instance courts: 27 geographic locations
Bulgaria: There is no national special procedure defining small claims but we are applying Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure.
Croatia: Small claims are disputes whose values do not exceed 10000 kunas.
Cyprus: 2000 EUROS
Czech Republic: There is no special definition for small claims, but applications will be inadmissible for appeal if the amount in dispute is lower than 10000 CZK (cca 398 EUR).
Denmark: With few exceptions, all cases start at district court level in Denmark. It does not matter if a case is a small claims collection, a dismissal or a robbery: it will start at a district court. When the district court deals with a small claims case in a civil case, the dispute may not exceed 50,000 Danish Kroner to be treated according to the regulation for small claims. If the claim is an enforcement case, the claim may not exceed 100,000 Danish Kroner to be treated as a small claims case.
Estonia: There are several meanings for small claims: claims with a value not exceeding 2000 euros. In this case the court may adjudicate the case by way of simplified proceedings, taking account of only the general principles of civil procedure. All courts of general jurisdictions are competent to solve these cases; - claims with a value not more than 6400 euros in payment order proceedings. It means that a claim against another party arising from a private law relationship directed at the payment of a certain sum of money can be adjudicated by way of expedited procedure of payment order. In 2008, claims of payment order proceedings could be filed to any general court. Since 2009, these claims can only be filed electronically and are resolved only in one courthouse. The number of courts competent for small claims is given according to the first definition of small claims (claim of 2000 euros adjudicated in simplified procedure). In Estonia there are 4 courts of general jurisdiction of first instance that have 17 courthouses. As one of these courthouses resolves only the applications of payment order proceedings, all types of cases, including debt collection for small claims, dismissal and robbery are adjudicated in 16 courthouses.
Finland: Small claims do not exist as a legal term in Finland. Undisputed civil matters can be dealt with in a summary proceeding.
France: (1) a small claim: debt for an amount less than € 4,000 currently under the jurisdiction of local courts, which are 309. Between € 4,000 and € 10,000, the district court has jurisdiction (that is to say 304 courts of first instance), (2) the labor court shall have jurisdiction in relation to dismissal, (3) precision on robberies with violence: the criminal court, namely the court of First instance ruling in criminal matters, is responsible for this crime. There are 161 TGI and 4 TPI.
Greece: There are 155 Magistrate Courts, where small claims up to 5.000 euro are discussed according to law 3994/2011.
Hungary: A small claim is a claim not exceeding one million HUF (3.413 EUR), under the jurisdiction of the local courts.
Ireland: Small claims encompass consumer small claims and business small claims. “Consumer small claim” means a civil proceeding instituted (1) in relation to a consumer contract, by the consumer against the vendor in respect of any goods or service purchased, which is not a claim; (a) arising from an agreement to which the Consumer Credit Act 1995 applies, or (b) arising from an alleged breach of a leasing agreement, (2) in relation to a tort, by the claimant (not being a body corporate) against the respondent in respect of minor damage caused to property belonging to the claimant but excluding personal injuries, (3) in relation to a tenancy, by the tenant (not being a body corporate) against the landlord in respect of the non-return of any sum paid by the tenant as rent deposit or "key money" unless such claim is a dispute that may be referred to the Private Residential Tenancies Board under Part 6 of the Residential Tenancies Act 2004. “Business small claim” means a civil proceeding instituted by a business purchaser against a business vendor in relation to a contract in respect of any goods or service purchased, but excluding any claim (a) arising from

an agreement to which the Consumer Credit Act 1995 applies, or (b) arising from an alleged breach of a leasing agreement, or (c) for debt or liquidated damages. The monetary value of a small claim may not exceed €2,000.
Italy: When the value of the claim is under 5.000 euros the case is heard by the Justice of Peace Courts (846). Dismissal and robbery cases are heard by the Tribunals (ie District courts). After the implementation of the review of judicial districts, the figures will be as follows: a debt collection for small claims 667; a dismissal 135; a robbery 135.
Latvia: Claims for recovery of money and recovery of support that do not exceed 1500 LVL (EUR 2134.31) on the day when the claim was submitted.
Lithuania: small claims are monetary claims up to 5000 Lt. (1448 EUR).
Luxembourg: Are considered as "small claims" any claim of a value up to 10.000,00 €.
Malta: The Small Claims Tribunal shall have jurisdiction to hear and determine only all money claims of an amount not exceeding three thousand and four hundred and ninety- four euro and six cents (3,494.06).
Netherlands: The difference in data with the previous cycle in 2010 is due to the fact that legal entities were considered and not geographic locations. Small claims and dismissal cases are dealt with at the 'kantons' (subdistrict courts).
Poland: Small civil claims: – property claims based on contracts and breach of contracts relations, with total value not exceeding 10. 000 PLN; - rent payment disputes in a housing matters; - court's deposits
Portugal: This procedure applies whenever a party wishes to confer an enforceable status on a request for fulfillment of pecuniary obligations arising from contracts amounting to no more than €15 000.
Romania: 200.000 RON, equivalent of 45351, 47 EUR. There is no other definition of small claims provided by the law, besides the monetary value of the claim. The new Civil Procedure Code (entered into force on 15th February 2013): In the context of modernization of special procedures with a view to clarify contentious situations quickly and effectively, as a new legislative provision, the new Civil Procedure Code also contains the procedure on low value claims. This latter procedure had as a legislative model the provisions of the European Parliament and Council Regulation no. 861/2007 establishing a European Small Claims Procedure, issued in order to simplify and accelerate cross-border litigation on low value claims. Unlike Regulation 861/2007, whose scope is limited to litigations reffering to claims with a value that does not exceed EUR 2,000, the proposed regulation applies to claims whose value does not exceed 10,000 lei.
Slovakia: Small claims are considered those whose values do not exceed EUR 1000 at the time when the claim is filed at the court, excluding all interests, expenses and disbursements. The value of small claims has increased since 1 January 2013 from EUR 500.
Slovenia: According to the Civil Procedure Act a small claim is one where the amount of dispute does not exceed 2000 EUR. Small claims disputes shall also include disputes on non-monetary claims in respect of which the plaintiff has declared his willingness to accept, instead of satisfaction the claim, a sum of money not exceeding 2000 EUR. Small claims disputes shall also include disputes on claims for delivery of movable property where the stated amount in dispute does not exceed 2000 EUR (Article 443). On the other hand small claim disputes shall not include disputes relating to immovable property, disputes arising out of copyright, disputes relating to the protection and use of inventions and marks of distinctiveness or to the right to use a company title, disputes relating to the protection of competition, and disputes for disturbance of possession (Civil Procedure Act, Article 444).
Spain: There are oral proceedings, small claims procedures up to 6000 euros.
Sweden: Simplified civil or small claims in Sweden called a civil case handled under Chapter 1. D § 3 of the Code, because the value of what is claimed in the case clearly does not exceed half of the base amount. The base amount is 44 000 SEK, so if the value does not exceed 22 000 SEK it is a small claim.

Table 2.4 Role of public prosecutor in civil and/or administrative cases and insolvency cases in 2012 (Q 106 and 106.1)

Austria: Only in few, certain, exactly defined cases, the public prosecutor has the right to file an action before a civil court to have a marriage declared null and void, inter alia in the case of bigamy or if the marriage was merely or predominantly concluded to obtain the nationality or the family name of one spouse by the other. Furthermore, the public prosecutor represents the public interest in judicial proceedings, with which a person is declared dead. Inter alia he has the opportunity to give a statement before such a decision and has to request the nullification or the amendment of such a declaration, if a person has been declared dead but still is alive or has died on a different day than the day stated in the declaration of death.
Belgium: The Public Prosecutor's role is defined in the following acts: section 764 of the Judicial Code, Article 6 of the Law of 8 August 1997 on bankruptcy, Article 7 of the Law of 8 August 1997 on bankruptcy , Article 31 of the Law of 8 August 1997 on bankruptcy , Article 36 of the Law of 8 August 1997 on bankruptcy , Article 60 of the Law of 8 August 1997 on bankruptcy , and section 489, 489bis , 489ter , 490bis and 492bis of the Penal Code (fraudulent bankruptcy), Articles 111 and following of the law of 8 August 1997 on bankruptcy ; the public prosecutor can intervene in all cases of offenses bankruptcy pursuant to Articles 489 and following of the Penal Code. The Public Prosecutor is also involved in professional prohibitions pursuant

to Royal Decree No. 22 on legal ban on certain convicts. The public prosecutor also intervenes in the public prosecution's appeals.

Bulgaria: According to the Civil Procedure Code the prosecutor may participate in proceedings, enjoy the rights of a party, in the cases provided for by a law. The prosecutor may not perform any steps which constitute disposition of the subject matter of the case. The prosecutor in civil cases has several roles, depending on the powers conferred to it by law. - Civil Procedure Code – cases for interdiction; cases for establishment of facts; cases for proceedings for a declaration of absence or death; - Family Code - in adoption proceedings; proceedings on termination of the adoption; proceedings for revocation or restriction of parental rights; - Law on Liability of State and Municipalities - proceedings in realizing the responsibility of state and local governments for damage caused to individuals and legal persons; - The Law on Child Protection - proceedings to return the child or for the exercise of rights of access; proceedings for recognition and enforcement of judgments of foreign courts and other foreign authorities; proceedings relating to parental rights and the measures to protect children; - Law on Forfeiture to the Exchequer of Unlawfully Acquired Assets – participation of the prosecutor; - Law on the Settlement of Collective Labour Disputes - proceedings to establish the illegality of the notice started or ended strike action of the employer or workers who strike; - Law on Civil Registration - proceedings on changing the name of the person who acquired or restored Bulgarian citizenship; - Law on Political Parties - registration procedures for registration of political party;

In many cases, the law gives the prosecutor an opportunity to initiate a civil lawsuit as a claim on behalf of the Prosecution: - Civil Procedure Code - cases for interdiction; challenge of acts issued within non-contentious proceedings; request the declaration of absence or death to be canceled or amended; proceedings for cancellation of registration; - Family Code - claim for annulment of marriage; appeal of the decision to allow the adoption; claim for termination of adoption in case of affecting public interest; appeal against a decision for international adoption; claim for restriction or termination of parental rights; appeal the actions of the guardianship and custody; - Law on Religious Denominations - Legal proceedings for the enforcement of restrictions against freedom of religion in explicitly stated assumptions; - Law on Energy Act - application for a declaration of nullity of decisions issued by companies in explicitly stated assumptions; - Law on Cooperation – claim for revocation or cancellation of a cooperation; claim for revocation of an European cooperate company; claim for repealing decisions and actions of the bodies of the cooperation; - Law on Community Centers – claim for annulment of the decision of the General Assembly; claim for revocation of community center; - Law on Political Parties Act - claim for judgment for dissolution of a political party; - Law on Commercial Register - claim for an establish inadmissibility or nullity of a recording, as well as for non-existence of a recorded circumstance; - Law on Non-profit Legal Entity – claim for revocation of legal entity; request for the exercise of judicial review of decisions of the general meeting of the company; - Commercial Law - claim for invalidation of a company; claim for revocation of company; claim for revocation of a European Economic Interest Grouping; - Law on Cadaster and Property Register – claim for challenging the registration and application for cancellation of registration in the Land Register; - The Law on Child Protection - claim for the imposition or termination of measures to protect the child; - Law on Health - request for accommodation and termination of compulsory treatment; - Law on Civil Registration - request for judgment for the compilation of birth or death certificate. The prosecutor may participate in administrative proceedings in the cases explicitly listed in the Administrative Procedure Code of the Republic of Bulgaria: The prosecutor ensures compliance with the law in the administrative process, such as: 1. take action to rescind illegal administrative and judicial acts; 3. as provided in this Code or any other law cases involved in administrative matters ; 3. starting or entering into already formed under this Code and proceedings where it considers that this is an important state or public interest. - The prosecutor exercises its legal rights under the rules established for the parties. During its participation in the administrative proceedings, the prosecutor gives conclusion. According to the Art. 127 of the Constitution of the Republic of Bulgaria the prosecution is obliged to ensure legality in the Republic of Bulgaria. The Law on the Judiciary provides the prosecutor to take action against the illegal acts of the administration. Prosecutors from the administrative departments at the district prosecutor's department "Supervision of legality, protection of public interests and rights of citizens" in the Supreme Administrative Prosecution Office in the pre-trial administrative process attacking the act of protest or a reasoned proposal to the authority issued the administrative act. In the event that the State Agency for Child Protection issues an unlawful administrative act by which concerns the rights and interests of child, the prosecutors in the Supervision of legality, protection of public interests and rights of citizens department take action to attack the act. But prosecutors of Administrative Judicial Supervision Department in the Supreme Administrative Prosecution Office take part in the judicial phase of the second instance to the Supreme Administrative Court on cases of a complaint by a citizen or other person seeking the annulment of an unlawful administrative act of the State Agency for Child Protection.

The prosecutor may be a part in insolvency proceedings as follows: - Law on Bank Insolvency - proceedings claimed by the Central Bank for opening insolvency procedure of a bank; - Insurance Code - insolvency of the insurance company; - Social Insurance Code - insolvency of company for supplementary social insurance.

Croatia: Q. 106: Yes, the State Attorney has a role in civil and/or administrative cases. Exceptionally, he/she can act when it comes to protecting general interests. Regularly, he/she is the legal representative of the state and its bodies; under the law, the State Attorney represents the Republic of Croatia, the Government, the ministries and other bodies and, as the legal representative, he/she is authorized to take all actions.
Q. 106.1: Yes. Acting as the representative of the Republic of Croatia according to law, on the proposal of the state bodies, most commonly the Ministry of Finance, Tax Administration submits proposals to the competent commercial courts to institute bankruptcy proceedings or files claims of government bodies in bankruptcy proceedings that have been initiated by other authorized persons.
Cyprus: it represents the government in cases filed against it and also appears before the court to support the administrative decision in recourses filed before the Supreme Court.
Czech Republic: The Public prosecutor's office is authorized to file a motion for opening civil proceedings or enter civil proceedings already opened in cases stipulated by law, for example: - the public prosecutor's office may file a motion for commencing civil proceedings on invalidity of a contract to transfer the title to property if the provisions restricting the freedom of contracting parties were disrespected at the moment of making the contract, - the public prosecutor's office may join civil proceedings already commenced in relation to: 1) determination whether parental consent to the child's adoption should be required, 2) the order for special institutional treatment of juveniles, or extension of such an institutional treatment, 3) suspension, limitation and deprivation or parental responsibility, 4) legal capacity, 5) declaration of the death of a person, 6) declaration of admissibility of taking or keeping of a person in a medical (health care) institution, 7) Commercial Register (registration of companies), 8) bankruptcy and composition cases including cases commenced as a result of bankruptcy proceedings. The public prosecutor may join the proceedings.
France: The Public Prosecutor deals with a significant number of non-criminal cases: personal status, management and discipline of certain professions, public recovery of alimony, monitoring business processes, and educational assistance to children at risk. This represents a load of about 700,000 non-criminal cases, which is about 14 % of the prosecutor's activities. The prosecutor has a role in civil cases. The Public Ministry can always act to protect public order. Records regarding filiation, guardianship and educational assistance are communicated to the public prosecutor for opinion. In terms of "bankruptcy" (read "insolvency proceedings"), the public prosecutor can act as an added party or as a main part is provided by specific law firms in difficulty provisions. Texts attributed thereto procedural prerogatives and the exclusive right to exercise certain remedies power. In general, its intervention helps to ensure compliance with the rules of law, which generally are binding, and the protection of the public economic order. The texts of the Commercial Code require the prosecution's opinion for a number of acts, and even impose his presence at hearings, for the most important decisions. He is the only one who can apply to the court for certain acts, such as the extension of a company's business beyond a certain period. Finally, he plays a key role in trade sanctions, both personal and heritage, without prejudice to the prosecution of criminal offenses or that he finds it denounced during insolvency proceedings .
Greece: Mainly in family law cases and temporary measures cases which concern the possession of real estate, when one of the litigants is the State or a public corporation or municipalities.
Hungary: The roles of the Public Prosecutor are defined in the Act CLXIII. of 2011 on the Prosecution Service which specifies: The duties of the Prosecution Service relating to the protection public interest; Prosecutorial participation in contentious and non-contentious procedures; Prosecutorial duties relating to certain legal entities and organisations without a legal personality; Prosecutorial duties relating to certain administrative procedures and institutions; Prosecutorial duties relating to cases of administrative offence.
Italy: The public prosecutor is a party to civil cases in which public interest is involved – such as cases related to status and capacity of persons, rights of minors, divorces, bankruptcy etc. Public prosecutors have a role in bankruptcy cases when public interest is involved. However, the public prosecutor is not a party to cases regarding private insolvency.
Latvia: Prosecutor in civil cases has rights to submit application in the court and appeal court decision if: 1) protection of State or local government rights and interests according to the law is required; 2) in case of a breach of rights of incapacitated adults, disabled persons, minors, prisoners or other persons having limited capacity to defend their rights; 3) breach of the law during inspection. The prosecutor, in the surveillance of law enforcement in misdemeanor cases, is entitled: to initiate proceedings on administrative violations, access to the file, examine the organs (officials) to the legality of records, participate in the proceeding, to submit applications, to give opinions on matters arising in the course of litigation, to examine the organs (officials) to the appropriate means of influencing the accuracy of administrative violations, to make representations on the decision of the case and a decision taken on the complaint to an administrative case, to suspend the execution of the decision.
Lithuania: The prosecutor's right to initiate the civil proceedings is established in Art. 49 of Civil Procedure Code of the Republic of Lithuania and Law of Prosecution Service of the Republic of Lithuania, which says that "The prosecutors shall protect the public interest, upon establishing a violation of a legal act, by which the rights and lawful interests of a person, society or the State are violated, and such a violation shall be treated as the violation of public interest, and state or municipal institution or agency, who is under the obligation to protect the said interest, failed to take any measures to rectify the violation, or in cases where

there is no such a competent institution". The prosecutor also has the right to initiate administrative proceedings, as it is prescribed in respective legal acts. Q106.1: When it is related to criminal bankruptcy.
Luxembourg: The public prosecutor assists to all hearings in insolvency matters and his opinion must be given before the court can retire to deliberate.
Netherlands: In certain civil cases, the public prosecutor has a role: e.g. he can prevent individuals to get married (e.g. if there is a suspicion of a sham marriage or bigamy or if one of the partners is too young or placed under supervision of a family guardian). Other examples are requests for a change of family name and requests for birth certificates (in case a certificate is missing, e.g. for a foundling). The public prosecutor can also give local authorities an order to rectify birth registers. He can request the court for a declaration of death of a (long term) missing person.
Poland: The public prosecutor's most significant function is to investigate crimes and support the charges before the criminal court. He also has the right to initiate any civil or administrative proceedings or join any pending proceedings when the protection of the rule of law requires (exceptions are set out by law – for example in divorce or separation proceedings). Prosecutor may initiate the insolvency procedure or plea to be the part of an ongoing procedure.
Portugal: In the civil area the Public Prosecution Service, in accordance to the provisions of its Statute (Law 60/98, of 27 August, art. 3, 5 and 6) and in the civil law (Code of Civil Procedure, art. 15, 16, 17 and 20) has the responsibility of representing, at the courts, the State, the Autonomous Regions, the autarchies, persons with incapacities (including minors), the uncertain, the absent, the workers and their families. Regarding the area of minors and family, we point out the promotion and protection cases, the tutelary cases, the civil tutelary cases (including paternity regulation actions, tutelary actions, adoption, and judicial delivery of minors), special cases of divorce by mutual consent/paternity regulation, unofficial inquiry actions (paternity, maternity or others). Concerning the labor area, we stand out the relevant and irreplaceable intervention of the Public Prosecution Service in the cases of work accidents and professional diseases. Besides these, it also intervenes in the labor executive cases (for judicial costs or not) and, as representative of the workers, in the proposition of labor actions. It also intervenes in the appeals of impugnation of decisions issued by administrative authorities in cases of labor actions. In the administrative field, the Public Prosecution Service (according to the provisions of Law 60/98, of 27 August, art. 1 and 3, in the Statute of the Administrative and Tax Courts, art. 51, and in the Procedural Code of the Administrative Courts, art. 9, n.2, art.11, n.2, art. 62, 73, ns. 3 and 4 and art. 85) represents the State in the courts (presenting and contesting actions) and intervenes in the public actions, that is, in the propositions in defense of diffuse interests and of the community. Besides having the power and in some cases the duty, of requiring the unlawfulness with legal force, it also has legitimacy to propose and to intervene in cases where the defense of property, assets or interests protected by the Constitution is at stake, such as public health, quality of life, environment, urbanism, planning of the national territory, cultural patrimony and assets belonging to the State, to the Autonomous Regions and to the local autarchies. The public prosecutor may lodge a claim after the insolvency procedures, participate in the meeting of creditors; and participate in qualifying insolvency as intentional or accidental, for the purpose of criminal prosecution.
Romania: Art. 131 par. (1) of the Constitution of Romania, according to which, in the judicial activity, the Public Ministry represents the general interests of the society and defends the legal order, as well as the citizens' rights and freedoms, the Romanian civil procedural system (Art. 45 of the former Civil Procedure Code) gives the following attributions to the prosecutor in civil matters: - promoting the civil proceedings (anytime it is necessary for the protection of the legal rights and interests of the minors, of the persons under interdictions and of the disappeared, as well as in other cases expressly stipulated by law); - the prosecutor's intervention in the civil trial (putting conclusions in any civil trial, in any phase of this one, if he considers it necessary for the protection of the legal order, of the citizens' rights and freedoms, as well as participation at proceedings and giving conclusions, when they are compulsory in cases expressly stipulated by law); - exercising the remedies against any judgments; - participating in the enforcement phase (requesting the enforcement of the judgments pronounced in favour of the minors, persons under interdiction and disappeared). - judicially declaring the death or disappearance of a natural person; - putting under interdiction natural persons; - creating/dissolving political parties; - registering/amending associations and foundations; - the cases concerning the convictions with political character (Law no. 221/2009); - placement measures and other measures for the minors protection; - annulling some forged documents in the cases in which the prosecutor ordered not to proceed to trial; - moving the civil cases; - participating at the judgment of the unconstitutionality exceptions at the Constitutional Court, - expropriation; - international child abduction; - contestations (partial) in electoral matter. In administrative matters, the forms of participation of the prosecutor at the settlement activity of contentious administrative disputes concern: - initiating the proceedings before the contentious administrative court [if the Public Ministry considers that infringement of legitimate rights, freedoms and interests of the persons was caused by individual unilateral administrative documents of the public authorities issued with excess of power; if the Public Ministry appreciates that by issuing a regulatory administrative document a legitimate public interest is harmed – Art. 1 par. (4) and (5) of the Law of contentious administrative no. 554/2004]; - the prosecutor's intervention in the contentious administrative dispute [the participation, in any phase of the trial, anytime he appreciates to be necessary for

the protection of the legal order, of citizens' rights and freedoms – Art. 1 par. (9) of the Law on contentious administrative no. 554/2004); introducing a request for the suspension of the regulatory administrative document, in the cases in which there is a major public interest, able to seriously trouble the functioning of an administrative public service – Art. 14 par. (3) of the Law on contentious administrative no. 554/2004)].

Slovakia: The public prosecutor has a role in both civil and administrative cases. In the civil cases the role and powers of the public prosecutor are provided for in Section 35 of the Civil Procedure Code. The public prosecutor may initiate the proceedings: a) if provided for by a special Act; b) when an examination of the legitimacy of a decision of administrative authorities is concerned in cases where the objections of the public prosecutor have not been met and under the conditions specified in this Act, c) when the inactivity of a state administration body is concerned in cases in which a notice of the public prosecutor has not been complied with, under conditions set in this Act, d) when lodging a claim of the State under special Act for releasing unjustified enrichment including economic benefit obtained from unfair sources is concerned, e) imposing institutional education on a person not criminally liable due to early age and who has committed an act that would otherwise be a criminal offence, f) when declaring the invalidity of an assignment or the transfer of ownership or determining ownership is concerned, and The General Prosecutor has a right to file a so called "extraordinary appellate review" against a final judicial decision in civil cases. The Supreme Court is competent to decide such remedy. The role of the prosecutor in administrative cases is complex and entails supervision over compliance with the law by public authorities carrying out public administration (including state governing authorities, municipal and other authorities). While performing these roles the public prosecutor has several remedies against the decisions and conduct of public authorities available. In general, if a public authority does not comply with the recommendation or remedy of the public prosecutor, he can propose that the case be ruled by the court in civil proceedings (pursuant to special provisions on administrative proceedings contained in the Civil Procedure Code).The prosecutor is entitled to enter any insolvency or settlement procedure.

Slovenia: Supreme state prosecutors can file a "request for protection of legality" against final judicial decisions in civil, administrative and minor offences cases – if there was a violation of law or proceedings.

Spain: In relation to civil and administrative cases, the functions of Public Prosecutor are as follows: - Ensures respect for fundamental rights and public freedoms by any measures required to defend them; - Act in civil proceedings required by law that affect public interest, minors´ interests, the disabled or underprivileged until the normal representation mechanism is provided; -Participates in proceedings concerning civil status and any other legally required procedure in defense of legality and the public or social interest; -Ensures the integrity of the jurisdiction and competence of the courts and tribunals by raising matters of conflicts of jurisdiction or, where applicable, of competence, and intervenes in cases of conflicts of jurisdiction brought forward by others.

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)

States	Pending cases on 1 Jan.'12. Total of other than criminal cases	Pending cases on 1 Jan.'12. Civil and commercial litigious cases	Pending cases on 1 Jan.'12. Civil and commercial non-litigious cases	Pending cases on 1 Jan.'12. Non-litigious enforcement cases	Pending cases on 1 Jan.'12. Non-litigious land registry cases	Pending cases on 1 Jan.'12. Non-litigious business registry cases	Pending cases on 1 Jan.'12. Administrative law cases	Pending cases on 1 Jan.'12. Other cases	Incoming cases. Total of other than criminal cases	Incoming cases. Civil and commercial litigious cases	Incoming cases. Civil and commercial non-litigious cases	Incoming cases. Non-litigious enforcement cases	Incoming cases. Non-litigious land registry cases	Incoming cases. Non-litigious business registry cases	Incoming cases. Administrative law cases	Incoming cases. Other cases	Resolved cases. Total of other than criminal cases	Resolved cases. Civil and commercial litigious cases
Austria	504 481	39 530	134 086	263 862	17 205	NA	NA	49 798	3 489 286	104 365	756 585	1 018 450	689 005	335 857	NA	585 024	3 476 472	104 977
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP	NA	762 164	NAP	NA	NA	NAP	NA	NAP	NA	NA
Bulgaria	74 505	NA	NA	NA	NA	NA	8 622	65 883	392 320	NA	NA	NA	NA	NA	28 726	363 594	387 832	NA
Croatia (1)	430 500	208 520	34 596	125 949	57 484	NA	NA	3 951	1 097 909	182 693	232 155	191 514	476 543	NA	12 011	2 993	1 119 696	173 631
Cyprus	42 179	NA	NA	NA	NA	NA	4 851	NA	36 868	NA	NA	NA	NA	NA	2 094	NA	32 092	NA
Czech Republic	522 186	166 919	31 337	12 482	NAP	NAP	NA	311 448	1 046 760	363 080	105 052	185 663	NAP	NAP	NA	392 965	1 190 182	358 886
Denmark	143 328	26 505	2 781	73 920	1 333	7 136	NA	28 748	2 628 863	46 213	4 436	367 464	2 071 492	14 694	NA	124 021	2 656 912	50 361
Estonia	66 242	10 418	13 554	NA	3 782	37 335	1 153	NAP	265 301	16 336	44 136	NA	91 218	110 756	2 855	NAP	295 674	18 370
Finland	111 788	9 829	75 099	347	NAP	NAP	19 203	7 310	524 352	10 320	475 607	1 157	NAP	NAP	27 579	9 689	497 063	10 653
France	1 654 187	1 415 720	10 829	58 279	NAP	NAP	169 359	NAP	2 185 753	1 688 929	91 935	226 398	NAP	NAP	178 491	NAP	2 189 186	1 675 838
Germany	4 966 112	798 265	NA	NA	NA	1 521 635	689 031	1 957 181	NA	1 573 220	NA	3 193 022	5 604 653	NA	686 985	1 518 404		1 578 891
Greece (2)	616 391	205 198	NA	NA	NA	NA	411 193	NA	709 644	645 339	NA	NA	NA	NA	64 305	NA	464 392	372 296
Hungary	NA	142 113	12 263	39 522	NAP	NA	6 483	56 882	1 129 126	432 443	69 781	177 075	NAP	385 241	12 595	51 991	1 176 429	454 369
Ireland (3)	NA	NA	NA	NAP	NAP	NAP	NA	NA	NA	NA	NA	NAP	NAP	NAP	NA	NA	NA	NA
Italy (4)	4 986 193	3 796 202	642 544	547 447	NAP	NAP	NA	NAP	4 010 588	1 559 779	1 929 572	521 237	NAP	NAP	NA	NAP	4 346 215	2 047 289
Latvia	39 466	30 954	2 961	NAP	NAP	NAP	5 551	NAP	70 540	35 097	31 472	NAP	NAP	NAP	3 971	NAP	75 540	39 044
Lithuania	35 363	27 830	NA	176	NA	NA	2 974	4 383	280 708	180 921	NA	4 307	NA	NA	8 068	87 412	282 163	181 877
Luxembourg	NA	5 072	NA	NA	NA	NA	NA	NA	NA	4 718	937	NA	NA	NA	1 615	NA	NA	8 155
Malta	9 805	9 457	NA	NA	NA	NA	348	NA	4 507	4 161	NA	NA	NA	NA	346	NA	4 875	4 736
Netherlands	279 460	NA	NA	NAP	NAP	NAP	48 010	NAP	1 258 187	NA	NA	NAP	NAP	NAP	114 930	NAP	1 243 457	159 165
Poland	1 431 356	382 664	577 465	140 844	204 376	20 595	21 837	83 575	10 045 154	1 066 935	3 899 687	900 397	3 194 947	610 397	72 160	300 631	10 100 564	944 559
Portugal	1 595 259	355 821	NA	1 239 438	NAP	NAP	NA	NA	718 369	369 178	NA	349 191	NAP	NAP	NA	NA	689 351	360 694
Romania	700 844	566 796	4 234	40 578	1 454	4 619	83 163	NA	1 841 892	NA	23 380	479 214	2 099	810	229 619	NA	1 758 565	1 091 430
Slovakia	289 064	128 073	67 553	1 520	NAP	6 224	7 883	77 811	638 571	161 645	139 125	659	NAP	96 186	18 797	222 159	580 653	131 856
Slovenia	344 760	45 417	18 370	181 744	43 587	839	2 416	52 387	910 717	37 637	31 711	218 961	303 965	50 144	3 174	265 125	963 652	39 379
Spain	NA	1 299 099	59 995	NA	NAP	NAP	335 512	NAP	NA	1 761 051	183 225	NA	NAP	NAP	196 995	NAP	NA	1 754 816
Sweden	85 228	30 917	8 505	NAP	NAP	NAP	42 654	3 152	197 441	65 418	22 800	NAP	NAP	NAP	103 745	5 478	200 774	64 651

(1) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

(2) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

(3) Ireland: data for Ireland are not available due to the manner of which the statistics are recorded in Irish system"

(4) Italy: The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.

States22	Resolved cases. Civil and commercial non-litigious cases	Resolved cases. Non-litigious enforcement cases	Resolved cases. Non-litigious land registry cases	Resolved cases. Non-litigious business registry cases	Resolved cases. Administrative law cases	Resolved cases. Other cases	Pending cases on 31 Dec.'12. Total of other than criminal cases	Pending cases on 31 Dec.'12. Civil and commercial litigious cases	Pending cases on 31 Dec.'12. Civil and commercial non-litigious cases	Pending cases on 31 Dec.'12. Non-litigious enforcement cases	Pending cases on 31 Dec.'12. Non-litigious land registry cases	Pending cases on 31 Dec.'12. Non-litigious business registry cases	Pending cases on 31 Dec.'12. Administrative law cases	Pending cases on 31 Dec.'12. Other cas
Austria	753 118	1 033 529	664 726	335 857	NA	584 265	517 295	38 918	137 553	248 783	41 484	NA	NA	50 557
Belgium	NAP	NA	NA	NAP	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	NA	NA	NA	NA	26 462	361 370	78 993	NA	NA	NA	NA	NA	10 886	68 107
Croatia (1)	247 217	211 643	479 099	NA	4 936	4 170	408 713	217 582	20 534	105 820	54 928	NA	7 075	2 774
Cyprus	NA	NA	NA	NA	1 550	NA	46 955	NA	NA	NA	NA	NA	5 395	NA
Czech Repub	104 934	193 150	NAP	NAP	NA	533 212	378 764	171 113	31 455	4 995	NAP	NAP	NA	171 201
Denmark	4 591	390 159	2 070 365	15 366	NA	125 486	120 108	22 804	2 662	54 886	2 460	6 852	NA	27 580
Estonia	46 041	NA	92 043	136 207	3 013	NAP	35 558	8 393	11 434	NA	2 957	11 884	890	NAP
Finland	447 961	1 140	NAP	NAP	27 852	9 457	139 077	9 496	102 745	364	NAP	NAP	18 930	7 542
France	93 417	229 551	NAP	NAP	190 380	NAP	1 650 754	1 428 811	9 347	55 126	NAP	NAP	157 470	NAP
Germany	NA	NA	NA	91 557	698 569	1 519 898		792 633	NA	NA	NA	1 548 638	677 437	1 902 862
Greece (2)	NA	NA	NA	NA	92 096	NA	861 643	478 241	NA	NA	NA	NA	383 402	NA
Hungary	69 946	192 368	NAP	394 348	13 599	51 799	NA	120 187	12 098	24 229	NAP	NA	5 479	57 074
Ireland (3)	NA	NAP	NAP	NAP	NA	NA	NA	NA	NA	NAP	NAP	NAP	NA	NA
Italy (4)	1 787 697	511 229	NAP	NAP	NA	NAP	4 650 566	3 308 692	784 419	557 455	NAP	NAP	NA	NAP
Latvia	31 288	NAP	NAP	NAP	5 208	NAP	34 466	27 007	3 145	NAP	NAP	NAP	4 314	NAP
Lithuania	NA	4 273	NA	NA	7 914	88 099	33 908	26 874	NA	210	NA	NA	3 128	3 696
Luxembourg	937	NA	NA	NA	1 127	NA	NA	1 635	0	NA	NA	NA	NA	NA
Malta	NA	NA	NA	NA	139	NA	9 437	8 882	NA	NA	NA	NA	555	NA
Netherlands	972 185	NAP	NAP	NAP	112 107	NAP	285 340	NA	NA	NAP	NAP	NAP	50 010	NAP
Poland	4 054 364	890 032	3 240 327	603 887	71 865	295 530	1 375 396	505 040	422 221	151 229	158 992	27 106	22 132	88 676
Portugal	NA	328 657	NAP	NAP	NA	NA	1 624 277	364 305	NA	1 259 972	NAP	NAP	NA	NA
Romania	24 013	460 821	2 187	816	179 298	NA	780 893	578 043	3 601	58 971	1 366	5 428	133 484	NA
Slovakia	136 360	779	NAP	95 900	8 865	206 893	346 982	157 862	70 318	1 400	NAP	6 510	17 815	93 077
Slovenia	32 809	229 120	334 006	50 506	3 667	274 165	291 825	43 675	17 272	171 585	13 546	477	1 923	43 347
Spain	184 107	NA	NAP	NAP	243 718	NAP	NA	1 270 383	57 993	NA	NAP	NAP	285 005	NAP
Sweden	21 937	NAP	NAP	NAP	108 724	5 462	81 895	31 684	9 368	NAP	NAP	NAP	37 675	3 168

Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance in 2012 (Q 91)

States (2012 data)	CR Total non crim cases	CR Civil&com litig case	CR Civil&com nonlit cases	CR Enforceme nt cases	CR Land registry cases	CR Business reg cases	CR Admin law cases	CR Other cases	DT Total non Crim cases	DT Civil&com litig case	DT Civil&com nonlit cases	DT Enforceme nt cases	DT Land registry cases	DT Business reg cases	DT Admin law case	DT Other cases
Austria	100%	101%	100%	101%	96%	100%		100%	54	135	67	88	23			32
Belgium																
Bulgaria	99%						92%	99%	74						150	69
Croatia (1)	102%	95%	106%	111%	101%		41%	139%	133	457	30	182	42		523	243
Cyprus	87%						74%		534						1 270	
Czech Republic	114%	99%	100%	104%				136%	116	174	109	9				117
Denmark	101%	109%	103%	106%	100%	105%		101%	17	165	212	51	0	163		80
Estonia	111%	112%	104%		101%	123%	106%		44	167	91		12	32	108	
Finland	95%	103%	94%	99%			101%	98%	102	325	84	117			248	291
France	100%	99%	102%	101%			107%		275	311	37	88			302	
Germany		100%					102%	100%		183				6 174	354	457
Greece (2)	65%	58%					143%		677	469					1 520	
Hungary	104%	105%	100%	109%		102%	108%	100%		97	63	46			147	402
Ireland (3)																
Italy (4)	108%	131%	93%	98%					391	590	160	398				
Latvia	107%	111%	99%				131%		167	252	37				302	
Lithuania	101%	101%		99%			98%	101%	44	54		18			144	15
Luxembourg		173%	100%				70%			73	0					
Malta	108%	114%					40%		707	685					1 457	
Netherlands (5)	99%						98%		84						163	
Poland	101%	89%	104%	99%	101%	99%	100%	98%	50	195	38	62	18	16	112	110
Portugal	96%	98%		94%					860	369		1 399				
Romania	95%		103%	96%	104%	101%	78%		162	193	55	47	228	2 428	272	
Slovakia	91%	82%	98%	118%		100%	47%	93%	218	437	188	656		25	733	164
Slovenia	106%	105%	103%	105%	110%	101%	116%	103%	111	405	192	273	15	3	191	58
Spain		100%	100%				124%			264	115				427	
Sweden	102%	99%	96%				105%	100%	149	179	156				126	212

(1) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

(2) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

(3) Ireland: data for Ireland are not available due to the manner of which the statistics are recorded in Irish system"

(4) Italy: The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.

(5) The Netherlands also provided measured disposition time (and not the calculated disposition time):

First instance administrative cases: 266 days.
Second instance non criminal cases: 399 days.
Second instance administrative cases: 518 days.

Table 3.2. bis Clearance rate and disposition time in different types of non-criminal cases in first instance in 2010 (Q 91)

States (2010 data)	CR Total non crim cases	CR Civil&com litig cases	CR Civil&com nonlit cases	CR Enforcement cases	CR Land registry cases	CR Business reg cases	CR Admin law cases	CR Other cases	DT Total non Crim cases	DT Civil&com litig cases	DT Civil&com nonlit cases	DT Enforcement cases	DT Land registry cases	DT Business reg cases	DT Admin law cases	DT Other cases
Austria	100%	100%	102%	99%	100%			100%	54	129	66	90	10			30
Belgium																
Bulgaria	99%						98%	99%	67						113	64
Croatia (1)	112%	102%	96%	94%	105%		108%	87%	133	462	40	249	50		825	344
Cyprus	84%	84%					74%	95%	545	513					1 340	336
Czech Republic	95%	103%	101%	100%				87%	115	128	105	17				153
Denmark	107%	102%	110%	102%	102%	95%		100%	27	182	278	88	5	266		88
Estonia	111%	98%	116%		100%		91%		120	215	87		0		146	
Finland	101%	93%	101%	100%			99%	96%	98	259	77	121			238	203
France	99%	98%	100%	97%			107%		256	279	36	102			338	
Germany		102%					96%	94%		184					373	469
Greece (2)	79%	79%					80%		510	190					2 003	
Hungary	107%	102%	115%	96%		106%	96%	93%	79	160	5	112			202	328
Ireland																
Italy	109%	118%	97%	94%					395	493	162	413				
Latvia	96%	86%	102%				96%		139	330	19				472	
Lithuania	107%	102%					83%	100%	43	55					160	16
Luxembourg	165%	139%					93%		159	200					172	
Malta	88%	89%			118%		29%		866	849			1 965		2 758	
Netherlands	101%						107%		68						159	
Poland	100%	95%	97%	97%	105%	101%	95%	95%	49	180	33	43	32	13	121	117
Portugal	88%	102%		73%					1 096	417		2 185				
Romania	91%	90%	99%	98%	108%		71%		156	217	59	37	235		269	
Slovakia	106%	98%	105%	424%		126%	102%	103%	170	364	178	551		32	66	147
Slovenia	100%	98%	97%	103%	98%	100%	123%	98%	180	431	218	324	68	5	205	41
Spain	88%	94%	102%	65%			102%		473	289	133	1 242			433	
Sweden	93%	98%	101%				88%	106%	185	187	144				190	271

(1) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

(2) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)

States (2012 vs 2010 change)	CR Total non crim cases	CR Civil&com litig cases	CR Civil&com nonlit cases	CR Enforcement cases	CR Land registry cases	CR Business reg cases	CR Admin law cases	CR Other cases	DT Total non crim cases	DT Civil&com litig cases	DT Civil&com nonlit cases	DT Enforcement cases	DT Land registry cases	DT Business reg cases	DT Admin law cases	DT Other cases
Austria	-1%	0%	-3%	2%	-3%			0%	0%	5%	1%	-2%	135%			5%
Belgium																
Bulgaria	0%						-6%	0%	11%						33%	8%
Croatia (1)	-9%	-7%	10%	18%	-5%		-62%	61%	0%	-1%	-23%	-27%	-16%		-37%	-29%
Cyprus	3%						0%		-2%						-5%	
Czech Republic	20%	-4%	-1%	4%				56%	1%	36%	4%	-44%				-23%
Denmark	-5%	7%	-6%	4%	-2%	10%		1%	-39%	-9%	-24%	-42%	-90%	-39%		-8%
Estonia	0%	15%	-10%				16%		-63%	-22%	5%				-26%	
Finland	-6%	11%	-7%	-1%			2%	1%	5%	26%	8%	-4%			4%	43%
France	1%	1%	2%	5%			0%		7%	12%	1%	-14%			-11%	
Germany		-2%					6%	7%		0%					-5%	-3%
Greece (3)	-17%	-27%					79%		33%	147%					-24%	
Hungary	-3%	3%	-13%	13%		-4%	13%	7%		-40%	1108%	-59%			-27%	23%
Ireland (2)																
Italy (4)	0%	11%	-5%	5%					-1%	20%	-1%	-4%				
Latvia	12%	30%	-3%				37%		20%	-23%	98%				-36%	
Lithuania	-6%	-1%					18%	1%	1%	-2%					-10%	-2%
Luxembourg		25%					-25%			-63%						
Malta	23%	28%					41%		-18%	-19%					-47%	
Netherlands	-2%						-9%		22%						2%	
Poland	1%	-7%	7%	2%	-4%	-2%	5%	3%	2%	8%	14%	44%	-44%	22%	-7%	-6%
Portugal	9%	-4%		30%					-22%	-12%		-36%				
Romania	4%		3%	-2%	-4%		11%		4%	-11%	-7%	28%	-3%		1%	
Slovakia	-14%	-17%	-7%	-72%		-21%	-54%	-10%	28%	20%	6%	19%		-23%	1005%	12%
Slovenia	6%	7%	7%	2%	12%	1%	-6%	6%	-39%	-6%	-12%	-16%	-78%	-24%	-7%	41%
Spain		6%	-1%				21%			-9%	-13%				-1%	
Sweden	9%	1%	-5%				18%	-6%	-19%	-5%	8%				-33%	-22%

(1) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

(2) Ireland: data for Ireland are not available due to the manner of which the statistics are recorded in Irish system"

(3) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

(4) Italy: The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.

Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)

States	Pending cases on 1 Jan.'12. Litigious divorce cases	Pending cases on 1 Jan.'12. Employment dismissal cases	Pending cases on 1 Jan.'12. Insolvency	Pending cases on 1 Jan.'12. Robbery cases	Pending cases on 1 Jan.'12. Intentional homicide cases	Incoming cases. Litigious divorce cases	Incoming cases. Employment dismissal cases	Incoming cases. Insolvency	Incoming cases. Robbery cases	Incoming cases. Intentional homicide cases	Resolved cases. Litigious divorce cases	Resolved cases. Employment dismissal cases	Resolved cases. Insolvency	Resolved cases. Robbery cases	Resolved cases. Intentional homicide cases	Pending cases on 31 Dec.'12. Litigious divorce cases	Pending cases on 31 Dec.'12. Employment dismissal cases	Pending cases on 31 Dec.'12. Insolvency	Pending cases on 31 Dec.'12. Robbery cases	Pending cases on 31 Dec.'12. Intentional homicide cases
Austria	2 920	NA	11 557	14	11	6 354	NA	26 152	5 893	758	6 444	NA	26 344	5 828	755	2 830	NA	11 365	79	14
Belgium	NA	NA	NA	NA	NA	37 497	NA	NA	NA	NA	37 635	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	3 009	1 076	887	593	74	6 221	2 491	1 583	1 466	163	6 632	2 489	1 311	1 497	166	2 598	1 078	1 159	562	71
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	3 450	1 382	NA	NA	NA	7 195	1 005	NA	NA	NA	7 267	638	NA	NA	NA	3 378	1 749	NA	NA	NA
Czech Republic	13 150	NA	30 331	NA	NA	30 025	NA	33 083	NA	NA	30 557	NA	11 382	NA	NA	12 965	NA	52 032	NA	NA
Denmark	2 257	NAP	6 300	NA	NA	5 219	NAP	8 199	NA	NA	5 497	NAP	9 024	NA	NA	2 000	NAP	5 820	NA	NA
Estonia	263	283	289	65	4	652	331	1 152	193	15	598	320	1 099	212	17	316	277	312	39	2
Finland	11 706	559	2 135	106	18	17 075	577	3 359	498	60	17 696	647	3 261	380	61	11 085	489	2 233	224	17
France	NA	NA	NA	NA	NA	92 864	124 434	55 561	NA	NA	92 659	130 478	47 942	4 224	400	NA	NA	NA	NA	NA
Germany	NA	26 968	NA	NA	NA	NA	101 369	NA	NA	NA	190 258	144 293	NA	7 170	734	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	16 416	3 389	62	1 282	370	27 394	5 119	124	2 184	491	30 676	5 364	135	2 118	532	13 134	3 144	51	1 348	329
Ireland (1)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	34 114	NA	85 736	2 053	275	19 287	NA	12 577	4 953	176	18 174	NA	11 909	4 688	209	35 227	NA	86 404	2 318	243
Latvia	1 602	108	3 493	249	37	2 070	152	1 921	243	50	2 287	185	1 454	248	61	1 385	75	3 960	244	36
Lithuania	946	146	4 253	366	140	7 831	394	3 717	768	172	8 275	477	3 618	833	205	502	63	4 352	301	107
Luxembourg	NA	NA	NA	NA	NA	NA	2 343	NA	NA	NA	NA	1 824	1 029	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	6 118	4 676	NA	3 757	817	NA	NA	NA	NA	NA
Poland	42 786	11 102	794	NA	NA	90 933	22 070	4 589	NA	NA	89 217	20 924	4 390	NA	NA	44 750	12 249	993	NA	NA
Portugal	7 627	6 448	3 568	NA	NA	9 638	7 897	20 776	NA	NA	9 975	8 659	19 969	2 850	131	7 290	5 686	4 375	NA	NA
Romania	20 926	3 041	48 643	640	349	42 582	3 274	57 956	1 929	925	44 261	3 581	55 825	1 961	667	19 247	2 734	50 774	608	607
Slovakia	7 181	NA	341	NA	NA	13 749	1 616	1 505	NA	NA	13 647	1 317	1 395	NA	NA	7 283	NA	451	NA	NA
Slovenia	1 068	622	3 667	157	17	1 954	1 038	2 669	151	12	1 999	1 003	1 778	154	16	1 023	657	4 558	154	13
Spain	37 586	38 417	20 306	NA	NA	49 330	147 404	10 290	NA	NA	47 572	108 570	4 763	NA	NA	37 472	64 705	25 647	NA	NA
Sweden	5 535	NA	NA	NAP	NAP	8 972	NA	NA	NAP	NAP	8 824	NA	NA	NAP	NAP	5 683	NA	NA	NAP	NAP

(1) Ireland: data for Ireland are not available due to the manner of which the statistics are recorded in Irish system"

Table 3.5.Clearance rate and Disposition time in first instance insolvency cases in 2012 (Q101)

States (2012 data)	CR - Insolvency cases	DT - Insolvency cases
Austria	101%	157
Belgium	NA	NA
Bulgaria	83%	323
Croatia	NA	NA
Cyprus	NA	NA
Czech Republic	34%	1 669
Denmark	110%	235
Estonia	95%	104
Finland	97%	250
France	86%	NA
Germany	NA	NA
Greece	NA	NA
Hungary	109%	138
Ireland (1)		
Italy	95%	2 648
Latvia	76%	994
Lithuania	97%	439
Luxembourg	NA	NA
Malta	NA	NA
Netherlands	NA	NA
Poland	96%	83
Portugal	96%	80
Romania	96%	332
Slovakia	93%	118
Slovenia	67%	936
Spain	46%	1 965
Sweden	NA	NA

(1) Ireland: data for Ireland are not available due to the manner of which the statistics are recorded in Irish system"

Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)

States	Pending cases on 1 Jan.'12. Total of other than criminal cases	Pending cases on 1 Jan.'12. Civil and commercial litigious cases	Pending cases on 1 Jan.'12. Civil and commercial non-litigious cases	Pending cases on 1 Jan.'12. Non-litigious enforcement cases	Pending cases on 1 Jan.'12. Non-litigious land registry cases	Pending cases on 1 Jan.'12. Non-litigious business registry cases	Pending cases on 1 Jan.'12. Administrative law cases	Pending cases on 1 Jan.'12. Other cases	Incoming cases. Total of other than criminal cases	Incoming cases. Civil and commercial litigious cases	Incoming cases. Civil and commercial non-litigious cases	Incoming cases. Non-litigious enforcement cases	Incoming cases. Non-litigious land registry cases	Incoming cases. Non-litigious business registry cases	Incoming cases. Administrative law cases
Austria	6 284	NA	NA	NA	NA	NA	NA	NA	29 919	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP	NA	30 598	NAP	NA	NA	NAP	NA
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia (2)	101 122	68 552	NA	NA	NA	NA	32 568	NA	89 558	85 606	NA	NA	NA	NA	3 982
Cyprus	1 918	1 148	NA	NA	NA	NA	619	NA	1 076	515	NA	NA	NA	NA	288
Czech Republic	57 634	14 537	NAP	NAP	NAP	NA	8 509	30 331	172 886	89 388	NAP	NAP	NAP	NA	8 148
Denmark	2 751	2 751	NA	NA	NA	NAP	NA	NA	7 805	7 805	NA	NA	NA	NAP	NA
Estonia	1 284	533	115	NA	NAP	NAP	636	NAP	4 143	1 825	898	NA	NAP	NAP	1 420
Finland	1 997	1 748	131	87	NAP	NAP	NA	31	3 633	2 731	569	249	NAP	NAP	NA
France	264 198	224 664	11 211	NA	NAP	NA	28 323	NAP	265 158	206 339	30 325	NA	NAP	NA	28 494
Greece (1)	89 875	38 192	NA	NA	NA	NA	51 683	NA	53 496	25 360	NA	NA	NA	NA	28 136
Hungary	14 630	8 318	4 040	177	NAP	45	460	1 590	52 532	23 451	19 728	664	NAP	203	1 761
Ireland	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA	NA	NA	NAP	NAP	NA
Italy	531 410	528 418	2 992	NA	NAP	NAP	NA	NAP	160 832	156 965	3 867	NA	NAP	NAP	NA
Latvia	5 762	3 428	21	NA	31	NAP	2 222	60	10 130	5 664	162	NA	182	NAP	3 748
Lithuania	8 765	5 164	NA	NA	NA	NA	2 100	1 501	23 324	14 623	NA	NA	NA	NA	3 482
Luxembourg	NA	1 483	NAP	NAP	NAP	NAP	91	NAP	NA	1 269	NAP	NAP	NAP	NAP	292
Malta	1 134	1 134	NA	NAP	NAP	NAP	NA	NA	990	990	NA	NAP	NAP	NAP	NA
Netherlands	28 220	NA	NA	NAP	NAP	NAP	13 020	NA	26 839	NA	NA	NAP	NAP	NAP	11 006
Poland	43 509	16 468	3 538	0	0	114	13 596	9 793	215 523	128 986	21 232	0	0	492	19 892
Portugal	5 493	NA	NA	NA	NAP	NAP	NA	NA	19 056	NA	NA	NA	NAP	NAP	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	17 493	NA	NA	NA	NAP	NA	8	NA	55 256	NA	NA	NA	NAP	NA	29
Slovenia	6 430	4 071	NA	2 288	56	NA	NA	15	20 659	10 293	NA	8 789	578	NA	NA
Spain	NA	83 971	NA	NA	NAP	NAP	32 556	NAP	NA	158 065	NA	NA	NAP	NAP	26 263
Sweden	14 214	927	NAP	NAP	NAP	NAP	11 784	1 503	41 573	2 818	NAP	NAP	NAP	NAP	25 452

(1) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

(2) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

States2	Incoming cases. Other cases	Resolved cases. Total of other than criminal cases	Resolved cases. Civil and commercial litigious cases	Resolved cases. Civil and commercial non-litigious cases	Resolved cases. Non-litigious enforcement cases	Resolved cases. Non-litigious land registry cases	Resolved cases. Non-litigious business registry cases	Resolved cases. Administrative law cases	Resolved cases. Other cases	Pending cases on 31 Dec.'12. Total of other than criminal cases	Pending cases on 31 Dec.'12. Civil and commercial litigious cases	Pending cases on 31 Dec.'12. Civil and commercial non-litigious cases	Pending cases on 31 Dec.'12. Non-litigious enforcement cases	Pending cases on 31 Dec.'12. Non-litigious land registry cases	Pending cases on 31 Dec.'12. Non-litigious business registry cases	Pending cases on 31 Dec.'12. Administrative law cases	Pending cases on 31 Dec.'12. Other cases
Austria	NA	30 589	NA	NA	NA	NA	NA	NA	NA	5 614	NA	NA	NA	NA	NA	NA	NA
Belgium	NAP	NA	NA	NAP	NA	NA	NAP	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia (2)	NA	94 481	76 556	NA	NA	NA	NA	17 925	NA	96 229	77 604	NA	NA	NA	NA	18 625	NA
Cyprus	NA	719	325	NA	NA	NA	NA	116	NA	2 275	303	NA	NA	NA	NA	791	NA
Czech Republic	33 083	152 488	87 208	NAP	NAP	NAP	NA	7 976	11 382	78 032	16 717	NAP	NAP	NAP	NA	8 681	52 032
Denmark	NA	7 363	7 363	NA	NA	NA	NAP	NA	NA	3 193	3 193	NA	NA	NA	NAP	NA	NA
Estonia	NAP	4 048	1 822	899	NA	NAP	NAP	1 327	NAP	1 374	536	114	NA	NAP	NAP	724	NAP
Finland	84	3 812	2 920	595	239	NAP	NAP	NA	58	1 818	1 559	105	97	NAP	NAP	NA	57
France	NAP	263 746	204 319	30 258	NA	NAP	NA	29 169	NAP	265 610	226 684	11 278	NA	NAP	NA	27 648	NAP
Greece (1)	NA	39 203	19 711	NA	NA	NA	NA	19 492	NA	105 371	45 044	NA	NA	NA	NA	60 327	NA
Hungary	6 725	52 936	23 668	19 409	661	NAP	205	1 909	7 084	14 226	8 101	4 359	180	NAP	43	312	1 231
Ireland	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA	NA	NA	NAP	NAP	NA	NA
Italy	NAP	168 276	163 967	4 309	NA	NAP	NAP	NA	NAP	523 966	521 416	2 550	NA	NAP	NAP	NA	NAP
Latvia	374	10 390	6 213	171	NA	201	NAP	3 411	394	5 502	2 879	12	NA	12	NAP	2 559	40
Lithuania	5 219	24 579	13 999	NA	NA	NA	NA	4 312	6 268	7 510	5 788	NA	NA	NA	NA	1 270	452
Luxembourg	NAP	NA	1 312	NAP	NAP	NAP	NAP	214	NAP	NA	1 836	NAP	NAP	NAP	NAP	170	NAP
Malta	NA	542	542	NA	NAP	NAP	NAP	NA	NA	1 582	1 582	NA	NAP	NAP	NAP	NA	NA
Netherlands	NA	27 298	NA	NA	NAP	NAP	NAP	10 871	NA	27 490	NA	NA	NAP	NAP	NAP	13 100	NA
Poland	44 921	200 797	121 722	19 889	0	0	479	17 195	41 512	58 235	23 732	4 935	0	0	127	16 293	13 202
Portugal	NA	19 319	NA	NA	NA	NAP	NAP	NA	NA	5 230	NA	NA	NA	NAP	NAP	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	NA	51 282	NA	NA	NA	NAP	NA	27	NA	21 467	NA	NA	NA	NAP	NA	10	NA
Slovenia	999	20 984	10 505	NA	8 971	503	NA	NA	1 005	6 105	3 859	NA	2 106	131	NA	NA	9
Spain	NAP	NA	153 656	NA	NA	NAP	NAP	29 288	NAP	NA	88 791	NA	NA	NAP	NAP	28 653	NAP
Sweden	13 303	43 999	2 807	NAP	NAP	NAP	NAP	28 060	13 132	11 788	938	NAP	NAP	NAP	NAP	9 176	1 674

Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases in 2012 (Q97)

States (2012 data)	CR Total non crim cases	CR Civil&com litig cases	CR Civil&com nonlit cases	CR Enforcement cases	CR Land registry cases	CR Business reg cases	CR Admin law cases	CR Other cases	DT Total non crim cases	DT Civil&com litig cases	DT Civil&com nonlit cases	DT Enforcement cases	DT Land registry cases	DT Business reg cases	DT Admin law cases	DT Other cases
Austria	102%								67							
Belgium																
Bulgaria																
Croatia (3)	105%	89%					450%		372	370					379	
Cyprus	67%	63%					40%		1 155	340					2 489	
Czech Republic	88%	98%					98%	34%	187	70					397	1 669
Denmark	94%	94%							158	158						
Estonia	98%	100%	100%				93%		124	107	46				199	
Finland	105%	107%	105%	96%				69%	174	195	64	148				359
France	99%	99%	100%				102%		368	405	136				346	
Greece (2)	73%	78%					69%		981	834					1 130	
Hungary	101%	101%	98%	100%		101%	108%	105%	98	125	82	99		77	60	63
Ireland																
Italy	105%	104%	111%						1 137	1 161	216					
Latvia	103%	110%	106%		110%		91%	105%	193	169	26		22		274	37
Lithuania	105%	96%					124%	120%	112	151					108	26
Luxembourg		103%					73%			511					290	
Malta	55%	55%							1 065	1 065						
(1)	102%						99%		368						440	
Poland	93%	94%	94%			97%	86%	92%	106	71	91			97	346	116
Portugal	101%								99							
Romania																
Slovakia	93%						93%		153						135	
Slovenia	102%	102%		102%	87%			101%	106	134		86	95			3
Spain		97%					112%			211					357	
Sweden	106%	100%					110%	99%	98	122					119	47

(1) The Netherlands also provided measured disposition time (and not the calculated disposition time):
First instance administrative cases: 266 days.
Second instance non criminal cases: 399 days.
Second instance administrative cases: 518 days.

(2) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

(3) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)

States	Pending cases on 1 Jan.'12. Total of other than criminal cases	Pending cases on 1 Jan.'12. Civil and commercial litigious cases	Pending cases on 1 Jan.'12. Civil and commercial non-litigious cases	Pending cases on 1 Jan.'12. Non-litigious enforcement cases	Pending cases on 1 Jan.'12. Non-litigious land registry cases	Pending cases on 1 Jan.'12. Non-litigious business registry cases	Pending cases on 1 Jan.'12. Administrative law cases	Pending cases on 1 Jan.'12. Other cases	Incoming cases. Total of other than criminal cases	Incoming cases. Civil and commercial litigious cases	Incoming cases. Civil and commercial non-litigious cases	Incoming cases. Non-litigious enforcement cases	Incoming cases. Non-litigious land registry cases	Incoming cases. Non-litigious business registry cases	Incoming cases. Administrative law cases	Incoming cases. Other cases
Austria	693	NA	NA	NA	NA	NA	NA	NA	2 483	NA	NA	NA	NA	NA	NA	NA
Belgium	1 272	NA	NAP	NA	NAP	NAP	NA	NA	1 272	NA	NAP	NA	NAP	NAP	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA	5 338	5 984	31 905	NA	NA	NA	NA	NA	15 718	16 187
Croatia	7 435	NA	NA	NA	NA	NA	NA	NA	7 440	NA	NA	NA	NA	NA	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Czech Republic	5 100	4 111	NA	NA	NAP	NAP	983	6	7 665	3 914	NA	NA	NAP	NAP	3 714	37
Denmark	352	NA	NAP	NAP	NAP	NAP	NA	NAP	324	NA	NAP	NAP	NAP	NAP	NA	NAP
Estonia	58	41	NA	NA	NAP	NAP	17	NAP	273	183	NA	NA	NAP	NAP	90	NAP
Finland	4 730	364	NAP	NAP	NAP	NAP	3 941	425	5 509	960	NAP	NAP	NAP	NAP	3 947	602
France	27 533	20 666	NA	NA	NA	NA	6 867	NA	30 833	21 798	NA	NA	NA	NA	9 035	NA
Greece (1)	980	980	NA	NA	NA	NA	NA	NA	1 712	1 712	NA	NA	NA	NA	NA	NA
Hungary	NA	1 240	25	NA	NAP	6	1 048	830	NA	2 571	374	NA	NAP	31	1 824	979
Ireland	NA	241	NAP	NAP	NAP	NAP	NA	NAP	NA	605	NAP	NAP	NAP	NAP	NA	NAP
Italy	95 593	95 124	NA	NAP	NAP	NAP	NA	469	29 128	28 766	NA	NAP	NAP	NAP	NA	362
Latvia	1 180	NA	NA	NA	NA	NA	NA	NA	1 576	NA	NA	NA	NA	NA	NA	NA
Lithuania	244	230	NA	NA	NA	NA	NA	14	825	687	NA	NA	NA	NA	NA	138
Luxembourg	81	NA	NAP	NAP	NAP	NAP	NA	NAP	111	NA	NAP	NAP	NAP	NAP	NA	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	1 676	NA	NA	NA	NA	NA	NA	NA
Poland	22 872	NA	NA	NA	NA	NA	13 596	NA	21 550	NA	NA	NA	NA	NA	19 892	NA
Portugal	599	NA	NA	NA	NAP	NAP	NA	NA	2 524	NA	NA	NA	NAP	NAP	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	2 475	NA	NA	NA	NAP	NAP	1 236	NAP	8 554	NA	NA	NA	NAP	NAP	3 421	NAP
Slovenia	2 479	1 699	NAP	NAP	NAP	NAP	378	402	3 030	1 384	NAP	NAP	NAP	NAP	1 215	431
Spain	NA	7 566	NA	NA	NAP	NAP	12 322	NAP	NA	8 069	NA	NA	NAP	NAP	5 909	NAP
Sweden	3 630	176	NAP	NAP	NAP	NAP	2 410	1 044	11 369	343	NAP	NAP	NAP	NAP	7 310	3 716

(1) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

States2	Resolved cases. Total of other than criminal cases	Resolved cases. Civil and commercial litigious cases	Resolved cases. Civil and commercial non-litigious cases	Resolved cases. Non-litigious enforcement cases	Resolved cases. Non-litigious land registry cases	Resolved cases. Non-litigious business registry cases	Resolved cases. Administrative law cases	Resolved cases. Other cases	Pending cases on 31 Dec.'12. Total of other than criminal cases	Pending cases on 31 Dec.'12. Civil and commercial litigious cases	Pending cases on 31 Dec.'12. Civil and commercial non-litigious cases	Pending cases on 31 Dec.'12. Non-litigious enforcement cases	Pending cases on 31 Dec.'12. Non-litigious land registry cases	Pending cases on 31 Dec.'12. Non-litigious business registry cases	Pending cases on 31 Dec.'12. Administrative law cases	Pending cases on 31 Dec.'12. Other cases
Austria	2 249	NA	NA	NA	NA	NA	NA	NA	882	NA	NA	NA	NA	NA	NA	NA
Belgium	1 141	NA	NAP	NA	NAP	NAP	NA	NA	1 403	NA	NAP	NA	NAP	NAP	NA	NA
Bulgaria	34 630	NA	NA	NA	NA	NA	16 282	18 348	8 597	NA	NA	NA	NA	NA	4 774	3 823
Croatia	5 940	NA	NA	NA	NA	NA	NA	NA	8 935	NA	NA	NA	NA	NA	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Czech Republic	8 356	5 000	NA	NA	NAP	NAP	3 347	9	4 409	3 025	NA	NA	NAP	NAP	1 350	34
Denmark	381	NA	NAP	NAP	NAP	NAP	NA	NAP	293	NA	NAP	NAP	NAP	NAP	NA	NAP
Estonia	263	187	NA	NA	NAP	NAP	76	NAP	68	36	NA	NA	NAP	NAP	32	NAP
Finland	5 388	841	NAP	NAP	NAP	NAP	3 928	619	4 851	483	NAP	NAP	NAP	NAP	3 960	408
France	30 005	20 874	NA	NA	NA	NA	9 131	NA	28 361	21 590	NA	NA	NA	NA	6 771	NA
Greece (1)	1 851	1 851	NA	NA	NA	NA	NA	NA	1 754	1 754	NA	NA	NA	NA	NA	NA
Hungary	NA	2 426	360	NA	NAP	19	1 625	1 074	NA	1 385	39	NA	NAP	18	1 247	735
Ireland	NA	255	NAP	NAP	NAP	NAP	NA	NAP	NA	591	NAP	NAP	NAP	NAP	NA	NAP
Italy	25 012	24 637	NA	NAP	NAP	NAP	NA	375	99 709	99 253	NA	NAP	NAP	NAP	NA	456
Latvia	1 274	NA	NA	NA	NA	NA	NA	NA	1 482	NA	NA	NA	NA	NA	NA	NA
Lithuania	739	605	NA	NA	NA	NA	NA	134	330	312	NA	NA	NA	NA	NA	18
Luxembourg	69	NA	NAP	NAP	NAP	NAP	NA	NAP	91	NA	NAP	NAP	NAP	NAP	NA	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	1 688	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	25 013	NA	NA	NA	NA	NA	17 195	NA	19 409	NA	NA	NA	NA	NA	16 293	NA
Portugal	2 608	NA	NA	NA	NAP	NAP	NA	NA	515	NA	NA	NA	NAP	NAP	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	7 171	NA	NA	NA	NAP	NAP	2 997	NAP	3 858	NA	NA	NA	NAP	NAP	1 660	NAP
Slovenia	3 732	1 766	NAP	NAP	NAP	NAP	1 297	669	1 777	1 317	NAP	NAP	NAP	NAP	296	164
Spain	NA	8 333	NA	NA	NAP	NAP	9 910	NAP	NA	7 302	NA	NA	NAP	NAP	8 084	NAP
Sweden	11 057	348	NAP	NAP	NAP	NAP	6 900	3 809	3 942	171	NAP	NAP	NAP	NAP	2 820	951

Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases in 2012 (Q99)

States (2012 data)	CR Total non crim cases	CR Civil&com litig cases	CR Civil&com nonlit cases	CR Enforcement cases	CR Land registry cases	CR Business reg cases	CR Admin law cases	CR Other cases	DT Total non DTim cases	DT Civil&com litig cases	DT Civil&com nonlit cases	DT Enforcement cases	DT Land registry cases	DT Business reg cases	DT Admin law cases	DT Other cases
Austria	91%								143							
Belgium	90%								449							
Bulgaria	109%						104%	113%	91						107	76
Croatia	80%								549							
Cyprus																
Czech Republic	109%	128%					90%	24%	193	221					147	1 379
Denmark	118%								281							
Estonia	96%	102%					84%		94	70					154	
Finland	98%	88%					100%	103%	329	210					368	241
France	97%	96%					101%		345	378					271	
Greece (1)	108%	108%							346	346						
Hungary		94%	96%			61%	89%	110%		208	40			346	280	250
Ireland		42%								846						
Italy	86%	86%						104%	1 455	1 470						444
Latvia	81%								425							
Lithuania	90%	88%						97%	163	188						49
Luxembourg	62%								481							
Malta																
Netherlands	101%															
Poland	116%						86%		283						346	
Portugal	103%								72							
Romania																
Slovakia	84%						88%		196						202	
Slovenia	123%	128%					107%	155%	174	272					83	89
Spain		103%					168%			320					298	
Sweden	97%	101%					94%	103%	130	179					149	91

(1) Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

Table 3.10. Average length of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide) in days in 2012 (Q102)

States	% of decisions subject to appeal-litigious divorce cas	% of decisions subject to appeal-employment dismissal cases	% of decisions subject to appeal-insolvency	% of decisions subject to appeal-robbery case	% of decisions subject to appeal-intentional homicide	% of pending cases more than 3 years-litigious divorce cases	% of pending cases more than 3 years-employment dismissal cases	% of pending cases more than 3 years-insolvency	% of pending cases more than 3 years-robbery case	% of pending cases more than 3 years-intentional homicide
Austria	NA	NA	NA	NA	NA	1	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	8	68	44	37	93	NA	NA	NA	NA	NA
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Denmark	21	NA	NA	NA	NA	0	NA	NA	NA	NA
Estonia	1	20	14	36	53	1	0	2	0	0
Finland	0	52	1	NA	NA	0	NA	NA	NA	NA
France	11	64	3	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	3	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Latvia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	NA	NA	NA	NA	NA	1	5	20	8	7
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	0	NA	NA
Poland	NA	NA	NA	NA	NA	1	NA	10	NA	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	4	34	8	0	59	0	0	3	0	0
Slovakia	NA	29	NA	21	43	NA	NA	NA	NA	NA
Slovenia	5	35	29	36	56	0	4	16	27	29
Spain	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	NA	NA	NA	NAP	NAP	0	NA	NA	NAP	NAP

States2	Average length in first instance- litigious divorce cas	Average length in first instance- employment dismissal case	Average lenght in first instance- insolvency	Average length in first instance- robbery cases	Average length in first instance- intentional homicide	Average length in second instance- litigious divorce cases	Average length in second instance- employment dismissal case	Average length in second instance- insolvency	Average length in second instance- robbery cases	Average length in second instance- intentional homicide
Austria	161	158	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	455	NA	529	227	339
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	178	NA	NA	NA	NA	247	NA
Denmark	150	NA	NA	NA	NA	270	NA	NA	NA	NA
Estonia	180	295	100	93	132	56	143	48	61	58
Finland	240	291	219	150	123	NA	NA	NA	NA	NA
France	636	543	690	259	NA	380	466	358	317	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	676	NA	2 566	NA	NA	486	NA	NA	NA	NA
Latvia	249	234	570	271	234	112	144	52	66	185
Lithuania	50	144	355	165	256	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA
Netherlands	102	49	710	42	130	227	NAP	NAP	302	302
Poland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	300	330	60	300	330	90	120	60	90	90
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	208	256	350	537	596	48	99	24	112	161
Spain	283	143	1 044	654	1 069	301	256	NA	191	217
Sweden	234	NA	NA	NAP	NAP	NA	NA	NA	NAP	NAP

States3	Average length in third instance-litigious divorce cas	Average length in third instance-employment dismissal cases	Average length in third instance-insolvency	Average length in third instance-robbery case	Average length in third instance-intentional homicide	Average total length of the total procedure-litigious divorce cases	Average total length of the total procedure-employment dismissal cases	Average total length of the total procedure-insolvency	Average total length of the total procedure-robbery cases	Average total length of the total procedure-intentional homici
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA	NA	NA	182	154
Denmark	NAP	NA	NA	NA	NA	176	NA	NA	NA	NA
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
France	NAP	NAP	NAP	NAP	NAP	676	838	701	295	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NA	NA	1 071	191	237	NA	NA	NA	NA	NA
Latvia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NAP	NA	NA	NA	NA	NAP	NA	NA	NA
Netherlands	NA	NA	NAP	NA	NA	329	NA	NA	344	432
Poland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	60	120	60	60	60	NA	NA	NA	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	NAP	NAP	NAP	NAP	NAP	150	NA	217	254	257
Slovenia	127	329	373	154	132	NA	NA	NA	577	846
Spain	NA	411	NA	NA	292	NA	NA	NA	NA	NA
Sweden	NA	NA	NA	NAP	NAP	NA	NA	NA	NAP	NAP

Table 3.10. bis Calculation method of the length of proceedings (Q104)

States	
Austria	The figure mentioned for litigious divorces is showing precisely only this kind of procedure. The figure for Employment dismissal cases is taken from the average length (median) of litigious procedures in civil labour categories as they go along with. The figures concerning the length of procedure are calculated as follows: Median length in months x 4,33 x 7. % of pending cases for more than 3 years: pending cases for more than 3 years divided by incoming cases = 1,4%
Belgium	La durée moyenne de traitement des affaires de divorce contentieuses et non contentieuses ne tient pas compte des omissions d'office. Dans notre système judiciaire, une affaire civile peut être clôturée par omission d'office du rôle. Seules les affaires qui sont inscrites au rôle depuis trois ans et dont les débats n'ont pas été ouverts ou n'ont plus été continués depuis plus de trois ans peuvent être omises d'office, si les parties ne s'y opposent pas. La durée de l'output concerne les affaires pour lesquelles une décision mettant un terme à l'affaire (décision définitive) a été prise pendant la période statistique. Elle représente le nombre de jours entre l'inscription et la décision définitive. Moyenne et médiane La durée moyenne est la moyenne de toutes les durées. Pour la calculer, la somme de toutes les durées est divisée par le nombre d'affaires. Lorsqu'il y a un déséquilibre entre les durées, par exemple lorsqu'un grand nombre d'affaires affichent une courte durée et un petit nombre d'affaires s'étendent sur une très longue durée, la médiane constitue un meilleur indicateur pour la durée d'une affaire moyenne. La durée médiane est la durée centrale de toutes les affaires. La moitié des affaires durent moins longtemps que la médiane, l'autre moitié plus longtemps. Par exemple, pour les cinq affaires dont la durée est de 50, 60, 70, 80 et 150 jours, la durée moyenne est de 82 jours et la durée médiane est de 70 jours. Actuellement, la durée médiane n'est pas encore disponible.
Bulgaria	NA
Croatia	Proceedings begin when the party to the proceedings submits submission to the competent court. The proceedings end when the court renders final decision on the case.
Cyprus	NA
Czech Republic	From filing the action until the decision is legaly effective - in days.
Denmark	Divorce cases: 1st instance is one weighted average figure from the district courts. Similarly is average length in 2nd instance the weighted average figure of the two high courts and thereto is added the weighted average figure of the district courts. The average total length is the weighted average figure of the district courts multiplied with the percentage of these cases that is resolved within the district courts added with the weighted average figure of the two high courts multiplied with the percentage these cases is of the number of finished cases in the district courts.
Estonia	The length of the proceeding is calculated for all of the five categories by the same method. The period measured is the time between the acceptance of the case by the court and the final decision made by the court of the respective instance. Then the arithmetic mean is calculated taking into account all proceedings of the category.
Finland	The length of proceedings is calculated from the day of the beginning of lis pendens until the day when the judicial decision is given. Timeframes are calculated via automated case management system which provides information about the duration of procedures in every single case as necessary.
France	En matière civile : de la date de saisine de la juridiction à la date de la décision dessaisissant la juridiction. Pour les divorces contentieux, cette durée inclut le temps de réflexion laissé aux époux entre l'ordonnance de non conciliation et l'introduction de l'instance en divorce soit environ 22 % de la durée moyenne. En matière pénale : de la date des faits à la date de la condamnation.
Greece	NA
Hungary	The calculation of the length of the proceedings based on the related Rules of the National Council of Justice. In criminal cases that are under process the duration of the procedure shall be counted from the date of the submission of the initiating document. In case of criminal procedure where the proceedings of first or second instance are re-instituted due to repealing the original decision, the duration of the procedure shall be counted from the date of the original date of the submission of the case. The length of the suspension of the case should be deducted from the duration. In case of retrial and supervision of the case, in the reinitiated procedure the length of the basic procedure should not be taken into account. In civil cases that are under process the the duration of the procedure shall be counted from the date of the submission of the initiating document to the court that provides the data. In civil procedures where the proceedings of first or second instance are re-instituted due to repealing the original decision, the duration of the procedure shall be counted from the date of the original date of the submission of the case. The length of the suspension of the case should be deducted from the duration. In case of retrial and supervision of the case, in the reinitiated procedure the length of the basic procedure should not be taken into account.
Ireland	From the time that papers are lodged in the court, there may be significant delays which have nothing to do with the courts, before the legal teams, prosecutors, etc actually seek a date for hearing of the case. It is not possible to calculate the length of proceedings using the definition set out above.
Italy	Average length (in first and second instance) has been calculated using the following formula: L = (Initial Pending cases + Final Pending cases) / (Incoming cases + Resolved cases) Average length in 3rd instance (in days) is the actual average length of the proceedings.

Latvia	The length of proceedings is given as table, where all proceedings are separated by six month periods. To calculate average length of proceeding, a weighted arithmetic mean is derived from the table, which further is multiplied by 30.
Lithuania	The length of proceedings is calculated from the date of a case is received in a court until the court delivers a decision.
Luxembourg	NA
Malta	NA
Netherlands	Length of proceedings in civil cases (first instance) is calculated from date of administrative proceeding/appointment (rolzitting) till the date of the final judgment.
Poland	The length of proceeding is calculated approximately (in months) with a use of statistical indicator of outstanding cases - which is the ratio of cases not completed in a specific period (month) to the average number of incoming cases in that period. The system is designed first of all to identify category of pending cases due to a specific periods of pending proceedings. Statistical table groups the cases in categories that were pending for 3 months period, 6 months, 1 year, 2 years, 5 years and over this period.
Portugal	The average duration of completed cases corresponds to the time between the entry of the proceedings and the date of the final decision (judgement or order) at the respective instance, regardless of "res judicata". In the area of criminal justice, only the trial duration is considered.
Romania	The length of proceedings is not calculated in an average number of days, but within intervals of time (e.g. between 0 – 6 months x cases, between 6 months – 1 year y cases...more than 3 years, z cases). In 2012, a new software was implemented that can indicate the length in days for the cases at the Courts of Appeal. The 5 categories are cases in the competence of the Courts of Appeal. Starting with 2013 the average length of trials can be calculated for the Tribunals and starting with 2014 for the first instance courts.
Slovakia	The length of proceedings is calculated from the date of lodging the case to the final valid decision, it means, that it includes the length of the proceedings before both first instance and appeal court.
Slovenia	The average length of the court proceedings of each category given is calculated as arithmetic mean of the lengths of all the proceedings of a certain category resolved in the year observed, wherein the length of each proceeding is calculated in number of days counted from the date of initiation/lodging of the proceeding up to the date of its resolution. Arithmetic mean is calculated by the formulae as follows: "Ya = (y1 + y2 + ... + yN) / N", wherein Ya is arithmetic mean of the lengths of the proceedings, y1 is length of proceeding No 1, y2 is length of proceeding No 2, yN is length of proceeding No N and N is the number of all proceedings.
Spain	In relation to litigous divorce cases and employment dismissal cases, the lenght of proceedings in first instance is calculated by a mathematic model that takes into account the number of incoming, pending and resolved cases at the end of the year and gives an estimate of the average length of cases filed each year. As for other cases, a different calculation method is used, by a sampling of the judgements filed in the Documentary Judicial Center of the General Council of the Judiciary.
Sweden	Average length of proceedings in divorce cases is calculated from the date when the application of summons is received by the court until the date of the judgment.

Table 3.11.2012 caseload in the EU

	Number of incoming cases per 100 inhabitants, 2012						Number of pending cases per 100 inhabitants, 31 December 2012					
States (2012 data)	OTC	CC total	CC Lit	CC N-Lit	ENF	ADM	OTC	CC total	CC Lit	CC N-Lit	ENF	ADM
Austria	41,3	10,2	1,2	9,0	12,1	NA	6,1	2,1	0,5	1,6	2,9	NA
Belgium	NA	NA	6,8	NAP	NA	NA	NA	NA	NA	NAP	NA	NA
Bulgaria	5,4	NA	NA	NA	NA	0,4	1,1	NA	NA	NA	NA	0,1
Croatia	25,8	9,7	4,3	5,4	4,5	0,3	9,6	5,6	5,1	0,5	2,5	0,2
Cyprus	4,3	NA	NA	NA	NA	0,2	5,4	NA	NA	NA	NA	0,6
Czech Republic	10,0	4,5	3,5	1,0	1,8	NA	3,6	1,9	1,6	0,3	0,0	NA
Denmark	46,9	0,9	0,8	0,1	6,6	NA	2,1	0,5	0,4	0,0	1,0	NA
Estonia	20,6	4,7	1,3	3,4	NA	0,2	2,8	1,5	0,7	0,9	NA	0,1
Finland	9,7	9,0	0,2	8,8	0,0	0,5	2,6	2,1	0,2	1,9	0,0	0,3
France	3,3	2,7	2,6	0,1	0,3	0,3	2,5	2,2	2,2	0,0	0,1	0,2
Germany	NA	NA	2,0	NA	4,0	0,9	6,1	NA	1,0	NA	NA	0,8
Greece	6,4	NA	5,8	NA	NA	0,6	7,8	NA	4,3	NA	NA	3,5
Hungary	11,4	5,1	4,4	0,7	1,8	0,1	NA	1,3	1,2	0,1	0,2	0,1
Ireland	NA	NA	NA	NA	NAP	NA	NA	NA	NA	NA	NAP	NA
Italy	6,7	5,8	2,6	3,2	0,9	NA	7,8	6,9	5,5	1,3	0,9	NA
Latvia	3,4	3,3	1,7	1,5	NAP	0,2	1,7	1,5	1,3	0,2	NAP	0,2
Lithuania	9,3	NA	6,0	NA	0,1	0,3	1,1	NA	0,9	NA	0,0	0,1
Luxembourg	NA	1,1	0,9	0,2	NA	0,3	NA	0,3	0,3	0,0	NA	NA
Malta	1,1	NA	1,0	NA	NA	0,1	2,2	NA	2,1	NA	NA	0,1
Netherlands	7,5	NA	NA	NA	NAP	0,7	1,7	NA	NA	NA	NAP	0,3
Poland	26,1	12,9	2,8	10,1	2,3	0,2	3,6	2,4	1,3	1,1	0,4	0,1
Portugal	6,8	NA	3,5	NA	3,3	NA	15,5	NA	3,5	NA	12,0	NA
Romania	8,6	NA	NA	0,1	2,2	1,1	3,7	2,7	2,7	0,0	0,3	0,6
Slovakia	11,8	5,6	3,0	2,6	0,0	0,3	6,4	4,2	2,9	1,3	0,0	0,3
Slovenia	44,2	3,4	1,8	1,5	10,6	0,2	14,2	3,0	2,1	0,8	8,3	0,1
Spain	NA	4,2	3,8	0,4	NA	0,4	NA	2,9	2,8	0,1	NA	0,6
Sweden	2,1	0,9	0,7	0,2	NAP	1,1	0,9	0,4	0,3	0,1	NAP	0,4
Median	9,0	4,6	2,6	1,5	2,2	0,3	3,6	2,1	1,5	0,3	0,3	0,2
Average	14,2	5,2	2,8	2,8	3,4	0,4	4,9	2,4	2,0	0,6	2,1	0,5

Table 3.11.bis 2010 caseload in the EU

	Number of incoming cases per 100 inhabitants, 2010						Number of pending cases per 100 inhabitants, 31 December 201					
States (2012 data)	OTC	CC total	CC Lit	CC N-Lit	ENF	ADM	OTC	CC total	CC Lit	CC N-Lit	ENF	ADM
Austria	42,9	10,7	1,3	9,3	13,0	NA	6,4	2,2	0,5	1,7	3,2	NA
Belgium	NA	NA	6,3	NAP	NA	NA	NA	NA	NA	NAP	NA	NA
Bulgaria	5,4	NA	NA	NA	NA	0,4	1,0	NA	NA	NA	NA	0,1
Croatia	25,0	9,3	3,3	5,9	4,5	0,3	10,2	4,9	4,3	0,6	2,9	0,8
Cyprus	3,8	NA	3,3	NA	NA	0,2	4,8	NA	3,9	NA	NA	0,7
Czech Republic	15,1	5,4	4,4	1,0	2,8	NA	4,5	1,9	1,6	0,3	0,1	NA
Denmark	47,2	1,2	1,1	0,1	7,7	NA	3,7	0,6	0,6	0,1	1,9	NA
Estonia	5,7	5,4	1,6	3,8	NA	0,3	2,1	2,0	0,9	1,0	NA	0,1
Finland	7,2	6,5	0,2	6,3	0,0	0,6	1,9	1,5	0,1	1,3	0,0	0,4
France	3,5	2,9	2,8	0,2	0,3	0,3	2,4	2,1	2,1	0,0	0,1	0,3
Germany	NA	NA	1,9	NA	3,9	0,8	NA	NA	1,0	NA	NA	0,8
Greece	4,9	NA	4,0	NA	NA	0,8	5,4	NA	1,7	NA	NA	3,7
Hungary	6,8	6,0	2,0	4,0	0,0	0,1	1,6	1,0	0,9	0,1	0,0	0,1
Ireland	NA	NA	NA	NA	NAP	NA	NA	NA	NA	NA	NAP	NA
Italy	6,9	6,0	4,0	2,1	0,8	NA	8,1	7,2	6,3	0,9	0,9	NA
Latvia	5,8	5,6	2,2	3,4	NAP	0,2	2,1	1,9	1,7	0,2	NAP	0,3
Lithuania	9,2	NA	6,2	NA	NA	0,2	1,2	NA	1,0	NA	NA	0,1
Luxembourg	0,5	NA	0,4	NA	NA	0,1	0,3	NA	0,3	NA	NA	0,0
Malta	1,2	NA	1,2	NA	NA	0,0	2,5	NA	2,5	NA	NA	0,0
Netherlands	8,7	NA	NA	NA	NAP	0,7	1,6	NA	NA	NA	NAP	0,3
Poland	24,4	10,0	2,1	7,9	3,7	0,2	3,2	1,7	1,0	0,7	0,4	0,1
Portugal	5,5	NA	3,0	NA	2,6	NA	14,7	NA	3,4	NA	11,2	NA
Romania	8,2	5,1	5,0	0,1	2,5	0,5	3,2	2,7	2,7	0,0	0,2	0,2
Slovakia	11,2	4,7	2,3	2,4	0,0	0,8	5,5	3,5	2,3	1,2	0,0	0,1
Slovenia	32,8	3,4	1,8	1,5	11,3	0,2	16,2	3,0	2,1	0,9	10,4	0,1
Spain	7,3	4,6	4,2	0,4	1,8	0,9	8,4	3,3	3,1	0,1	4,0	1,1
Sweden	2,1	0,9	0,7	0,2	NAP	1,1	1,0	0,4	0,3	0,1	NAP	0,5
Median	7,1	5,4	2,2	2,2	2,6	0,3	3,2	2,0	1,7	0,5	0,7	0,3
Average	12,1	5,5	2,7	3,0	3,7	0,4	4,7	2,5	1,9	0,6	2,5	0,5

Table 3.11.ter Differences 2012 vs 2010 caseload in the EU

	Number of incoming cases per 100 inhabitants, 2012 vs. 2010						ber of pending cases per 100 inhabitants, 31 december 2012 vs					
States (2012 data	OTC	CC tota	CC Lit	CC N-Li	ENF	ADM	OTC	CC tota	CC Lit	CC N-Li	ENF	ADM
Austria	-1,6	-0,5	-0,1	-0,4	-1,0		-0,3	-0,1	0,0	-0,1	-0,2	
Belgium			0,5									
Bulgaria	0,0					0,0	0,1					0,0
Croatia	0,7	0,5	1,0	-0,5	0,0	0,0	-0,6	0,7	0,8	-0,1	-0,4	-0,6
Cyprus	0,5					0,0	0,6					0,0
Czech Republic	-5,1	-0,9	-0,9	0,0	-1,0		-0,9	0,1	0,0	0,0	-0,1	
Denmark	-0,3	-0,3	-0,3	0,0	-1,1		-1,6	-0,2	-0,2	0,0	-0,9	
Estonia	15,0	-0,7	-0,3	-0,4		0,0	0,7	-0,4	-0,3	-0,2		0,0
Finland	2,4	2,5	0,0	2,5	0,0	-0,1	0,6	0,6	0,0	0,6	0,0	0,0
France	-0,2	-0,2	-0,2	0,0	0,0	0,0	0,1	0,1	0,1	0,0	0,0	0,0
Germany			0,1		0,1	0,0			0,0			0,0
Greece*	1,5		1,8			-0,3	2,4		2,7			-0,3
Hungary	4,6	-1,0	2,4	-3,3	1,8	0,0		0,4	0,3	0,1	0,2	0,0
Ireland												
Italy	-0,2	-0,2	-1,3	1,2	0,0		-0,3	-0,4	-0,8	0,4	0,0	
Latvia	-2,4	-2,3	-0,4	-1,9		0,0	-0,4	-0,4	-0,4	0,0		-0,1
Lithuania	0,2		-0,2			0,0	0,0		-0,1			0,0
Luxembourg			0,5			0,3			0,0			
Malta	-0,1		-0,2			0,1	-0,3		-0,4			0,1
Netherlands	-1,2					0,0	0,1					0,0
Poland	1,7	2,9	0,6	2,3	-1,4	0,0	0,3	0,7	0,3	0,4	0,0	0,0
Portugal	1,3		0,6		0,7		0,8		0,0		0,8	
Romania	0,5			0,0	-0,3	0,6	0,5	0,0	0,0	0,0	0,0	0,4
Slovakia	0,6	0,9	0,7	0,2	0,0	-0,4	0,9	0,7	0,7	0,1	0,0	0,2
Slovenia	11,4	0,0	0,0	0,0	-0,7	0,0	-2,0	0,0	0,0	-0,1	-2,0	0,0
Spain		-0,4	-0,4	0,0		-0,5		-0,4	-0,4	0,0		-0,5
Sweden	0,0	0,0	0,0	0,0		-0,1	-0,1	0,0	0,0	0,0		-0,1
Median	0,3	-0,2	0,0	0,0	0,0	0,0	0,1	0,0	0,0	0,0	0,0	0,0
Average	1,3	0,0	0,2	0,0	-0,2	0,0	0,0	0,1	0,1	0,1	-0,2	-0,1

*Greece: Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

Table 3.12. Specific procedures for urgent matters in 2012 (Q 87)

country	Specific procedures for urgent matters regarding civil cases	Specific procedures for urgent matters regarding criminal cases	Specific procedures for urgent matters regarding administrative cases
Austria	Yes	No	No
Belgium	Yes	Yes	Yes
Bulgaria	Yes	Yes	Yes
Croatia	Yes	Yes	Yes
Cyprus	Yes	Yes	Yes
Czech Republic	Yes	Yes	No
Denmark	No	Yes	No
Estonia	Yes	Yes	Yes
Finland	No	No	No
France	Yes	Yes	Yes
Greece	Yes	Yes	Yes
Hungary	Yes	Yes	Yes
Ireland	Yes	Yes	No
Italy	Yes	Yes	No
Latvia	Yes	No	Yes
Lithuania	Yes	Yes	Yes
Luxembourg	Yes	No	Yes
Malta	Yes	Yes	Yes
Netherlands	Yes	Yes	Yes
Poland	Yes	Yes	No
Portugal	Yes	Yes	Yes
Romania	Yes	Yes	Yes
Slovakia	Yes	Yes	No
Slovenia	Yes	Yes	Yes
Spain	Yes	Yes	Yes
Sweden	Yes	Yes	Yes

Table 3.13. Simplified procedures in 2012 (Q 88, 88.1)

States	Simplified procedures for civil cases (small disputes)	Simplified procedures for criminal cases (small offences)	Simplified procedures for administrative cases	Simplified procedures, oral judgement with a written order without a full reasoned judgement by a judge
Austria	Yes	No	No	No
Belgium	Yes	Yes	Yes	No
Bulgaria	Yes	Yes	No	No
Croatia	Yes	Yes	No	Yes
Cyprus	Yes	Yes	No	No
Czech Republic	Yes	Yes	No	Yes
Denmark	Yes	Yes	No	Yes
Estonia	Yes	Yes	Yes	Yes
Finland	Yes	Yes	Yes	No
France	Yes	Yes	Yes	No
Greece	Yes	Yes	Yes	Yes
Hungary	Yes	Yes	Yes	Yes
Ireland	Yes	Yes	No	Yes
Italy	Yes	Yes	No	No
Latvia	Yes	Yes	No	No
Lithuania	Yes	Yes	No	No
Luxembourg	Yes	Yes	No	No
Malta	Yes	Yes	No	No
Netherlands	No	Yes	No	NA
Poland	Yes	Yes	No	No
Portugal	Yes	Yes	Yes	Yes
Romania	Yes	Yes	No	No
Slovakia	Yes	Yes	No	No
Slovenia	Yes	Yes	No	No
Spain	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	No	Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) in 2012 (Q89)

States	Possibility for courts and lawyers to conclude agreements on arrangements for processing cases
Austria	No
Belgium	Yes
Bulgaria	No
Croatia	No
Cyprus	Yes
Czech Republic	No
Denmark	Yes
Estonia	Yes
Finland	Yes
France	Yes
Greece	No
Hungary	No
Ireland	Yes
Italy	Yes
Latvia	No
Lithuania	Yes
Luxembourg	Yes
Malta	Yes
Netherlands	Yes
Poland	No
Portugal	No
Romania	Yes
Slovakia	Yes
Slovenia	Yes
Spain	No
Sweden	Yes

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting in 2012 (Q 186)

States	Between 1 and 5 days	Between 6 and 10 days	Between 11 and 30 days	More than 30 days
Austria	Yes	No	No	No
Belgium	NAP	NAP	NAP	NAP
Bulgaria	No	No	Yes	No
Croatia	Yes	No	No	No
Cyprus	NA	NA	NA	NA
Czech Republic	No	No	Yes	No
Denmark	Yes	No	No	No
Estonia	NA	NA	NA	NA
Finland	No	Yes	No	No
France	NA	NA	NA	NA
Greece	No	No	No	Yes
Hungary	No	Yes	No	No
Ireland	NA	NA	NA	NA
Italy	NA	NA	NA	NA
Latvia	Yes	No	No	No
Lithuania	Yes	No	No	No
Luxembourg	Yes	No	No	No
Malta	Yes	No	No	No
Netherlands	No	Yes	No	No
Poland	NAP	NAP	NAP	NAP
Portugal	NA	NA	NA	NA
Romania	No	Yes	No	No
Slovakia	No	No	Yes	No
Slovenia	No	Yes	No	No
Spain	No	No	Yes	No
Sweden	Yes	No	No	No
Yes	8	5	4	1
No	10	13	14	17

Table 3.16. Procedure of manifest inadmissibility at the level of Higher court in 2012 (Q 99.1)

country	Procedure of manifest inadmissibility at the level of Higher court (possibly number of cases closed by this procedure)
Austria	Yes*
Belgium	No
Bulgaria	No
Croatia	Yes
Cyprus	No
Czech Republic	Yes
Denmark	Yes (1060)
Estonia	Yes (1687 in civil and administrative law cases)
Finland	Yes
France	Yes(6470 for the Cour de cassation; NA for the Conseil d'Etat)
Greece	Yes
Hungary	No
Ireland	No
Italy	Yes(2984)
Latvia	No
Lithuania	Yes(2317)
Luxembourg	No
Malta	No
Netherlands	Yes
Poland	Yes
Portugal	Yes
Romania	Yes
Slovakia	No
Slovenia	Yes(715)
Spain	Yes(1811 of civil cases, 1605 criminal cases, 1605 contentious administrative cases, 2722 labour cases, 1 military case, 4 in specilal units of the Supreme Court)
Sweden	Yes(271)

***Austria** : At the Highest Instance court one can lodge an ordinary appeal ("ordentliche Revision"), if the second instance court declares it admissible; if the appellant files a complaint although it was declared inadmissible by the second instance court, it is a so called extraordinary appeal ("außerordentliche Revision"); the Highest Court can dismiss this appeal. Of the 2438 lodged appeals 1.348 were extraordinary ones, and 1.090 were dismissed by the Highest court.

Comments - Indicator 3 The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance in 2012 (Q 91)
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)

Austria : Civil (and commercial) non litigious cases : Commence of bankruptcy proceedings; Bankruptcy proceedings; Composition proceedings; Non-litigious proceedings about rent, non profit cooperative association for housing, home ownership; Proceedings about Lease of farm land; Wardship cases in connection with administration of assets, custody and maintenance; Uncontested payment orders.
Other cases: Probate Proceedings; Cases concerning the Administration of justice; Cancellation proceedings and proceedings in connection with [official] declaration of death; authentication of signatures; proceedings to render legal assistance in civil matters for other courts (also international ones); General civil proceedings, that are not allocated to other categories of cases; some non litigious family matters
Q 91, Line 5: change in legislation and therefore more obligations for companies to register
There is no overall distinction between litigious and non-litigious proceedings in the statistics, so the numbers are sums of certain kinds of proceedings mentioned in the corresponding comments. In the category litigious are counted all proceedings in the categories C, Cg, Cga, Cgs (civil matters, labour and social security cases at first instance courts) which are marked as being litigious in the court register (f.e. from the second court hearing on).
Belgium: Category 1 includes cases to be tried by first instance courts, commercial courts (incl. disputed claims), the magistrates' courts, labor courts and civil cases of police courts, but do not concern civil juvenile cases. This category does not concern cases to be tried at second instance by the courts of first instance (acting as courts of appeal for civil cases heard at first instance by justices of the peace and police courts). It is not possible to distinguish between business categories 1 and 2, they are all grouped in category 1. Categories 3, 4 and 6: Data not available. Category 5: not applicable.
Croatia: Out-of-court proceedings (non-litigious cases) are divided in the following categories:
1. Out-of court proceedings referred to issues on personal status (status law): a)Restriction, deprivation and returning of capacity to exercise rights; b)Prolongation of parental care; c)Deprivation and restriction of parental care; d)Permit for entering into marriage; e)Confession of fatherhood; f) Detention in the institutions for mental diseases; g)Promulgation of vanished persons dead and proving of death;
2. Out-of-court proceedings referred to property issues: a)Inheritance proceedings; b)Regulation of co-ownership relations; c)Division of property and voluntary transmission of common property; d) Boundary regime/regulation; e) Amortisation of decrees; f)Conduction of different registers;
3. In the scope of out-of-court proceedings there have been developed special, different units:a) Insolvency proceedings; b)Liquidations and forced settlements; c)Land registry proceedings ; d) Enforcement proceedings
Cyprus: We do not have data separately for litigious and not litigious cases they are under the same category civil cases. Civil litigious and non litigious cases (1 et 2): pending cases on 1/1/12: 37328; incoming cases: 34774; resolved cases: 30542; pending cases on 31/12/12: 41560.
Czech Republic: Civil (and commercial) non litigious cases : cases of the upbringing and maintenance of a minor. Other: electronic payment orders. Business register cases, administrative cases and insolvency registry cases are decided by the regional courts, e. g. the second instance courts, as the first instance courts - so these cases are included in the table concerning second instance courts. Concerning the differences between 2010 and 2012 (pending cases 1/1, incoming cases and pending 31/12): In 2011 there was high number of incoming cases of electronic payment order (817491). More enforcement cases are handled by private executors.
Denmark: Civil (and commercial) non litigious cases : Paternity, adoption, guardianship and others in the same category; cases under inquisitorial procedures. Other: Estate of deceased persons, notary, insolvency cases not included under 5) above (Q91). The figures in table 90 are not fully consistent. This is caused by several factors: One is that it is possible in the Danish system to re-open a case, and these cases are not included. The technical systems generating the statistics cannot fully show the match between the number of pending cases and processed/resolved cases. This means that at the end of a given month, we do not have access to exact information on the number of pending cases.In addition, The Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Therefore vertical and horizontal figures are not totally consistent.
Estonia: Civil (and commercial) non litigious cases :1) expedited procedure in matters of payment order; 2) calling proceedings; 3) declaration of a person dead and establishment of time of death of a person; 4) establishment of custody over property of an absent person; 5) appointment of a guardian for an adult with restricted active legal capacity; 6) placing of a person in a closed institution; 7) imposition of a restraining order and other similar measures for the protection of personality rights; 8) certain family matters (e.g

adoption, establishment of paternal filiation); 9) application of estate management measures; 10) registry matters (different from non litigious land registry and business registry cases marked above); 11) appointment of a substitute member of a management board or supervisory board, auditor, auditor for special audit or liquidator of a legal person; 12) determination of the amount of compensation payable to the partners or shareholders of a company; 13) compulsory dissolution of a legal person; 14) initiation of a bankruptcy proceeding, declaration of bankruptcy and matters related to bankruptcy proceedings which cannot be adjudicated in actions; 15) apartment ownership and common ownership matters; 16) matters of access to public road and tolerating utility works; 17) recognition and enforcement of decisions of foreign courts; 18) matters in arbitration proceedings to be adjudicated by the court; 19) complaints against decisions of bailiffs; 20) appeals against decisions of the Industrial Property Committee; 21) adjudication of an application for performance of a notarial act; 22) deciding on the grant of state legal aid on the basis of an application submitted in extrajudicial proceedings and determination of the state legal aid fee and state legal aid costs in extrajudicial proceedings pursuant to the State Legal Aid Act; 23) other civil matters provided by law as matters on petition.
The differences in the horizontal consistency of the answer of the question nr 91 can be explained by the joinder and severance of claims. The land register (together with the marital property register) and the commercial register (together with the non-profit associations and foundations register, commercial pledge register and ship register) are in the composition of the county courts (first instance courts). The categories “land registry cases” and “business registry cases” include the registration procedures (entries in the respective registry). The category "business registry cases" includes also supervisory proceedings over undertakings. The judicial disputes arising from the registration procedure are adjudicated in the non-litigious proceedings and are included in the category “general civil (and commercial) non-litigious cases“.
The differences (2010-2012: pending cases, incoming cases, resolved cases) come from the fact that in the previous answers no data was given about business registry cases (NA) and no data was given on the pending cases of the land registry (NA) but we provided these data regarding 2012.
Finland: 2 Civil (and commercial) non-litigious cases: The number includes summary proceedings (uncontested payment orders), divorce cases and petitions. 3 Enforcement cases: The enforcement belongs to the competence of the enforcement authorities, not to the competence of courts. Cases mentioned here are appeals in execution proceedings in accordance with the Execution Act. 4 From the beginning of the year 2010 Land register cases were transferred to National Land Survey of Finland. 6 Administrative law cases: On appeal, the administrative court reviews the legality of the decision of the authority. The number mentioned in category 6 includes cases dealt with by Administrative Courts, Market Court and Insurance Court. 7 Other: The number includes land right law cases, temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases dealt with by District Courts. The number includes also all the cases dealt with by the Labour Court.
When comparing the figures 2010 and 2012, there is a significant difference in the total number of incoming cases other than criminal. Reason for that is the 27 % increase of the number of uncontested payment orders (undisputed civil matters).
Concerning total incoming cases: The number of uncontested payment orders (undisputed civil matters) in the year 2010 was 301007 and in the year 2012 the number of uncontested payment orders was 437832. So the number of uncontested payment orders has increased over 45%. That explains the difference between this exercise and the previous exercise.
Greece: As far as the statistical information provided by the courts is concerned (e.g. answers to questions 91 & 97), we would like to note that unfortunately this data cannot be evaluated in the framework provided under the CEPEJ methodology, as the current system of collecting data was planned having altogether different national needs in mind. The answers correspond to the data provided to the Ministry of Justice, Transparency and Human Rights by Magistrate Courts, Courts of First Instance and Courts of Appeal. The Ministry of Justice, Transparency and Human Rights cannot verify the legitimacy of the answers, due to the lack of IT system. **Recent law changes have altered the jurisdiction of courts, so the numbers with the previous period cannot be compared.**
Hungary: Non-litigious proceedings: Civil proceedings which do not fall under the civil procedural law, but simpler procedural law. 1. Non-litigous proceedings pursuant to the Act III of 1952 on the Code of Civil Procedure: recusation of a judge; registration of general power of attorney; attempt for agreement; procedure of the requested court; preliminary taking of evidence. 2. Non-litigious proceedings regulated by other acts are for example: cessation of marital property settlement; declaration of missing; declaration of death; review of medical treatment of psychiatric patients; non-litigious proceedings for protection of industrial property rights; court deposit; administrative non-litigious proceedings; company registration procedure; registration of foundations and non-governmental organizations. Other: Insolvency registry cases, labour cases, misdemeanour cases.
No particulary explanation concerning the differences 2010-2012.
Ireland : Civil (and commercial) non litigious cases : Proceedings for breach of contract, tort, family law remedies, insolvency remedies and other forms of civil remedy.

Italy: Civil (and commercial) non litigious cases : Separation and divorce by mutual consent, interdiction & incapacitation, protective measures for underage, guardianship & trusteeship etc. **Please consider that in terms of statistics we have implemented a different classification of civil cases. The result is an improved classification and a better split between litigious and non-litigious cases. For this reason the comparison between 2010 and 2012 data might lead to misinterpretation when one look at litigious and non-litigious cases individually.**

Latvia: Civil (and commercial) non litigious cases : 1)Applications for securing claim prior to initiation of the matter in a court and for securing of evidence; 2)Applications for securing claim prior to initiation of the matter in a court; 3)Applications for securing of evidence prior to initiation of the matter in a court; 4) Applications for execution of obligations through the court; 5)Undisputed compulsory execution of obligations; 6)Execution of obligations in accordance with warning procedures; 7) Voluntary sale of immovable property at auction through the court; 8) Submitting the subject-matter of an obligation for safekeeping in the court;9) Applications for Comercial Court adjudication execution procedures; 10) Applications for arbitrary court decision compulsory execution; 11) Applications for property pretection if there is no inheritance case; 12) Applications concerning execution of court adjudications.

Concerning data of the year 2010 and during next two years there is major fall in civil cases due to recovery from the financial crisis. There have been major changes in the way civil and commercial non-litigious cases are handled and as of January 1st of 2012 those are handed down to Land registry judges.

Lithuania: Other: Cases of administrative offences and administrative offences cases in the process of execution. The later were not been counted in earlier years of the report, therefore total number of cases may differ from presented for the year of 2010. The number of total incoming cases is correct. The number of uncontested payment orders (undisputed civil matters) in the year 2010 was 301007 and in the year 2012 the number of uncontested payment orders was 437832. So the number of uncontested payment orders has increased over 45 %. That explains the difference between this exercise and the previous exercise.

Luxembourg: As for the reply given in the evaluation 2011 (Q. 91), the figures given (with the exception of those for the administrative court) are those of the district court of Luxembourg, as uniform statistics for both courts are not yet available. The district court of Diekirch has rendered 591 decisions and entered 688 new files. The three justices of the peace totalized 63.651 paiement orders, and resolved a total of 8041 cases versus a total of 9310 new files. Under 91.2 the figures are relative to "ordonnances de paiement" (paiement orders) emitted by the district court. They are dealt with almost immediately, so that there will be no stock at the end/beginning of the exercise. Concerning differences 2010-2012 The numbers of the questionnaire (question 91) aggregate, according to the wording of the question, civil and commercial TAD and TAL, while those of the previous financial year show that the numbers of civilian aspects of TAL alone. (2010/2011), excluding the TAD and the commercial side.

Malta : Concerning differences 2010/2012: Concerning administrative law cases: The Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflect the operation of the Court over a couple of months only. This years figures, on the other hand, reflect the operation of the Court over a twelve month period.

Netherlands: Due to registration problems there is some inconsistency between the numbers of pending cases at 1st Jan and 31st Dec and the number of incoming and resolved cases. 3.-5 and 7 are not present inside the Dutch judiciary. Insolvency is taken as part of 2. Litigious = contested civil/commercial summons (contradictoire dagvaardingen). Non-litigious = uncontested civil/commercial summons, and civil requests (verzoekschriften), both commercial and family cases.6. Administrative law cases include tax cases and immigration/assylum cases.Excluding first instance cases of Council of State (Raad van State) and Central Appeals Tribunal. Including Trade and Industry Tribunal. In addition, it is not possible to say whether incoming or pending cases will be litigious or non-litigious, that is why this distinction is only made for the resolved cases. The data concerning litigious civil and commercial cases are not available.

Poland: The category of civil (and commercial) non-litigious cases (including non-litigious family cases) covers all the rest of cases decided under the chapter II of the Civil Proceedings Code that concerns to non-litigious cases (such as ascertainment of the acquisition of an inheritance, cases connected with birth, marriage and death records, declaration a person dead, adoption as well assummary and injunction proceedings in money payment cases). The category of “other” cases includes first off all social security cases and cases connected with an application of the correctional and educational measures as required in the juvenile cases and execution of guardianship or tutoring.

Due to explanation of the Division of Statistics the number in the horizontal lines can sometime not to sum up because of possible omissions or mistakes at a source of a statistical information generated by courts as well as structural changes within court system.

Civil (and commercial) litigious cases category includes as well litigious family and labour (employment) cases. This category includes also some types of cases decided under the chapter II of the Civil Proceedings Code that concerns to non-litigious cases (such as distribution of inherited assets, separation of common property, demarcation of the real estate) which nature in fact is litigious because of the opposite interests of the parties and contradictory ways of presenting their arguments. In addition to explanation given under the above mentioned Q You I would like to stress that Polish statistical system is not compatible with CEPEJ

requirements. Thus the data is hand-recalculated and aggregated in new categories. Therefore there might be some minor mistakes in the process. Still the methodology of above process remains the same as in last exercise.

Portugal: Civil (and commercial cases) litigious cases include the case flow of civil justice, labour justice and juvenile justice.

Romania: Civil (and commercial cases) non litigious : 1. divorce by agreement 2. registration of an association or foundation 3. Registration of syndicates 4. requests on the non-litigant procedure according to the Code of civil procedure.

Slovakia: "Non-litigious cases" include mainly the cases arisen from the legal relationships regulated by the Family law (maintenance cases, custody of the child, visiting rights, guardianship etc.) and all the succession cases. “Other cases” include the bankruptcy and debt restructuring cases and payment orders in the civil and commercial cases.

Concerning differences 2010/2012: pending cases on 1/1/2012 and 31/12/2012: It is obvious from the previous cycle (2010) that the number of pending enforcement cases and the business registry cases is gradually considerably decreasing (the enforcement cases from 3938 to 2614 and business registry cases from 34430 to 10255). This decreasing has continued also in the year 2011 and 2012. Incoming and resolved cases : There is a significant difference in the number of incoming and resolved administrative law cases in comparison with the year 2010. It can be explained by the situation in the year 2010 when the enormous number of specific collective claims has been filed and resolved.

Slovenia: Civil and commercial non-litigious cases at first instance include (the letters stand for specific case registers): N – all non-litigious civil cases at local and district courts, Ng – non-litigious commercial cases at district courts,Pl – procedures for issuing a payment order at local and district courts in civil matters, Plg – procedures for issuing a payment order in commercial matters at district courts,D – cases pursuant to the Inheritance Act at local courts,Pr – cases pursuant to the Mental Health Act at local courts.

Other civil law cases at first instance include: Pom – legal aid at local and district courts,Pom-i – international legal aid at district courts, R – various civil matters at local courts and district courts, Rg – various commercial matters at district courts,Ov-i – international attestations at district courts, Ov-H – attestations according to the Hague convention at district courts, Bpp – free legal aid at district courts and at the Administrative court, COVL – cases at The Central Department for Authentic Document which operates as a part of Local Court of Ljubljana and has jurisdiction over all enforcement cases on the basis of authentic documents in the state, II Upr – important various administrative cases, I Upr – various administrative cases.

In the previous evaluation cycle the data on COVL cases has not been available yet. In this round we put it in 'other cases' because of the double legal nature of cases of the enforcement on the basis of authentic document. On one hand they represent a procedure for issuing an enforcement title – payment order as they include a decision on the applicant's pecuniary claim. Therefore they could be counted as non-litigious cases according to the questionnaire systematization. On the other hand they present a conditionally approved writ of execution of this enforcement title and could be counted as enforcement cases. COVL cases present all cases processed by the Central Department for Authentic Document. These are mainly cases of enforcement on the basis of authentic document until the writ for the execution becomes final or until the referral to a local or district court upon objection of the defendant. Afterwards the case is referred to a regular local court to lead an enforcement procedure or to a local/district court to lead a litigious procedure.

Civil and commercial litigious cases at first instance include: P – civil litigious cases at local and district courts, Pg – commercial litigious cases at district courts, INS – insolvency cases including compulsory composition (INS-01), bankruptcy of legal person (INS-02), bankruptcy of physical person (INS-03), bankruptcy of inheritance (INS-04) and compulsory dissolution (INS-05) cases pursuant to the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act dealt with by the district courts.In this category we included bankruptcy proceedings, which were in the previous round counted as 'other cases'. (The example for this 7th category was "insolvency registry cases', so we mistakenly included here all the cases pursuant to the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act handled by district courts. These are not insolvency registry proceedings, but are according to the Explanatory note to be understood as litigious proceedings).

Non litigious enforcement cases at first instance include (all of them are at local courts):I-ns – civil enforcement cases on the basis of an enforcement title,Ig-ns – commercial enforcement cases on the basis of an enforcement title, In – cases for enforcement on real-estate property,Nt – cases for enforcement of the non-monetary claim, I-vl – cases for enforcement on the basis of authentic document resulting from theperiod before the establishment of the Central Department for Authentic Document, Ig-vl – enforcement on the basis of authentic document in commercial matters resulting form period before the establishment of the Central Department for Authentic Document, VL – enforcement cases on the basis of authentic document in civil matters after the writ for the execution became final, Z – temporary injunctions in civil matters, Zg – temporary injunctions in commercial matters, R-i – various enforcement cases.

Non litigious land registry cases at first instance include (at local courts): Dn – land registry cases, Rz – various land registry cases.

Non litigious business registry cases include (at district courts): Srg – business registry cases.

Administrative law cases at first instance include (at the Administrative court): U – administrative cases.
The figures of pending cases on 1 January 2012 for non-litigious business registry cases are higher than in 2010, since the number of incoming cases rose from 37 248 in 2009 to 44 960 in 2010 and 48 383 in 2011, which is probably due to the somehow postponed effect of the financial and economic crisis. Nevertheless, courts managed to solve almost all incoming cases, so the number of pending cases is not high, compared to the number of incoming cases. The rise of total of incoming and resolved cases has to do with the fact that we included for the first time cases that are processed by the Central Department for Authentic Document which operates as a part of Local Court of Ljubljana and has jurisdiction over all enforcement cases on the basis of authentic documents in the state – COVL cases. Although this department has existed since 2008, the data on processed cases was not reported in the previous CEPEJ questionnaires. In 2012 the COVL department had 48 836 pending cases on 1 January, 227 231 incoming cases, 236 313 resolved cases and 39 728 pending cases on 31 December 2012. The nature of the COVL procedures is explained in Q 93. The area of land registry cases has been in constant improvement since a successful computerisation project in 2003 – the average disposition times have fallen from 18 months to 2 weeks. The lowering of the number of pending cases is the consequence of a better organisation of work and of the totally electronic procedure.
Spain: As civil non litigous cases are included non litigous divorces, voluntary jurisdiction matters and internaments. The number of incoming administrative shows a relevant decrease due to the reduction of files related to Public Administration, this cases increased in the last period as they were based in the reduction of the salaries of civil servants. The incoming cases have decrease in the recent period for two reasons: 1 Plaintiffs are sentenced to pay the fees of the proceeding; 2. Plaintiffs have now to be assisted by a lawyer to file an administrative case.
Concerning the horizontal inconsistency is due to the data provided to CEPEJ: incoming, resolved and pending cases at 31/12/2012. While in the spanish legal procedure, in all jurisdictions, are counted the restarted procedures. There has not been provided to CEPEJ data refered to restarted procedures, as there was not place for them in the tables of the questionnaire, but it explains parcially the diferences between pending´ 10 +incoming - resolved -pending cases ´12. Moreover, another explanation is related to the corrections made up by the courts in the satiscitical bulletin wich modify as well the final data provided for the pending cases in 2010
Sweden: Civil non litigous cases : Joint petitions for divorce and custody of children. Other: Property cases, environmental cases, cases relating to the Planning and Building Act

Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)
Table 3.5.Clearance rate and Disposition time in insolvency cases in 2012 (Q101)

Austria: Q 101: Insolvency includes the categories S and Se at the regional and the district courts
Denmark: The technical systems generating the statistics cannot fully show the match between the number of pending cases and processed/resolved cases. This means that at the end of a given month, we do not have access to exact information on the number of pending cases. This explains a minor part of the horizontal incoherence. On top of this, our data from the Maritime and Commercial Court does not provide any information on pending cases. So when we include the data on processed/resolved cases from this court, there will always be a small incoherence.
Estonia: employment dismissal cases: The decrease in the numbers of pending, incoming and resolved cases are supposedly related to the fact that more cases are effectively resolved by the labour dispute committees and less cases arrive to the courts.
France: For bankruptcies, corporate failures (opening of insolvency proceedings, opening an immediate liquidation, reorganization plans…) were chosen.
Italy: Employment dismissal cases: Please note that we can provide figures for “Labour cases” in general but -at the moment- our statistics do not allow to get specific data on employment dismissal cases.
Insolvency: The Italian system distinguish between “Insolvency applications” and “Insolvency cases”. The “Insolvency application” is the litigious part of the proceeding where creditors and debtors have different goals (dispute). On the other hand “Insolvency cases” is the part of the proceeding where the judge has already established the insolvency / bankruptcy of the debtor and the case is all about the management of the assets and proceeds of the debtor. Figures at Q.101 and Q.102 refer to “Insolvency cases” rather than “Insolvency applications”.
Latvia: The decrease in cases in second instance courts directly correlates with general decrease in civil cases.
Malta: Employment Dismissal cases: NAP (and not NA as in the previous questionnaire) these are not heard by the Courts but rather by the Industrial Tribunal which has no connection whatsoever to Courts or the Ministry of Justice.
Poland: Since 2010 there was a major increase in incoming cases in Poland. It influences most of the case categories.

Slovenia: The number of insolvency cases at question 101 includes the number of compulsory composition (INS-01), bankruptcy of legal person (INS-02), bankruptcy of physical person (INS-03), bankruptcy of inheritance (INS-04) and compulsory dissolution (INS-05) cases at first instance courts. At question 102 we took into account only compulsory composition (INS-01, Cst-01), bankruptcy of legal person (INS-02, Cst-02), bankruptcy of physical person (INS-04, Cst-04) and compulsory dissolution (INS-05, Cst-05) cases at first and second instance courts. The reason to exclude bankruptcy of physical person (INS-03, Cst-03) cases lies in the fact, that most debtors – physical persons in bankruptcy proceedings apply for conditional release from debt. The trial period for debt release lasts form 2 to 5 years. In this period of time the courts have no influence on the development of the case whatsoever, so the data on length of proceedings would not give a realistic picture of productivity of the courts. This reporting method is in line with CEPEJ guidelines GOJUST which state that the time of processing should consider only the time that was needed to process the case within the particular court.
Spain: Employment dismissal cases, pending cases on 31/12/12: The incoming cases have increase during this period due to the economic and financial crisis of the country during the evaluation period.

Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases in 2012 (Q97)

Estonia: The differences in the horizontal consistency are not due to the statistical mistakes but simply due to the fact during the proceedings, some cases are joined and some are disjoined (joinder and severance of the claims in civil and administrative proceedings).
Finland: Civil (and commercial) non-litigious cases: The number includes petitions. 3 Enforcement cases: The enforcement belongs to the competence of the enforcement authorities, not to the competence of courts. Cases mentioned here are appeals in execution proceedings in accordance with the Execution Act. 7 Other: The number includes cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners.
Greece: As far as the statistical information provided by the courts is concerned (e.g. answers to questions 91 & 97), we would like to note that unfortunately this data cannot be evaluated in the framework provided under the CEPEJ methodology, as the current system of collecting data was planned having altogether different national needs in mind. The answers correspond to the data provided to the Ministry of Justice, Transparency and Human Rights by Magistrate Courts, Courts of First Instance and Courts of Appeal. The Ministry of Justice, Transparency and Human Rights cannot verify the legitimacy of the answers, due to the lack of IT system. **Recent law changes have altered the jurisdiction of courts, so the numbers with the previous period cannot be compared.**
Latvia: The decrease in cases in second instance courts directly correlates with general decrease in civil cases. Data concerns second instance courts and data from the Supreme Court chambers. The chambers - Criminal Cases and Civil Casesare the appeals body, which review cases that have been decided by the regional courts, as the courts of the first instance. The statistics by the Supremem Court is mentioned only in section total cases, because till 2009 the statistics were compiled more becaus it was specially hired expert.
Lithuania: Civil (and commercial) non-litigious cases: The number includes petitions
3 Enforcement cases: The enforcement belongs to the competence of the enforcement authorities, not to the competence of courts. Cases mentioned here are appeals in execution proceedings in accordance with the Execution Act. 6. Administrative law cases: all cases of the Supreme Administrative Court of Lithuania (petitions of appeal, also first and the last instance, cases on jurisdiction and etc. In earlier years only appeal cases were delivered, therefore the total number of cases may differ from presented for the year of 2010. 7. Other cases: administrative cases of regional administrative courts, the Supreme Administrative Court of Lithuanial, regional courts and Court of Appeal. In earlier stages of CEPEJ reports, only the administrative cases of the regional administrative courts were counted, therefore the total number of cases may differ from presented for the year of 2010.
Malta: Concerning differences 2010/2012: This is due to the fact that a number of Judges in the Appeal Courts retired in 2012 and their replacement took sum time to materialise, as a result of which, the number of decided cases decreased.
Slovakia: The collected statistical data for the appeal courts and the Supreme court do not distinguish the litigious and the non-litigious civil and commercial cases. These types of cases are statistically recorded only in the first instance proceedings. Concerning differences 2010/2012: There is no special explanation, it is the factual increase in numbers of other than criminal appeal cases.
Slovenia: The figures of pending cases on 1 January 2012 for civil litigious cases (as well as for incoming, resolved and pending cases on 31 December 2012) are higher than in the previous exercise, because we included in this category the cases of bankruptcy proceedings (including: compulsory composition, bankruptcy of legal person, bankruptcy of physical person, bankruptcy of inheritance and compulsory dissolution), which were counted as 'other cases' in the previous evaluation cycle. (The example in the questionnaire for this 7th category was ‘insolvency registry cases’, so we mistakenly included here all the

cases pursuant to the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act handled by district courts. These are not insolvency registry proceedings, but are to be understood as litigious proceedings according to the CEPEJ Explanatory note).
We indicated NA in Q-97 for civil non-litigious cases and business register cases, since all of these cases are included in the number of civil (and commercial) litigious cases. The total number of other than criminal cases is therefore available.
Spain: Concerning the horizontal inconsistency is due to the data provided to CEPEJ: incoming, resolved and pending cases at 31/12/2012. While in the spanish legal procedure, in all jurisdictions, are counted the restarted procedures. There has not been provided to CEPEJ data refered to restarted procedures, as there was not place for them in the tables of the questionnaire, but it explains parcially the diferences between pending´ 10 +incoming - resolved -pending cases ´12. Moreover, another explanation is related to the corrections made up by the courts in the satiscitical bulletin wich modify as well the final data provided for the pending cases in 2010

Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases in 2012 (Q99)

Cyprus: we only have a two tier system therefore the supreme court is the second, highest and final instance court.
Czech Republic: Number of civil and other cases refers to the Supreme Court, number of administrative cases refers to the Supreme Administrative Court.
Estonia: The differences in the horizontal consistency are not due to the statistical mistakes but simply due to the fact during the proceedings, some cases are joined and some are disjoined (joinder and severance of the claims in civil and administrative proceedings. In 2010, the number of cases regarding the judicial disputes of enforcement proceedings and registration proceeding was given for the categories nr 3, nr 4 and nr 5. In conformity with the explanatory notes these cases are now included in the category nr 2 (civil and commercial non-litigious cases).
Italy: Please consider that in Italy "non-litigious enforcement cases" are not heard by the highest instance court. The latter only hears litigious enforcement cases. In the past we have been providing litigious enforcement cases. For your information, in 2012 litigious enforcement cases some as follows:
Initial pending: 1090; Incoming: 221; Resolved: 413; Final pending: 898
Latvia: The decrease in cases in higher instance court directly correlates with general decrease in civil cases.
Poland: Concerning differences 2010/2012: Supreme Court provided MoJ with data set that allowed to sum up non-criminal cases with the administrative cases from the Supreme Administrative Court. Therefore it was possible to include both data-sets -
Romania: The answer to question 99 shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).
Slovakia: The collected statistical data for the appeal courts and the Supreme court do not distinguish the litigious and the non-litigious civil and commercial cases. These types of cases are statistically recorded only in the first instance proceedings. Concerning differences 2010/2012: There is no special explanation, it is the factual increase in numbers of other than criminal appeal cases.
Slovenia: The lowering of the number of pending cases at the Supreme Court of the Republic of Slovenia can be attributed to different factors. On one hand procedural legislation has changed. Following the changes to the Administrative Dispute Act (2007) and the Civil Procedure Act (2008) the Supreme Court has now the right to decide in these types of cases whether to review a case or not. With the reform the admissibility criteria have changed and revision is now a remedy that depends mainly on the discretion of the Supreme Court. Now revision is admissible only, if the case raises a question of law of fundamental significance or if the development of law or the preservation of uniformity of case law requires a decision by the Supreme Court. The number of all incoming cases for the whole Supreme Court has dropped considerably from more than 5 000 in 2008 to less than 4000 in 2012). On the other hand this is the consequence of changes in human resources management. Firstly, the number of judicial advisers for judges at the Supreme Court has risen (38 in 2008 and 2010 and 43 in 2012). Secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen. There are now less than 2 000 pending cases at all departments of the Supreme Court.
Spain: Data of civil (and commercial) litigous cases include data on labour matters, special matters and military matters. Concerning the horizontal inconsistency is due to the data provided to CEPEJ: incoming, resolved and pending cases at 31/12/2012. While in the spanish legal procedure, in all jurisdictions, are counted the restarted procedures. There has not been provided to CEPEJ data refered to restarted procedures, as there was not place for them in the tables of the questionnaire, but it explains parcially the differences between pending´ 10 +incoming - resolved -pending cases ´12. Moreover, another explanation is

related to the corrections made up by the courts in the statistical bulletin which modify as well the final data provided for the pending cases in 2010. The relevant reduction of pending cases [administrative law cases] is based on the reduction of incoming cases based on the impact of the Law 37/11, of measures of procedural improvement and in the relevant increase of resolved cases based on the measures adopted to reduce the pendency.

Table 3.10. Average length of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide) in days in 2012 (Q102)

Estonia: The average length in days in many categories is decreased due to the fact that from 2010 on Estonia has paid a lot of attention to make the court proceedings more efficient and in 2012 some results can already be seen. The percentage of pending cases more than 3 years is decreased in almost all cases except litigious divorce categories where the difference is minimal ((0,9 % compared to 0,4 %). The reduction of the number of pending cases for a long time has been one of the objectives of the efficient administration of justice. The number of decisions subject to appeal is increased in some cases and decreased in other cases. The exact reasons cannot be given. The overall comment for differences in the percentage of pending cases more than 3 years and the percentage of decisions subject to appeal: the absolute numbers of court cases in Estonia are relatively small therefore even a small change have influence on the percentages.
France: For bankruptcies, corporate failures (opening of insolvency proceedings, opening an immediate liquidation, reorganization plans…) were chosen.
Italy: Employment dismissal cases: Please note that we can provide figures for "Labour cases" in general but -at the moment- our statistics do not allow to get specific data on employment dismissal cases.
Insolvency: The Italian system distinguish between "Insolvency applications" and "Insolvency cases". The "Insolvency application" is the litigious part of the proceeding where creditors and debtors have different goals (dispute). On the other hand "Insolvency cases" is the part of the proceeding where the judge has already established the insolvency / bankruptcy of the debtor and the case is all about the management of the assets and proceeds of the debtor. Figures at Q.101 and Q.102 refer to "Insolvency cases" rather than "Insolvency applications".
Latvia: The average length of proceedings is calculated manually so that given data is precise.
Malta: Employment Dismissal cases: NAP (and not NA as in the previous questionnaire) these are not heard by the Courts but rather by the Industrial Tribunal which has no connection whatsoever to Courts or the Ministry of Justice.
Netherlands: For all divorce cases the 2010-length in first instance was 109 days. The reported 2012-length of 102 days is also the official average for divorce cases. The 2010-number of 21 days for employment dismissal cases pertained to all employment dismissal cases. Due to a change in definition, we can now only provide the average length of litigious employment dismissal cases, which is obviously longer. The reported 2012-length of 49 days is correct. Source for all: Annual Dutch Council for the Judiciary (in Dutch: 'Raad voor de Rechspraak').
Poland :NA. Unfortunately MoJ does not have sufficient data in this area
Slovenia: At question 102 we calculated the percent of decisions, which are subject to appeal with the ratio between the number of resolved cases in 2012 at first instance courts and the number of filed appeals in 2012 at second instance courts. In percent of pending cases for more than 3 years we calculated the ratio between the number of unresolved cases in 2012 and cases that were unresolved (at I., II. or III. instance) by the end of 2012 and were at that moment pending for more that 3 years. The average length of the proceedings at first instance includes the time of criminal investigation and preparatory proceeding against juveniles (Kpr, Kmp) and main trial (K, Km) in cases that were resolved in first instance in 2012. The average length of the proceedings at second instance includes the time of processing appeal on the principal matter in cases that were resolved at second instance in 2012 (15 intentional homicides and 61 robberies). The appeals against procedural decisions (e.g. prolongation of detention) are not included. The average length of the proceedings at third instance includes the time of processing appeal on the principal matter against the ruling of second instance court in cases that were resolved in third instance in 2012 (2 intentional homicide and 1 robbery).The appeals against procedural decisions and extraordinary legal remedies are not included. Average total length of the total procedure includes cases that were resolved in 2012 and shows the sum of the effective time in which courts of first, second or third instance considered the case without the time when the case was at the public prosecutor nor the time to serve the final decision or the time limit for appeal. The average length of proceedings for employment dismissal cases at the Supreme Court is shorter than in the previous exercise due to improvements in productivity of the Supreme Court (the reasons are explained under Q 99). While in 2010 the Labour and social disputes department had 850 pending cases at the beginning of 2010, it received 545 new cases, solved 782 cases and had 613 pending cases at the end of the year, it had 402 pending cases at the beginning of 2012, received 431 new cases, solved 669 cases, and had 164 pending cases at the end of the year.
Spain: The increase of employment dismissal cases (over a 31,7 % , and a 28% within the number of plaintiffs) has cause an increase of the length on first instance.

Table3.10. bis Calculation method of the length of proceedings (Q104)

Austria : The figure mentioned for litigious divorces is showing precisely only this kind of procedure. The figure for Employment dismissal cases is taken from the average length (median) of litigious procedures in civil labour categories as they go along with. The figures concerning the length of procedure are calculated as follows: Median length in months x 4,33 x 7. % of pending cases for more than 3 years: pending cases for more than 3 years divided by incoming cases = 1,4%

Belgium: The average processing time of contentious and non-contentious divorce cases does not take into account automatic omissions. A civil case may be terminated by automatic omission (cases that are registered for three years without the proceedings having been opened, or in cases where proceedings were not open or were stopped for more than three years, if the parties are not opposed to it). The duration of the output concerns cases in which a decision terminating the case (final decision) was taken during the statistical period. It represents the number of days between registration and the final decision. Average and median: To calculate the average: the sum of all times is divided by the number of cases. The median is the middle term of all cases. Currently, the average time is not yet available.

Croatia : Proceedings begin when the party to the proceedings submits submission to the competent court. The proceedings end when the court renders final decision on the case.

Czech republic : From filing the action until the decision is legaly effective - in days.

Denmark: Divorce cases: 1st instance is one weighted average figure from the district courts. Similarly is average length in 2nd instance the weighted average figure of the two high courts and thereto is added the weighted average figure of the district courts. The average total length is the weighted average figure of the district courts multiplied with the percentage of these cases that is resolved within the district courts added with the weighted average figure of the two high courts multiplied with the percentage these cases is of the number of finished cases in the district courts.

Estonia: The length of the proceeding is calculated for all of the five categories by the same method. The period measured is the time between the acceptance of the case by the court and the final decision made by the court of the respective instance. Then the arithmetic mean is calculated taking into account all proceedings of the category.

Finland: The length of proceedings is calculated from the day of the beginning of lis pendens until the day when the judicial decision is given. Timeframes are calculated via automated case management system which provides information about the duration of procedures in every single case as necessary.

France: In civil matters: from the date of referral to the court until the date of the decision relinquishing jurisdiction. For litigious divorces, this includes the time for reflection given to the couple following the non-conciliation order and the introduction of divorce proceedings, about 22% of the average.

Hungary: The calculation of the length of the proceedings based on the related Rules of the National Council of Justice. In civil cases that are under process the the duration of the procedure shall be counted from the date of the submission of the initiating document to the court that provides the data. In civil procedures where the proceedings of first or second instance are re-instituted due to repealing the original decision, the duration of the procedure shall be counted from the date of the original date of the submission of the case. The length of the suspension of the case should be deducted from the duration. In case of retrial and supervision of the case, in the reinitiated procedure the length of the basic procedure should not be taken into account.

Ireland: From the time that papers are lodged in the court, there may be significant delays which have nothing to do with the courts, before the legal teams, prosecutors, etc actually seek a date for hearing of the case. It is not possible to calculate the length of proceedings using the definition set out above.

Italy: Average length (in first and second instance) has been calculated using the following formula:
L = (Initial Pending cases + Final Pending cases) / (Incoming cases + Resolved cases)
Average length in 3rd instance (in days) is the actual average length of the proceedings.

Latvia: The length of proceedings is given as table, where all proceedings are separated by six month periods. To calculate average length of proceeding, a weighted arithmetic mean is derived from the table, which further is multiplied by 30.

Lithuania: The length of proceedings is calculated from the date of a case is received in a court until the court delivers a decision.

Netherlands: Length of proceedings in civil cases (first instance) is calculated from date of administrative proceeding/appointment (rolzitting) till the date of the final judgment.

Poland: The length of proceeding is calculated approximately (in months) with a use of statistical indicator of outstanding cases - which is the ratio of cases not completed in a specific period (month) to the average number of incoming cases in that period. The system is designed first of all to identify category of pending cases due to a specific periods of pending proceedings. Statistical table groups the cases in categories that were pending for 3 months period, 6 months, 1 year, 2 years, 5 years and over this period.

Portugal: The average duration of completed cases corresponds to the time between the entry of the proceedings and the date of the final decision (judgement or order) at the respective instance, regardless of "res judicata". In the area of criminal justice, only the trial duration is considered.
Romania: The length of proceedings is not calculated in an average number of days, but within intervals of time (e.g. between 0 – 6 months x cases, between 6 months – 1 year y cases...more than 3 years, z cases). In 2012, a new software was implemented that can indicate the length in days for the cases at the Courts of Appeal. The 5 categories are cases in the competence of the Courts of Appeal. Starting with 2013 the average length of trials can be calculated for the Tribunals and starting with 2014 for the first instance courts.
Slovakia: The length of proceedings is calculated from the date of lodging the case to the final valid decision, it means, that it includes the length of the proceedings before both first instance and appeal court.
Slovenia: The average length of the court proceedings of each category given is calculated as arithmetic mean of the lengths of all the proceedings of a certain category resolved in the year observed, wherein the length of each proceeding is calculated in number of days counted from the date of initiation/lodging of the proceeding up to the date of its resolution. Arithmetic mean is calculated by the formulae as follows: "Ya = (y1 + y2 + ... + yN) / N", wherein Ya is arithmetic mean of the lengths of the proceedings, y1 is length of proceeding No 1, y2 is length of proceeding No 2, yN is length of proceeding No N and N is the number of all proceedings.
Spain: In relation to litigous divorce cases and employment dismissal cases, the lenght of proceedings in first instance is calculated by a mathematic model that takes into account the number of incoming, pending and resolved cases at the end of the year and gives an estimate of the average length of cases filed each year. As for other cases, a different calculation method is used, by a sampling of the judgments filed in the Documentary Judicial Center of the General Council of the Judiciary.
Sweden: Average length of proceedings in divorce cases is calculated from the date when the application of summons is received by the court until the date of the judgment.

Table 3.12. Specific procedures for urgent matters in 2012 (Q 87)

Austria : "Einstweilige Verfügung" ("Urgent order")
Belgium: In civil cases: In all urgent cases, the President of the Court of First Instance may take provisional decisions on matters within the jurisdiction of his court. This procedure is also called "interim". The conditions for interim measures are: urgency, the provisional nature of the decision and the fact that the decision is not prejudicial to the case.
Bulgaria: art. 356 of the Criminal Procedure Code, art. 362 of the Criminal Procedure Code, Art. 243 (4) of the Criminal Procedure Code. art 310 – 317 Civil Procedure Code. Art 310, paragraph 1 of the CPC - Article 310. Order for payment proceedings – issuing an enforcement order within three days - art. 411 of the Civil Procedure Code. Petition for Injunction Securing Future Action - on the day on which the petition is submitted (395 (2).Requests for bank secrecy reveal – Credit Institutions Act – Art. 62 (2);Remedies against Unwarranted Actions – Art. 252 of the Administrative Procedure Code. Article 252.
Croatia: Civil: labour , maintenance disputes and other court cases, trespassing. Administrative cases: civil service disputes, refugee disputes and asylum seekers disputes
Cyprus: Interim Orders
Czech Republic: Specific procedures for urgent matters: Civil cases – before or after the commencement of proceedings the judge can make an emergency ruling if it is necessary to set up the situation of the parties or if there is a reasonable concerns that the enforcement of the judgement could be endangered.
Estonia: In civil cases there is a possibility to secure action. It means that the court may secure an action at the request of the plaintiff if there is reason to believe that failure to secure the action may render compliance with the judgment difficult or impossible (judicial mortgage on an immovable, seizure of the defendant's property, prohibition on the defendant from performing certain acts, including a restraining order or prohibition on a defendant from departing from his or her residence, taking the defendant into custody and imposition of detention on the defendant…). In administrative matters, the filing of an action or protest does not prevent the execution or issue of an administrative act or taking of a measure against which the action or protest is filed unless otherwise provided by law. This means that an administrative court may issue a ruling on the provisional protection of the rights of a person filing an action in all stages of proceedings at the reasoned request of the person filing the action or on its own initiative, if otherwise execution of a court judgment is impracticable or impossible. There is also one other special urgent procedure: granting of permission to perform administrative acts – an administrative judge sitting alone will, without holding a court session, immediately hear an application and adjudicate the grant of permission to take an administrative measure, unless otherwise prescribed by law.
Finland: Under the administrative law there are several acts including urgency provisions. When necessary and when it is enacted in a law, the cases are processed urgently, but there are not specific procedures for urgent matters.
France: In civil matters, interim measures or rehabilitation that is necessary either to prevent imminent injury, or to prevent a manifestly unlawful trouble may be prescribed for all measures that do not encounter any

serious challenge, and even in the presence of a serious dispute. In addition, urgent action may be taken by the judge ex parte, upon request, when circumstances require. To obtain any Authority of res judicata, it is also possible in case of emergency to notify the Chairman of court proceedings on a fixed day, in which the parties are allowed to assign another hearing date. When required by law, the parties may apply to the court "comme en matière de référé," which provides a Decision authority of res judicata quickly. Administrative matters: interim suspension (Article L. 521-1 of the Code of Administrative Justice) interim parole (Article L. 521-2 of the Code of Administrative Justice) interim or conservatory "appropriate measures" (Article L. 521-3 of the Code of administrative Justice).

Greece: Interim proceedings for civil cases. Interim relief for administrative cases.

Hungary: According to the Code on Civil Procedure

The court shall handle actions for media remedy, actions for Termination or Limitation of Enforcement, in special administrative cases in priority proceedings. In small claim procedure the dadlines are shorter than the general deadlines. Act III of 1952 on the Code of Civil Procedure provides for two types of legal measure to ensure that an opposed claim can be satisfied: interim injunction and provisional enforcement, which provide protection before the legally-binding ruling has been made. This is supplemented by the precautionary measure provided by Act LIII of 1994 on Enforcement. (Source: http://ec.europa.eu/civiljustice/interim_measures/interim_measures_hun_en.htm).

Ireland : Where urgent matters arise it is open to any party to the case to make an application to the court for an earlier hearing date. In civil proceedings, judges are available outside of normal court sitting times to hear applications for urgent remedies such as injunctions.

Latvia: Article 118 (3) of the Civil Procedure Law; Article 238 of the Civil Procedure Law ; Article 321 of the Civil Procedure Law; Article 62 of the Administrative Procedure Law; Article 64 of the Administrative Procedure Law.

Lithuania: Article 423 (1)-423(10) of the Code of Civil Procedure of the Republic of Lithuania, determine the peculiarities of the cases related to the public procurement, according to which disputes arising from legal relations related to public procurement shall be heard, with the exception of those requests for compensation, which have not been claimed together with the requests arising from legal relations of public procurement and which might protract the examination of the case. The means of extrajudicial dispute resolution, which is regulated by the Law of Public Procurement, shall be applied obligatorily for cases falling within this category.

Luxembourg: In civil cases: "référé urgence"; In administrative cases: "référé administratif". The two procedures are similar, i.e. that the president of the relevant jurisdiction, or his/her delegate(s) can take provisional measures pending a main trial in order to safeguard the litigants rights, avoid disposal of evidence, avoid imminent damage to an object, etc..

Malta: In any of the cases, any party may file an application in Court requesting a matter to be dealt with, with urgency, and the Court may choose to decree accordingly, possibly even after hearing the parties. Furthermore, in Civil procedures, a special summary proceeding exists wherein a plaintiff having a debt which is certain, liquid and due may request the attain a judgment within a period of 30 days. Similar summary proceedings exists in proceedings before the Rent Regulation Board.

Netherlands: 'Summary processing' by court president (in Dutch: 'kort geding'), and temporary legal provision (in Dutch 'voorlopige voorziening). For criminal cases sometimes a quick procedure is used ('snelrecht') but not often.

Poland: Civil procedure includes rules of interim proceedings and temporary court's decision - generally for situations when a risk, that a claim could not be enforceable or the need for interim solution exist. However in criminal and administrative proceedings there are no - what one can call – procedure, there is number of provisions for dealing with emergency situations like for example; emergency witness hearing in criminal matters or ex officio emergency orders in minor custody cases.

Portugal: The Civil Procedure Code, in several precepts, refers to the urgent character of certain acts and procedures. In accordance with article 382, the preventive proceedings are as such considered urgent. The Title IV of the Administrative Courts Procedure Code (article 97 and forth) also refers to urgent procedures, being these applicable to electoral disputes, pre-contractual disputes and to summons.

Romania: The Romanian law consecrates a series of special procedural rules for the settlement of some urgent cases. In the civil matter, in the cases qualified by law as being urgent, the former Civil Procedure Code (applicable in 2012) has contained some special provisions (for instance, shorter time-limits for summoning, for the establishment of the trial time-limits, for the lodging a defence, for establishing the order of the cases debate, for ordering the brining of the witnesses, etc). In some cases, although no special provision is stipulated for the settlement of the urgent cases, the civil procedural legislation institutes the obligation of the emergency trial and, where applicable, especially of some categories of trials and requests [for example: the clarification and completion of judgment (Art. 281 ind. 1 par. 2 and Art. 281 ind. 2 par. 2 of the Civil Procedure Code), the contestation in cassation (Art. 320 par. 1 of the Civil Procedure Code), the contestation at execution (Art. 402 par. 1 II thesis of the Civil Procedure Code), the own requests (Art. 675 par. 1 of the Civil Procedure Code)]. In the administrative matter: Law of contentious administrative no. 554/2004

Slovakia: Civil cases:The preliminary measures in the civil proceedings has to be issued not later than 30 days from the day when the motion is submitted. In the cases concerning the minor child care and domestic violence the time limit is maximum 7 days. In the cases when the life, health or evolution of a minor child is seriously endangered the court has to decide within 24 hours.
Slovenia: The Civil Procedure Act has special provisions on temporary injunctions in paternity and divorce cases (Article 411). The Administrative Dispute Act (ZUS-1) specifically prescribes for temporary injunctions in administrative dispute (Article 32). The proceeding in cases on disturbed possession is fast, the sample proceedings and employment dismissal cases are a priority.
Spain: In civil cases, urgent measures´ aim is to assure the right access to justice, when it is necessary to preserve evidence or when there is a risk of inminent or hardly repairable damage. In familiy matters the aim is to adopt certain meassures before the final resolutions (e.x. care of the children) when the situation requires so.
Sweden: Accelerated procedures exist in civil cases as well as in criminal and administrative cases. For example, procedures of urgency can be used in administrative cases concerning the right to control and care for a child, in criminal cases when the defendant is under arrest or in detention and in civil cases when it is reasonable to suspect that the opposing party will evade payment of the debt.

Table 3.13. Simplified procedures in 2012 (Q 88, 88.1)

Austria : Payment orders up to € 75.000,--, proceedings under Regulation No. 861/2007 establishing a European Small Claims Procedure
Belgium – in civil matters under section 1338 E.S. the Belgian Judicial Code, summary proceedings for an injunction to pay: All applications to the jurisdiction of the magistrate, seeking payment of a liquid debt whose amount does not exceed € 1,860 may be filed, heard and decided in accordance with the provisions of this chapter, if it appears to be justified before him in writing by the debtor. The writing is the basis for the application does not necessarily constitute an acknowledgement of debt.
Bulgaria : For civil proceedings – Order for payment procedure under art. 410 (Request for the issuing of an enforcement order) and art. 417 of the Civil Procedure Code (enforcement order based on document);
Croatia: Civil proceedings – order for payment and small claims
Cyprus: According to article 18 of the civil procedures rules: Where the defendant appears to a writ of summons specially indorsed under Order 2, Rule 6, the plaintiff may on affidavit made by himself, or by any other person who can swear positively to the facts, verifying the cause of action, and the amount claimed (if any), and stating that in his belief there is no defence to the action, apply for judgment for the amount so indorsed, together with interest (if any), or for the recovery of the land (with or without rent), or for the delivering up of a specific chattel, as the case may be, and costs. And judgment for the plaintiff may be given thereupon, unless the defendant shall satisfy the Court that he has a good defence to the action on the merits, or disclose such facts as may be deemed sufficient to entitle him to defend.
Czech Republic: In civil cases - payment order.
Denmark: In relation to petty cases (DKK 50.000, about 6709 €), it is the duty of the courts to instruct the parts how the cases proceed. The whole idea is that the cases can be dealt with without the presence of lawyers.
Estonia: In civil cases there are different types of simplified procedure: In justified cases, claims with a value not more than 2000 euros can be adjudicated by way of simplified proceedings at the discretion of the court, taking account of only the general principles of civil procedure; claims against another party arising from a private law relationship directed at the payment of a certain sum of money with a value not more than 6400 euros can be adjudicated way of expedited procedure of payment order; at the request of the plaintiff, an action for payment of money arising from a bill of exchange or cheque, or an action for compulsory execution arising from a mortgage or maritime mortgage can be heard by way of documentary proceedings if all the facts in proof of the claim can be supported by documents and all necessary documents are annexed to the action or the plaintiff is able to submit them to the court within the term set thereby. In administrative cases, the court may hear a matter in simplified proceedings if the infringement of the right for which the action seeks protection is a minor one. The infringement of rights is deemed to be minor in particular when the disputed legal value has a money value and that money value does not exceed 200 euro. The court may also hear the matter in simplified proceedings if the parties and third parties expressly consent to this.
Finland: Undisputed civil matters can be dealt with in a summary proceeding. According to the section 3 of the chapter 5 of the Code of Judicial Procedure (4/1734) if the case relates to (1) a debt of a specific sum, (2) restoration of possession or a disrupted circumstance, or (3) eviction and the plaintiff states that to his/her knowledge the matter is not under dispute, only the circumstances on which the claim is immediately based need be included in the application for a summons as the circumstances on which the application is based. Also, in this event, the evidence referred to in section 2(1)(3) (as far as possible, the evidence that the plaintiff intends to present and what he/she intends to prove with each piece of evidence) need not be included in the application. However, the contract, commitment or other written evidence invoked by the plaintiff shall be clearly indicated. As regards administrative cases, as a rule Administrative Court shall have

a quorum with three legally trained members present. However in many cases Administrative Court shall have a quorum with only two (e.g. income support cases, basic education cases) or one (e.g. traffic supervision cases, some prohibition of execution cases) legally trained members present.
France: In civil matters: simplified payment order (Articles 1424-1 and further of the Code of Civil Procedure) procedure; injunction proceedings to; European procedure for small claims articles 1382 and further of the Code of Civil Procedure). Finally, the rules of procedure before the courts who deal with simple cases allow a simplified access to justice: in essence, a referral is possible by a simple request for applications under 4000 euros; applications up to € 10,000 are considered following an oral hearing. These rules exist, whatever the nature of the application, before many special courts (family court, labor courts, commercial courts, etc...). Administrative matters: Article R. 611-8 of the Code of Administrative Justice, Article R. 222-1 of the Code of Administrative Justice) Decree of August 13, 2013, decree of 23 December 2011.
Hungary : In civil cases the procedures related to the order for payment procedure (Chapter XIX. of Act III. of 1952 on the Code of Civil Procedure regulates the order of payment procedure. The procedure is a non-contentious procedure, in which the court upon the unilateral claim of the entitled person summons the debtor – without granting him/her a hearing and omitting the procedure of proof – to comply with what has been put forward in the claim or to raise an objection against it). Existence of a special Small Claims procedure (Sections 256/B-256/E of the Act on the Code of Civil Procedure contain these special rules).
Ireland: In the District Court, civil cases (up to a value of €6,300 approx.) are tried summarily without the need for pre-trial pleadings, and minor offences are tried summarily generally on oral evidence only. Under the Small Claims procedure applications can be made online, with the possibility of avoiding attendance at a court hearing where the claim is successfully mediated by the Small Claims Registrar.
Italy: An example of simplified procedures for civil cases is the “Rito sommario”.
Latvia: Civil Procedure Law currently provides simplified procedures regarding certain types of civil cases. 1. Small claims procedure - it is a written procedure concerning monetary and maintenance claims not exceeding approximately 2130 Euros (1500 Latvian lats). 2. Procedure of Compulsory execution of obligations in accordance with warning procedures is permitted in payment obligations, which are justified by a document and for which the term for execution is due, as well as payment obligations regarding the payment of such compensation, which is in the entered into contract regarding supply of goods, purchase of goods or provision of services if such obligations are justified by a document and for which a time period for execution has not been specified. In some cases, this procedure is not permitted. 3. Also Undisputed compulsory execution of obligations is permitted in some cases.
Lithuania: Articles 424-430 of the Code of Civil Procedure of the Republic of Lithuania: Monetary claim (arising from contracts, tort, labour relations, adjudging maintenance, etc.); Cases regarding the issuance of court order (Articles 424-430 of the Code of Civil Procedure of the Republic of Lithuania); Small claims disputes (Article 441 of the Civil Code of the Republic of Lithuania):If the claim does not exceed 5.000 Lt, the court resolving the dispute has a right to decide by itself the form and procedure under which the case will be examined.
Luxembourg: In civil matters, there currently exists a procedure of small claims, following the transposition into national law of European related texts. There are also similar procedures (payment orders, petition for allowance, referred labor law, etc..) that existed before the so-called European procedures.
Malta: In Civil cases, there exists a procedure, regulated by Section 166A of the Code of Organization and Civil Procedure, wherein anyone having a claim, which is certain and due, of up to €23,300, may file a judicial letter and notify it onto the debtor and, should the debtor fail to reply within 30 days, then the amount being requested is considered to have been admitted and the creditor is given an executive title against the debtor without any further act to be filed.
Netherlands: Wet Mulder, Administrative handling of minor traffic violations; also the administrative fine (in Dutch: 'bestuurlijke boete') has been introduced. No figures available.
Poland: Simplified procedures are still in use for small civil claims cases (up to amount of 10000 PLN) and petty offences.
Portugal: The Decree-Law n. 269/98, of 1 September (amended several times) approves the proceedings related to pecuniary obligations arising out of contracts whose value does not exceed the ceiling set for the courts of first instance. As such it establishes a simplified regime for “small claims”. The Administrative Courts Procedure Code also foresees simplified proceedings. Thus, unless the Code provides for otherwise, to the common administrative actions as well as to their conduct the civil procedure forms will be applied (article 35). Hence, to the administrative procedures and within the scope of a common procedure, the summary and fast proceedings shall apply (article 461 of the Civil Procedure Code). These forms of procedures are characterised as holding a procedural “iter” much more simplified and of having time limits other than the ones foreseen in the common ordinary ones.
Romania: The Civil Procedure Code (in force in 2012) does not consecrate a simplified procedure for the judgment of the civil cases having as object minor claims. Nevertheless, the trials and requests concerning claims having as object the payment of an amount of money of at most 2.000 lei are judged by the court if first instance in the first and last instance (Art. 1 point 11 of the former Civil Procedure Code). It is to mention that the civil procedural legislation in force consecrates two special and summary procedures for the

settlement of some actions in claims by which it tends to oblige the debtor to pay: the procedure of the payment notice (Government Ordinance no. 5/2001 on the procedure of the payment notice) and the procedure of the payment order (Government Emergency Ordinance no. 119/2007 on the measures for the fight against the delay of the execution of the payments obligations resulted from the contracts between professionals, regulatory act transposing in the internal law the Directive of the European Parliament and Council 2000/35/EC on combating late payment in commercial transactions).
The disputes with extraneity elements concerning small claims, of the international jurisdictional competence of the Romanian courts, are submitted to a special procedure, abbreviated, instituted by the Regulation of the European Parliament and Council no. 861/2007 establishing a European small claims procedure. The disputes with extraneity elements having as object the European payment notification, of the jurisdictional competence of the Romanian courts, are submitted to a special procedure, instituted by the Regulation of the European Parliament and Council no. 1896/2006 creating a European order for payment procedure. The New Civil Procedure Code (Art. 1011-1018) regulates a simplified procedure for the settlement of the requests ratable in money, whose value – without taking into consideration the interests, the judicial fees and other accessory revenues–does no exceed the amount of 10.000 lei on the court notification date. The procedure is, as a rule, written, and develops, with the exceptions laid down by law, in camera. The judgment pronounced upon the small claim application is submitted only to appeal.
Slovakia: Civil cases: The court may decide the small claims cases in simplified procedure without the public hearing. The payment order procedure and the order to perform procedure are considered as the simplified procedures. The judge may issue a payment order or the order to perform an obligation without hearing a case. The defendant may contest the claim by filing a protest which results in annulment of the order. The similar procedure exist for the claims from the notes and checks.
Slovenia: A civil dispute is proceeded according to special small disputes provisions, if the value of the claim does not exceed 2000 EUR. Basic features of this procedure are: limited number of writings before the main trial (all the facts and evidence must be presented in a suit or respectively in a defence of the suit, each party has further on only one preparatory file), more options to conclude a case without a main trial, stricter sanctions for parties for their unexcused absence from hearing (presumption of renouncement of a claim, presumption of admittance of a claim), narrower scope of legal remedies.
In the case of a pecuniary claim for a specific amount of money that has fallen due and is supported with an authentic document in original or in certified copy the court issues the defendant an order of payment. If the defendant objects, the claim is regularly proceeded.
Spain: In civil cases the small claim up to 6000 euros and the monitory procedure up to 30 000 euros are simplified procedures ruled by Civil Procedure Code 1/2000 of 7 of January. Regarding administrative cases, simplified procedures are those up to 13 000 euros
Sweden: In civil cases amenable to out of court settlement, the district court shall consist of a single legally qualified judge, if the value of the claim obviously does not exceed half of the base amount according to the National Insurance Act. In 2010, half of the base amount was about 2400€. In such small claims cases, the right to compensation for litigation costs is limited.

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) in 2012 (Q89)

Belgium: Articles 735 E.S. of the Belgian Judicial Code. Art. 747 of the Judicial Code. The parties may agree among themselves time to conclude the introductory hearing and at each subsequent hearing.
Denmark: The court can conclude agreements with the parties during the preliminary hearing concerning the further processing of the case. Furthermore, the court can appoint the time and date of the hearing.
Estonia: In practice many judges actually try to reach an agreement with the parties concerning the course of the proceeding (dates of hearings etc). It is not regulated at all by the law and the judges are not forced to reach an agreement.
Finland: The court has the formal authority to decide on dates of hearings etc. but in practice lawyers and the court conclude agreements on such modalities in order to ease the process.
France: En matière civile comme pénale, les juridictions et les barreaux signent des protocoles relatifs à l'organisation de la défense en vue d'améliorer la défense des justiciables tant en qualité qu'en célérité. Par ailleurs, en matière civile, de nombreuses juridictions ont mis en place de manière informelle des « contrats de procédure ». Il s'agit, pour le juge et les conseils des parties, dès la première audience de mise en état, de décider du calendrier de la procédure (voir décret du 28 décembre 2005 et décret du 1er octobre 2010).
Ireland : In civil cases, issues of fact or law can be agreed by the parties in advance of trial. Parties in High Court cases can agree on timeframes for lawyers to make submissions and on dates of hearings, which Judges will enforce.
Italy: This is possible only in a few cases (e.g. company law).

Luxembourg: As part of the procedure for commissioning in civil and commercial matters, delays may be imposed by the judge of the pretrial; these delays can (to some extent) be the object of a debate between judges and lawyers.
Malta: The lawyers of the parties generally appear in front of the president Judge or Magistrate and agree on the way the case should be processed, namely as to how witnesses are to be produced and sittings to be set, and this will be recorded in the Court minutes by the Registrar.
Netherlands: Pre-trial consultations between parties is sometimes possible. In the civil procedure further planning of the procedure on one of the topics in the hearing can be made. Also parties can make there wishes knowable in writing. It's the judge who decides.
Romania: The Romanian procedural law (the former Civil Procedure Code applicable in 2012) consecrates a special procedure, optional – the research of the trial in the case the proofs are administered by lawyers (Art. 241 ind. 1- 241 ind. 22 of the Civil Procedure Code). In civil matter, as a rule, the procedural documents are accomplished in the order, time limits and conditions laid down by law or, where applicable, established by the judicial court. As an exception, after the court notification, if the parties have a lawyer or legal counsellor, the requests, defenses or other documents may be served directly between them; in this case, the one who receives the document will attest the reception and will register the reception date on the copy which shall be immediately lodged at the court, under the sanction of overriding; the proof of service of the document may be also made by any other document filed at the case file by which there is attested, under signature, the reception of each procedural document which has been served (Art. 86 ind.1 of the Civil Procedure Code).
Slovakia: Unless the time limits are governed by law, the judge can set the procedural time limits himself/herself. In justified cases the limits set by the judge can be extended
Slovenia: Courts and lawyers can have agreements on dates of hearings, of course within the procedural rules. Procedural rules limit the possibility to present evidence outside the first hearing, so different agreements in this sense are not possible.
Sweden: For example agreements that a civil case should be decided upon by a single judge, timeframes for the parties (lawyers) in civil cases when to submit conclusions and written evidence.

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting in 2012 (Q 186)

Croatia: We confirm that the time period has shortened and now is between 1 and 5 days.
Greece: more than 30 days. The noted increase [in comparison of the previous exercise] of the average timeframe to notify the decision to the parties as regards a decision on debts' collection is due to the financial crisis and the consequent burden from a large increase in the number of cases brought before the courts.
Slovenia: In 2010 a reform concerning the enforcement of court decisions was introduced which aims to increase the speed of enforcement on the basis of executive instruments (judgements, enforceable notarial deeds, etc.) upon assets which a debtor has deposited with organizations for money movements (banks, etc.) Special enforcement procedure on the basis of bill of exchange was also introduced which pursues the same aim. Steps were also taken to improve collecting information on debtor's property and to expand electronic commerce in enforcement procedures. In 2011 a reform was introduced aiming at speeding up the procedure of enforcement on the basis of an authentic document by tackling the problem of unjustified objections against a decree of enforcement which are lodged with the sole purpose of delaying enforcement.

Indicator 4: Systems for measuring and evaluating the performance of courts

Table 4.1. Authorities responsible for the evaluation of the performance of the courts in 2012 (Q 77)

States	High Council of Judiciary	Ministry of Justice	Inspection authority	Supreme Court	External audit body	Other
Austria	No	Yes	Yes	No	No	No
Belgium	No	No	No	No	No	No
Bulgaria	Yes	No	Yes	No	No	No
Croatia	Yes	Yes	No	Yes	No	No
Cyprus	No	No	No	Yes	No	No
Czech Republic	No	Yes	No	No	No	No
Denmark	No	No	No	No	No	Yes
Estonia	Yes	Yes	No	No	No	No
Finland	No	Yes	No	No	No	Yes
France	No	Yes	Yes	No	No	No
Greece	No	No	Yes	No	No	No
Hungary	Yes	No	No	No	No	Yes
Ireland	No	No	No	No	No	Yes
Italy	Yes	Yes	Yes	No	No	No
Latvia	No	No	No	Yes	No	No
Lithuania	Yes	No	No	No	No	No
Luxembourg	No	No	No	Yes	No	No
Malta	Yes	No	No	No	No	No
Netherlands	Yes	No	No	No	No	No
Poland	No	Yes	No	No	No	Yes
Portugal	Yes	No	No	No	No	No
Romania	Yes	No	No	No	No	No
Slovakia	Yes	Yes	No	No	No	No
Slovenia	Yes	No	No	Yes	Yes	No
Spain	Yes	No	No	No	No	Yes
Sweden	No	Yes	No	No	No	No
Yes	**13**	**10**	**5**	**5**	**1**	**6**
No	**13**	**16**	**21**	**21**	**25**	**20**

Table 4.2. Modalities of monitoring system in 2012 (Q 67, 68)

States	Annual activity report	Monitoring of the number of incoming cases	Monitoring of the number of decisions	Monitoring number of postponed cases	Monitoring length of proceedings (timeframe)	Monitoring of the other elements	Modalities of monitoring systems per state/entity
Austria	Yes	Yes	Yes	Yes	Yes	Yes	6
Belgium	Yes	Yes	Yes	Yes	Yes	No	5
Bulgaria	Yes	Yes	Yes	Yes	Yes	No	5
Croatia	Yes	Yes	Yes	Yes	Yes	No	5
Cyprus	Yes	Yes	Yes	Yes	Yes	No	5
Czech Republic	No	Yes	Yes	Yes	Yes	No	4
Denmark	Yes	Yes	Yes	Yes	Yes	Yes	6
Estonia	Yes	Yes	Yes	Yes	Yes	Yes	6
Finland	Yes	Yes	Yes	Yes	Yes	No	5
France	Yes	Yes	Yes	Yes	Yes	Yes	6
Germany	Yes	Yes	Yes	No	Yes	Yes	5
Greece	Yes	Yes	Yes	Yes	Yes	No	5
Hungary	Yes	Yes	Yes	Yes	Yes	Yes	6
Ireland	Yes	Yes	Yes	No	No	No	3
Italy	Yes	Yes	Yes	Yes	Yes	No	5
Latvia	Yes	Yes	Yes	Yes	Yes	Yes	6
Lithuania	Yes	Yes	Yes	Yes	Yes	Yes	6
Luxembourg	Yes	Yes	Yes	No	No	No	3
Malta	Yes	Yes	Yes	Yes	No	No	4
Netherlands	Yes	Yes	Yes	Yes	Yes	No	5
Poland	Yes	Yes	Yes	Yes	Yes	Yes	6
Portugal	Yes	Yes	Yes	Yes	Yes	No	5
Romania	Yes	Yes	Yes	Yes	Yes	Yes	6
Slovakia	No	Yes	Yes	Yes	Yes	Yes	5
Slovenia	Yes	Yes	Yes	Yes	Yes	Yes	6
Spain	Yes	Yes	Yes	Yes	Yes	Yes	6
Sweden*	No	Yes	Yes	No	Yes	Yes	4
Yes	**24**	**27**	**27**	**23**	**24**	**14**	EU Average:
No	**3**	**-**	**-**	**4**	**3**	**13**	5 modalities

* for Sweden, "NO" means "No, only in an intranet website"

Table 4.3. System to evaluate regularly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system in 2012(Q 69, 70, 78 and 79)

States	Performance and quality indicators-Q	Regular evaluations system - Q69	Quality standards defined-Q78	Specialised court staff entrusted with quality policy and/or quality systems-Q79	Sum
France	1	1	1	1	4
Greece	1	1	1	1	4
Netherlands	1	1	1	1	4
Slovenia	1	1	1	1	4
Spain	1	1	1	1	4
Croatia	1	1	1		3
Estonia	1	1	1		3
Finland	1	1	1		3
Hungary	1	1	1		3
Poland	1	1	1		3
Slovakia	1	1	1	1	4
Austria	1	1			2
Czech Republic	1	1			2
Denmark	1	1			2
Germany*	1	1			2
Italy	1	1			2
Latvia		1	1		2
Lithuania	1	1			2
Portugal	1	1			2
Romania	1			1	2
Sweden	1	1			2
Bulgaria	1				1
Cyprus	1				1
Ireland	1				1
Malta			1		1
Belgium					0
Luxembourg					0

* Germany: Questions 78 and 79: data non available

Table 4.4.Performance targets defined at the level of the court in 2012 (Q 72, 73, 74, 81 and 82)

States	Performance targets defined at the level of the court	Performance targets defined for each judge	Targets set by Executive power	Targets set by Legislative power	Targets set by Judicial power	Targets set by President of the court	Targets set by Other	Monitoring of waiting time during court procedures	System to evaluate the overall functioning of courts on the basis of an evaluation plan agreed beforehand
Austria	No	No	No	No	No	No	No	No	Yes
Belgium	No	No	No	No	No	No	No	No	No
Bulgaria	No	No	No	No	No	No	No	NA	No
Croatia	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes
Cyprus	Yes	No	No	No	No	No	No	Yes	No
Czech Republic	No	Yes	Yes	No	No	No	No	No	Yes
Denmark	Yes	No	No	No	No	No	No	No	No
Estonia	Yes	No	No	No	No	No	No	No	No
Finland	Yes	No	No	No	No	No	No	Yes	Yes
France	Yes	No	No	No	No	Yes	No	No	No
Greece	No	Yes	No	No	Yes	No	No	Yes	Yes
Hungary	Yes	Yes	No	No	No	Yes	No	Yes	Yes
Ireland	No	No	No	No	No	No	No	Yes	No
Italy	Yes	No	No	No	No	No	No	No	Yes
Latvia	No	No	No	No	No	Yes	Yes	No	No
Lithuania	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes
Luxembourg	No	No	No	No	No	No	No	No	No
Malta	No	No	No	No	No	No	No	No	No
Netherlands	Yes	No	No	No	No	No	No	Yes	Yes
Poland	Yes	Yes	No	No	No	Yes	No	Yes	Yes
Portugal	No	No	No	No	Yes	No	No	No	Yes
Romania	No	Yes	No	No	Yes	No	No	Yes	Yes
Slovakia	Yes	No	No	No	No	No	No	No	Yes
Slovenia	Yes	Yes	No	No	Yes	No	No	Yes	Yes
Spain	Yes	Yes	No	No	Yes	No	No	Yes	Yes
Sweden	Yes	No	No	No	No	No	No	No	No
Yes	15	9	2	1	7	5	1	11	15
No	11	17	24	25	19	21	25	14	11

Table 4.4 bis Main performance and quality indicators possibly defined concerning courts

country	Main performance and quality indicators possibly defined concerning courts activities
Austria	Incoming cases; Closed cases; Pending cases and backlogs; Other
Belgium	
Bulgaria	Incoming cases; Lenght of proceedings; Closed cases; Pending cases and backlogs; Productivity of judges and court staff; Percentage of cases that are processed by a single sitting judge; Cost of the judicial procedures; Enforcement of penal decisions
Croatia	Lenght of proccedings; Closed cases; Pending cases and backlogs; Productivity of judges and court staff
Cyprus	Lenght of proccedings; Pending cases and backlogs; Productivity of judges and court staff; Judicial quality and organisational quality of the courts
Czech Republic	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Denmark	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Estonia	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Finland	Lenght of proccedings; Closed cases; Pending cases and backlogs; Productivity of judges and court staff
France	Lenght of proccedings; Closed cases; Pending cases and backlogs; Productivity of judges and court staff
Greece	Lenght of proccedings; Closed cases; Productivity of judges and court staff; Enforcement of penal decisions
Hungary	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Ireland	Incoming cases; Enforcement of penal decisions; Satisfaction of court staff; Satisfaction of court users (regarding the services delivered by the courts)
Italy	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Latvia	
Lithuania	Incoming cases; Lenght of proccedings; Pending cases and backlogs; Productivity of judges and court staff
Luxembourg	
Malta	
Netherlands	Lenght of proceedings; Closed cases; Percentage of cases that are processed by a single
Poland	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs; Other
Portugal	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Romania	Incoming cases; Closed cases; Pending cases and backlogs; Productivity of judges and court staff
Slovakia	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Slovenia	Lenght of proccedings; Closed cases; Productivity of judges and court staff; Cost of the judicial procedures
Spain	Incoming cases; Lenght of proccedings; Closed cases; Pending cases and backlogs
Sweden	Lenght of proccedings; Closed cases; Pending cases and backlogs; Productivity of judges and court staff

Table 4.4 ter Authorities possibly responsible for setting targets for the courts in 2012 (Q 75)

country	Authorities possibly responsible for setting targets for the courts
Austria	
Belgium	
Bulgaria	
Croatia	Executive power; Judicial power; President of the court
Cyprus	Judicial power
Czech Republic	
Denmark	Other
Estonia	Executive power; President of the court; Other
Finland	Executive power; Other
France	Executive power
Greece	
Hungary	President of the court
Ireland	
Italy	Executive power; Judicial power
Latvia	
Lithuania	Legislative power; Judicial power
Luxembourg	
Malta	
Netherlands	Other
Poland	Executive power; Legislative power; President of the court
Portugal	
Romania	Judicial power
Slovakia	Executive power; Judicial power
Slovenia	Judicial power
Spain	Judicial power
Sweden	Executive power; President of the court; Other

Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) in 2012 (Q80)

country	Monitoring backlogs and cases that are not processed within a reasonnable timeframe for civil law cases	Monitoring of backlogs and cases that are not processed within a reasonable timeframe for criminal law cases	backlogs and cases that are not processed within a reasonable timeframe for administrative law cases
Austria	Yes	Yes	No
Belgium	Yes	Yes	No
Bulgaria	NA	NA	NA
Croatia	Yes	Yes	Yes
Cyprus	Yes	Yes	Yes
Czech Republic	Yes	Yes	Yes
Denmark	Yes	Yes	Yes
Estonia	Yes	Yes	Yes
Finland	Yes	Yes	Yes
France	Yes	Yes	Yes
Greece	Yes	Yes	Yes
Hungary	Yes	Yes	Yes
Ireland	No	No	No
Italy	Yes	Yes	No
Latvia	Yes	Yes	Yes
Lithuania	Yes	Yes	Yes
Luxembourg	No	No	No
Malta	Yes	Yes	Yes
Netherlands	Yes	Yes	Yes
Poland	Yes	Yes	Yes
Portugal	Yes	Yes	Yes
Romania	Yes	Yes	Yes
Slovakia	Yes	Yes	Yes
Slovenia	Yes	Yes	Yes
Spain	Yes	Yes	Yes
Sweden	Yes	Yes	Yes
Yes	23	23	20
No	2	2	5

Table 4.6. Surveys conduct among users or legal professionals to measure public confidence and/or satisfaction in 2012 (Q38)

States	Surveys aimed at judges	Surveys aimed at court staff	Surveys aimed at public prosecutors	Surveys aimed at lawyers	Surveys aimed at the parties	Surveys aimed at other court users	Surveys aimed at victims
Austria	Yes	Yes	Yes	Yes	Yes	Yes	No
Belgium	No	No	No	Yes	Yes	No	No
Bulgaria	No	No	No	No	No	No	No
Croatia	No	No	No	No	No	No	No
Cyprus	No	No	No	No	No	No	No
Czech Republic	No	No	No	No	No	No	No
Denmark	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Estonia	No	No	Yes	Yes	Yes	No	Yes
Finland	No	No	No	Yes	Yes	Yes	Yes
France	No	No	No	No	Yes	No	Yes
Germany	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Greece	No	No	No	No	No	No	No
Hungary	No	No	No	No	Yes	Yes	Yes
Ireland	Yes	Yes	Yes	Yes	Yes	Yes	No
Italy	No	No	No	No	Yes	Yes	No
Latvia	Yes	Yes	No	No	Yes	No	No
Lithuania	Yes	Yes	Yes	No	No	No	No
Luxembourg	No	No	No	No	No	No	No
Malta	No	No	No	No	No	No	No
Netherlands	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Poland	No	No	No	No	Yes	No	Yes
Portugal	No	No	No	No	No	Yes	No
Romania	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Slovakia	No	No	No	No	No	No	No
Slovenia	Yes	Yes	Yes	Yes	Yes	No	No
Spain	Yes	No	No	Yes	Yes	No	No
Sweden	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	**11**	**10**	**10**	**12**	**17**	**11**	**10**
No	**16**	**17**	**17**	**15**	**10**	**16**	**17**

Comments - Indicator 4 - Systems for measuring and evaluating the performance of courts

Table 4.1. Authorities responsible for the evaluation of the performance in 2012 of the courts (Q 77)

Denmark: Other: The Danish Court Administration;
Finland: Courts of Law are organizationally under the administration of the Ministry of Justice. In matters of law, the Courts are independent. The Ministry does not supervise court decisions.
Other: Courts are also supervised by the Chancellor of Justice and the Parliamentary Ombudsman.
Hungary: Other: National Office for the Judiciary and Presidents of the courts:
- the presidents of the regional courts evaluate the activities of the local courts and the administrative and labor courts operating in their territory;
- the judicial council – which operates at every regional court - shall form an opinion on the annual budget plan of the court and on the implementation of the approved budget;
- the conference of judges – which includes all judges of the court - decides upon initiating their executive examination, furthermore may initiate the negotiation of a matter by the National Council of Justice;
- the National Council of Justice shall control the financial management of the courts, and form an opinion on the report on the implementation of the budget;
- the teams for analyzing the judicial practice of the courts at the Curia evaluate the adjudicating activities of the courts on a given field;
- the president of the National Office of the Judiciary shall direct and supervise the administrative activity of the presidents of courts, monitor the enforcement of the rules pertaining to the administration of courts, and the compliance with the procedural deadlines and administrative regulations.
Ireland: Other: The Courts Service Board has overall authority in the management and administration of the Courts Service.
Luxembourg: The Supreme Court is acting in the frame of its disciplinary power.
Poland: Other: President of the Court and President of higher Court in respect to lower courts in its jurisdiction using the statistical indicators and / or visitations performed by visiting judges.
Romania: Precisions as to the High Council of Judiciary – inspectors of the Judicial Inspection of SCM (Superior Council of Magistracy).
Slovakia: Under the Act on the courts (No. 757/2004 Coll.) the internal inspection is the type of the supervision of the court and the judges aimed to examination of the current state of performing of justice, to detection of reasons of possible weaknesses and to proposition of the remedies.
Slovenia: The Judicial Council monitors and evaluates the performance of courts and issues a yearly report on the execution of judicial power (Courts Act, Article 28).
The external audit body meant is the Court of Audit of the Republic of Slovenia. In accordance with the Slovenian Constitution the Court of Audit of the Republic of Slovenia is the highest body for supervising state accounts, the state budget and all public spending in Slovenia.
The Ministry of Justice has no formal role in evaluating the performance of courts, so we did not put check beside. Nevertheless, it has significant influence with allocating the budget for investments in courts and preparing the legislation on the judicial system.
Spain: Other: The President of the High Court of Justice of the Autonomous Region is responsible as well for evaluating the performance of every court of their region.

Table 4.2. Modalities of monitoring system in 2012 (Q 67, 68)

Austria: Other: certain kinds of decisions.
Bulgaria: Every six months the courts prepare an activity report, according to art. 30, paragraph 1, p.13 of the Law on the Judiciary.
Czech Republic: The annnual activity report concerning all district and regional courts is prepared by the Ministry of Justice.
Denmark: Other: Goals have been defined for percentiles number of cases that are completed within different time brackets, i.e. 3 months, 6 months *etc*.
Estonia: Other: A monitoring system exists for results of proceedings; categories of cases; how many decisions are appealed and revoked, fully or partially; the waiting time; the "age" of pending (not solved) cases.
Finland: All Courts of Law maintain statistics of the above mentioned items in operational case management systems and the Court Administration Unit of the Ministry of Justice can use these figures through reporting system.
France: In the frame of a collaboration system of management and in order to be granted operating means and tools, each court has to fulfill a document addressed to the Ministry of Justice. This document encompasses data concerning the number of decisions delivered, the number of cases actually considered by courts, the number of judges and administration staff and the performance goals to achieve. This document is not available on the intranet web site and solely servants of the Ministry endowed with the

responsibility to carry out the collaboration system of management have access to these figures by means of special software. Stock status by age criterion. With regard to the administrative courts, all these indicators are followed, except the number of postponed cases.
Greece: Individual courts are asked to prepare an annual activity report but it is not required by law.
Hungary: Other: Individual judge statistics, statistics on the reasons of the postponed trials, number of trial days, number of trialed cases, number of cases scheduled for one day, cases under process of an individual judge.
Ireland: The Courts Service is required by statute to provide an annual report on its activity during the year concerned. The report would include data on caseload for each court jurisdiction.
Latvia: Other: Decision stability (proportion of decisions appealed in higher instance).
Lithuania: Other: Data, related to the case, its' process and parties to the proceedings (the Lithuanian court information system LITEKO).
Poland: Other: Number of "old cases", type of cases, number of court sessions, written justification time.
Romania: Other: The length of administrative procedures, the number of final convictions, legal aid, suspended cases *etc*.
Slovakia: The individual courts are required only to send the statistical data to Ministry of Justice who published all the data for the whole judiciary on the internet.These data includes also the data for the individual courts.
Other: Number of cases according to types of disputes, the result of the case (reconciliation, dismissals, full satisfaction, partial satisfaction, *etc*.).
Slovenia: Other: Each court monitors the above mentioned data on regular basis, depending on their own decision, but four times a year (prescribed by the Court Rules) these data are collected and published on a national level. We have a regular monitoring system in a form of collecting data on court statistics. Court statistics are collected and published four times a year by the Ministry of Justice. They include the data on the number of judges and court staff, number of incoming, resolved and pending cases, age of unresolved cases, length of proceedings, average time to resolve a case, type of decision, court backlogs, legal remedies and time to issue a court decision. Beside that courts themselves are equipped by special reports produced in the Court management information system on priority areas that are set in the beginning of year. They include more detailed information on court activities (length of specific phases in a court procedure, top 20 oldest cases in certain area of law for each specific court, etc.) and human resources, as well as performance indicators (the critical indicators are marked red) that provide guidance to presidents and directors of courts. These additional data available to court management officials are the reason, why we put check before "other elements". Both systems – court statistics and the business intelligence system that creates priority reports derive the data from the same source - the Data warehouse of the Supreme Court.
Spain: The report is made every three months through an electronic statistical bulletin.
Q: 68: Other: Number of enforcement procedures, number of decisions appealed, number of rogatory letters issued, received and resolved.
Sweden: Other: Statistics concerning review permits in a superior court (this is often required when you appeal to a superior court); statistics concerning hearings; statistics concerning parties; statistics concerning various types of decisions: number of times a judicial decision is changed in a superior court; statistics concerning unit within court used to handle the case; statistics concerning number of judges used to handle the case.

Table 4.3: System to evaluate regularly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

Austria: Operational Information System (BIS) and Periodic check lists (On October 1st of every year).
Czech Republic: Department of Supervision of the Ministry of Justice prepares semi-annual reports on court activities.
Croatia: Q. 69: Integrated case management system is software developed to track performance of each judge in all the courts regarding resolved, pending and unresolved cases. All those data are visible to the court's president so he can evaluate judges performance. Also, all those data are being automatically sent to Ministry of Justice which makes all sorts of statistics regarding functioning of each court in Croatia. Q. 78: The quality of the judicial system is determined by the number of confirmed decisions.
Q. 79: In the Republic of Croatia there is no specialized court staff entrusted with quality standards. The implementation of quality policy and quality system of justice is entrusted to the presidents of courts and sessions of judges of a particular court in certain cases. Therefore, the answer is NO.
Denmark: Activity is evaluated on a monthly basis.
Estonia: The president (chairman) of the court gives once a year a statistical overview about the performance of the court to the Minister of Justice during the session of the Council for Administration of Courts. The quality standards for the management of the court were approved by the Council for Administration of Courts in December 2012 and introduced to the Court en banc in February 2013.

Finland: There are annual negotiations between all courts and the Ministry of Justice. In Finland, there is one Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi (launched in 1999). It covers both civil cases and criminal cases. The main working method consists of systematic discussions among the judges and also between the judges and stakeholders. The development work is steered by the development committee of the quality project. Normally four working groups for quality are set up for each year. The membership consists of judges from each of the District Courts in the appellate jurisdiction, members of the Court of Appeal, and referendaries of the Court of Appeal. Also prosecutors, private attorneys, public legal aid attorneys and heads of pre-trial investigation may serve as members in the working groups for quality. The reports of the working groups are presented at the Quality Conference, they are discussed, and quality objectives based on the reports are set for the following year. The Report of Quality, containing the final reports, is published every year.
There is also quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. It consists of working methods of two kind: cooperation with the University of Helsinki and working groups. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. The reports of the working groups are presented at the conference called "Day of Jurisdiction".
In addition there is a cooperation project between administrative courts. Some topics of the project have related to the quality standards. The reports of the project have discussed the matters like the factors of quality at administrative courts and the collection of information on quality.
France: An annual evaluation takes place with regard to administrative and judicial courts.
As concerns the judicial justice (*justice judiciaire*), there is an in-service evaluation but also an external evaluation ensured by the Information Center Pharos. The latter provides analyses of performance and comparative studies between all respective courts.
The DGME which has become the General Secretary for the Modernisation of the Public Action, service of the Prime Minister, is empowered to define and implement the MAP (modernization of the public action) in the frame of the State services, included the judicial institutions. The aim is to improve the functioning of the courts as well as this of courts' administration. The main program remains "Marianne" that determines standards of quality in the area of the justice (initiated in 2009). In 2012, 44% of the courts have been involved in this project. The method of labelling was rejected for budgetary reasons.
Greece: Evaluation is based on the annual inspection performed by the Courts Inspectors and the Courts Disciplinary Council of the Supreme Court, Areios Pagos.
Quality standards/systems have been set by the High Council of Judiciary and they have been included in Law 1756/1988.
Hungary: The court case load statistics are made from monthly, quarterly, six-monthly and annual data.
The courts of appeal shall make a professional note on every case of first instance and analyze especially the following: wrong or right implementation of the substantive law, procedural law and the rules of court; quality of the preparation of trials; quality of the trial procedure; grounding of the application of coercive measures; the timeliness of the setting of the trial; the timeliness of the transcription of sentences; quality of the drafting of resolutions. The so earned conclusions are summarized and yearly reported to the judges of first instance.
The teams for analysing the judicial practice of the courts at the Curia evaluate the adjudicating activities of the courts on a given field and periodically report on the observations to the judicial organisation.
Latvia: The Court Informative System contains statistical dates about courts work *etc*. The statistical data also have been published regularly in the e-portal www.tiesas.lv.
In June 26, 2008 "The visitors service standards of the district (city) courts and regional courts" was approved. This courts visitors service standard summarizes the general principles of judicial reception and providing with information.
Malta: There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.
Poland: The most important indicator comes from evaluation of judgments through second instance procedure. In this purpose "judgment stability" ratio are in use as a ratio of judgments reversed or annulled in procedure of appeal.
Portugal: Every month a data collection of all courts is assembled. In addition, in first degree courts the electronical procedures allow a daily basis analysis.
http://www.siej.dgpj.mj.pt/webeis/index.jsp?username=Publico&pgmWindowName=pgmWindow_633918141195530467.
Every 4 years we have a complete analysis to the work of all courts, with the local inspectors made by judges appointed by the Judicial Council.
Romania: There was not formally adopted a periodic evaluation system of the activity of each court, but the SCM uses a series of performance indicators concerning the activity of courts. The evaluation of the activity/functioning of courts is achieved by verifications carried out by inspectors of the Judicial Inspection of

SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by SCM.
At organizational level, there are no quality standards established for courts. It may be considered that such standards were established at individual level, for each judge, by the indicators for the evaluation of professional activity.
Slovakia: Every court has to provide monthly the ministry of Justice with the detailed statistical output concerning the number of the incoming and resolved cases, the types of the cases, length of proceedings, the result of the case *etc*. The internal inspection is a part of the performance of justice and has to be performed in five year intervals.
There is a system to evaluate the overall functioning of courts with respect to the Manifesto of the Government of the Slovak Republic for the period of 2010 – 2014.
Slovenia According to the Courts Act (Article 60.a) every court has to prepare the yearly report which is sent to the higher court, the Supreme Court, the Judicial Council and the Ministry of Justice.
Every court president has to prepare a yearly plan (Courts Act, Article 71.a, b) that is sent to the president of the higher court, the Supreme Court and the Minister of Justice.
The Judicial Council monitors and evaluates the performance of courts and issues a yearly report on the execution of judicial power (Courts Act, Article 28).
In the process of budget preparation each court has to set targets, the achieving of which is subject of yearly report to the Ministry of Finance.
The new Criteria for the assessment of quality of the work of courts have been adopted in 2010 by the Judicial Council and there is a 3-year trial period in which some pilot courts will be monitored regarding the selected criteria. After the trial period the criteria will be revised and then adopted on state level.
For 2010 we answered "No", while for 2012 the answer given is "Yes":Specialised staff at the Office for Court Management Development at the Supreme Court of the Republic of Slovenia is responsible for dealing with quality standards for the judicial system.
Spain: The Inspection Service of the General Council of the Judiciary elaborates monitoring reports on the basis of the information provided by the Judicial Statistics Department, furthermore, data is provided every three months by the statistics elaborated by the *Secretarios Judiciales* of each court.
National Quality Commission approved a quality system that has been implemented in the New Judicial Courts.

Table 4.4: Performance targets defined at the level of the court in 2012 (Q 74, 72, 73, 81 and 82)

Q 73:
Croatia: The Minister of Justice is adopting the Framework criteria for judges on a proposal from the Supreme Court of the Republic of Croatia.
Q. 82: The Republic of Croatia continuously monitors the functioning of courts. The quality of the judiciary is assessed on the basis of the number of affirmed decisions.
Hungary: It is stipulated in the courts' organizational and operational rules, that for example how many hearing days a judge shall have in a month and how many cases shall the judge monthly hear. These rules are issued by the president of the court but before that the judicial council shall form an opinion on them. The rules are approved by the president of the National Office for the Judiciary.
Latvia: Judges are setting the targets by themselves.
Q 74
Latvia: By amendments to the Law on Judicial power from year 2014 the president of the court before each annual year, in cooperation with the court judges will determine the court work aims on the average period of case review.
Romania: At present, the performance objectives were not established for courts or for the judiciary. Only the performance indicators and a system for individual professional evaluation of judges and prosecutors were established. However, the activity of courts is evaluated and monitored periodically, on the basis of certain statistical data/performance indicators, such as those presented at question 71. The results of the evaluation are taken into consideration when substantiating some measures of the human resources policy (for example, the volume of activity of a court is used also as a criteria when analyzing the redistribution of positions among courts or when analyzing the requests of transfer from one court to another). The evaluation of the activity/functioning of courts is achieved by verifications carried out by inspectors of the Judicial Inspection of SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by SCM. At organizational level, there are no quality standards established for courts. It may be considered that such standards were established at individual level, for each judge, by the indicators for the evaluation of professional activity (which, for example, aim inclusively at the respect of legal terms for writing the decisions). For those standards, the members of the evaluations commissions may be kept responsible for the quality policy. Within the "Court Optimisation Project" financed by the World Bank, implemented from October 2011 to March 2013, the final recommendation included the introduction of Key

Performance Indicators (KPIs), such as the clearance rate, the number of cases older than one year, the number of cases solved within 1 year, and the comparative measurement system.

Q 81:

Croatia: In the Republic of Croatia waiting time, as the time during which nothing happens in a procedure, is not being monitored regularly. There are only post-analysis of the reasons why the waiting time has occurred, when a claim for a protection of the right to trial within a reasonable time has been raised for a case concerned. Also, the statistics of individual performance of a judge allows for an effective monitoring of the duration of court proceedings, which can indirectly lead to the possible insight of the duration and the reasons for a waiting time to occur. Courts Rulebook envisages the possibility of re-assigning cases to another judge or another council of the same court, if there is no possibility of completing the proceeding within a reasonable time or for other justified reason.

Estonia: According to the explanatory notes the "waiting time means time" during which nothing happens in the procedure and "monitoring" is related to the day-to-day activity of the courts. The Court Information System used by the Estonian courts at the moment does not enable the monitoring of waiting time. However, the system measures the overall length of the procedure.

Finland: The computer based case management systems provide information about duration of procedures in every single case as necessary. In practice the courts are controlling themselves and the control is based on the sum ups of the performance in a month or in another period.

Hungary: The judges need to report frequently on those cases where the duration of the process is longer (more than 2 years, more than 5 years). Based on these reports special measures could be initiated. The court presidents should report on these cases to the President of the National Office for the Judiciary.

Ireland: Court waiting times, from decision of parties to refer a case to trial to the actual trial date, are the subject of annual reporting by the Courts Service.

Lithuania: The National Courts Administration analyses the reasons of prolonged hearings of cases and delivers the generalizations to the Judicial Council. Besides, the supervision of administrative activities in accordance with the Regulations on Administration in Courts are exercised: 1) of district courts – by the Chairman of the relevant regional court; 2) of regional administrative courts – by the Chairman of the Supreme Administrative Court; 3) of regional courts – by the Chairman of the Courts of Appeals; 4) of the Court of Appeals – by the Chairman of the Supreme Court of Lithuania; 5) of all courts – the Judicial Council (article 104 of the Law on Courts).

Malta: Previously, they were marked as yes since an "informal" monitoring used to take place however, seeing that the request was for a "formal" monitoring system, it has to be indicated as 'No'.

Poland: Time between the day case comes to court and first day of trial in this case; time between the day of lodging the motion of appeal and first day of trial in second instance court; real time for distributing to the parties of the written copy of court order with written reasoning of judgment.

Portugal: We generally do not monitor waiting time during court procedures, but in some courts this is an usual procedure.

Slovenia: Cases that are considered court backlogs are precisely defined by the Court Rules in relation to the time from the matter being filed with the courts, depending on individual types of case. The time frames that define the time limits for backlogs have been changed and different time limits were in force in 2008, 2009 and 2010. However, following an agreement between the Judiciary, the Ministry of Justice and the Judicial Council, the focus moved from the area of backlogs to the criterion of timeframes for judicial decisions.

Spain: The management information system used within the courts allows monitoring waiting time. Through the General Council of the Judiciary there are virtual inspections that facilitate to follow up timeframes of the procedures.

Q 82:

Austria: Annual audit plan with regular audits every 4 to 7 years.

Croatia: The Republic of Croatia continuously monitors the functioning of courts.

Finland: There are annual negotiations between all courts and the Ministry of Justice. In addition there is another regular evaluation system: the courts of law annually give a report on their functioning.

Greece: Annual inspection of the evaluators (inspectors) of courts.

Hungary: Annual report on the operation of the court provided by the president of the county courts, regional courts. The evaluation consists mainly of the annual report of the presidents and the annual work schedule of the courts.

Italy: Quarterly monitoring, Annual Report, Inspection visits every 3 years for all judicial offices.

Lithuania: The subjects of the supervision of administrative activities establish annual plans of planned supervision of organizational and administrative activities of courts (art. 19 of the Regulations on Administration in Courts). The planned complex supervision of administrative activities of courts should be performed not less than once per 5 years (art. 20 of the Regulations on Administration in Courts).

Malta: Previously, they were marked as yes since an "informal" monitoring used to take place however, seeing that the request was for a "formal" monitoring system, it has to be indicated as 'No'.

Netherlands: There is a planning and control cycle (3 times per year) which involves financial/accounting eveluation but also visits; there is once per year an accountant check of the annual report (per court and for total of 19 district courts, 5 general appeal courts and 2 specialised courts (Trade and Inductry Tribunal (CBb) and Central Appeals Tribunal (CRvB)), and once every 4 years there is a round of visitations.
Poland: The evaluation of performance is an ongoing task of President of the court and Judges – chiefs of divisions in that court. They are obliged to identify the cases that are handled for a time longer than statistically required and provide administrative supervision in court actions in these cases. Visitations are performed due to plan of visitation prepared by higher court or *ad hoc*. Visitation in-depth that examine evaluation of efficiency and quality performances is obligatory in initiating the promotion procedure in respect to individual judge.
Portugal: Every four years.
Romania: The evaluation of the activity/functioning of courts is achieved by verifications carried out by inspectors of the Judicial Inspection of SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by SCM.
Slovakia: The internal inspection of the courts is performed in accordance with the schedule of the inspections, which is approved by the Judicial council. The internal inspection has to be performed every five years.
Slovenia: As for a general functioning of the courts these visits started on a regular basis in 2011 and since they have been conducted yearly.
Spain: The Inspection Service of the General Council of the Judiciary organises scheduled visits every six months and makes a report based on statistical data provided by courts, and makes virtual inspections through the website "punto neutro judicial" that facilitate to follow up the timeframes of the procedures. Even though every three months, every Spanish court send statistical bulletin to the General Council of the Judiciary.

Table 4.4. bis: Main performance and quality indicators possibly defined concerning courts activities (Q 71)

Austria: Other: Cases, which have a certain duration between the decision and the dispatch of the decision; examination of the ratio of staff to caseload (PAR); length of procedures.
Poland: Waiting time between the day the case comes to the court and the first day of trial in this case.
Slovenia: criterion of efficiency – number of closed cases, divided with the number of judges and non-judge staff; criterion of effectiveness – timeframes of proceedings; criterion of economy – budget, divided with the number of closed cases.

Table 4.4. ter: Authorities possibly responsible for setting targets for the courts (Q 75)

Denmark: Other: The courts and the Danish Court Administration cooperate on defining the collective goals and targets for all courts (district courts and high courts). Within this framework, the individual courts are free to set up sub-targets and are expected to do so to manage their court as well as possible.
Estonia: Other: The targets are set individually for each court (of first or second instance) in a form of an agreement ("agreement of the objectives of the development of the court") between the court and the Ministry of Justice. The objectives are set in cooperation with the president (chairman) of the court, director of the court and the Ministry of Justice.
Finland: Other: There are annual negotiations between all courts and the Ministry of Justice (method called "Management by results"). The targets are defined in the course of negotiations.
Italy: Every year, the Ministry of Justice provides new performance targets. For the first time in Italian judiciary system law decree n. 98/2011 has provided for economic bonuses to courts and single magistrates when the number of pending cases is reduced by a certain percentage in a year (civil sector only).
Netherlands: Other: The courts together with the Council for the Judiciary decide together. The Council for the Judiciary is leading.
Poland: For certain cases the law imposes timeframe for performing specific action or handling specific matters. Ministry of Justice sets the statistical targets for the court system. President of the court sets the performance target.
Sweden: The Government sets the general targets for the courts every year. The detailed targets are set after a discussion between the court presidents and the National Courts Administration. The Supreme Court and the Supreme Administrative Court set their own targets.

Table 4.5. Systems measuring backlogs (in civil, criminal and administrative cases) in 2012 (Q 80)

Netherlands: a monitoring is provided, but not on backlogs. The monitoring may now be described as more systematic. Answers concerning 2008, previous CEPEJ evaluation cycle 2008-2012 gave a more strict interpretation: backlogs and reasonable timeframe. Last years, more systematic attention for reasonable time frames. Not focused on backlogs.

Poland: The stockpiles of cases are monitored for all those matters (all those files that remained unsolved at the end of the monitoring period and that remain to be solved in the next period), as well as the period of time since their registration, as intervals (0 – 6 months, 6 months – 1 year, more than 1 year): also, there is an evidence system for the terms in which the cases were solved (0 – 6 months, 6 months – 1 year, 1 – 2 years, more than 2 years).
Portugal: Backlogs are only monitored in superior courts and by initiative of the parties following a proper legal procedure.

Table 4.6. Surveys conduct among users or legal professionals to measure public confidence and/or satisfaction in 2012 (Q 38)

Austria: „Key-Findings regarding the setup of Service Centers“ by agency “marketmind” together with other bodies of the Austrian authorities; “New justice: Strengthening of trust in the Austrian Justice system 2011” by agency Karmasin Motivforschungs GmbH; “Trust in the Austrian Justice system 2013” by agency Karmasin Motivforschungs GmbH; Several minor “ad hoc”-surveys to current topics.
Belgium: Baromètre de la justice 2010 www.csj.be; Enquête de satisfaction: Project Koraal: Klantenbevraging, rechtbanken van eerste aanleg ressort Antwerpen (2012).
Bulgaria: The Supreme Judicial Council has not elaborated surveys.
Croatia: NAP in Croatia (No survey is being conducted on behalf of State authorities, but there have been different surveys conducted by NGOs).
Denmark: Some of the survey information is available on www.domstol.dk.
Estonia: A survey about the victims and witnesses in criminal ans misdemeanor proceedings was carried out in 2012.
http://www.just.ee/orb.aw/class=file/action=preview/id=56671/Kannatanud+ja+tunnistajad+s%FC%FCteome netluses.pdf
Finland: Kaijus Ervasti & Mikko Aaltonen: Osapuolten kokemuksia siviilioikeudenkäynneistä
(title translated: Experiences of participants in civil proceedings), National Research Institute of Legal Policy Research Communications 118, Helsinki 2013; Antti Rissanen & Kati Rantala: Legal adi in Finland - Focused Study on Clientele and Cases, National Research Institute of Legal Policy Research Communications 117, Helsinki 2013; Venla Salmi: Nuorten rikoskäyttäytyminen ja uhrikokemukset (Juvenile criminal behaviour and victims' experiences), National Research Institute of Legal Policy Research Communications 113, Helsinki 2012; Rebecca Kadoch: The Publicity of Trials in General Courts, National Research Institute of Legal Policy Research Communications 112, Helsinki 2012; Virve-Maria de Godzinsky: Taking a child into care - Research of decision making in administrative courts, National Research Institute of Legal Policy Research Report No. 260, Helsinki 2012; Päivi Honkatukia: Victims in the criminal process: vulnerability, services and treatment, National Research Institute of Legal Policy Research Report No. 252 Helsinki 2011; Marjukka Lasola (ed.) National Research Institute of Legal Policy publication Law and the Citizen 2009 – A Survey on Legal Institutions and Access to Justice no. 244; Marjukka Litmala (ed.): Oikeusolot 2004 (Judicial conditions), National Research Institute of Legal Policy publication, 210 / 2004; Hannu Niskanen & Timo Ahonen & Ahti Laitinen: Suomalaisten luottamus tuomioistuimiin (Trust in courts), The University of Turku 1999.
France: As regards surveys aimed to victims: the subdivision of statistics and researches organize regularly such surveys with the technical assistance of the Surveys Institute TNS SOFRES (last data published in *infostat* n°112).
http://www.justice.gouv.fr/budget-et-statistiques-10054/infostats-justice-10057/la-satisfaction-des-victimes-de-delits-suite-au-jugement-21838.html
An annual survey is carried out by INSEE with the financial assistance of SDSE and ONDRP (see the journal "économie et statistique" of INSEE n°448-449, October 2012).
http://www.justice.gouv.fr/budget-et-statistiques-10054/etudes-statistiques-10058/les-determinants-du-depot-de-plainte-24909.html
The SADJAV (*Service de l'accès au droit et à la Justice et de l'aide aux victimes*) is also working in order to improve this parameter of the judicial system, especially concerning the support and the compensations of victims. A survey by phone was carried out in 2011 by IPSOS the Surveys Institute acting in partnership with the Ministry of Justice.
As regards surveys aimed at other court users: the main actor is the SADJAV providing survey every 2 years.
http://www.justice.gouv.fr/budget-et-statistiques-10054/infostats-justice-10057/les-maisons-de-justice-et-du-droit-et-leurs-usagers-21957.html
As regards surveys aimed at the parties: at the end of 2012, the SDSE has started a survey with regard to separate parents.
Hungary: Satisfaction survey occurred among citizens generally measuring the satisfaction with the services delivered by the judicial system. Courts – for the present at the Natinal Office for the Judiciary's

recommendation – shall use client's satisfaction questionnaires. These can be filled in by the clients of the courts anonymously and so they can express their opinion on the work of courts.
Besides this the office responsible for the central administration of courts surveys from time to time the general satisfaction of clients in connection with the work of the courts by charging a public-opinion researcher.
Ireland: The Irish Courts Service has conducted a number of different types of evaluations and surveys and satisfaction surveys among court users/visitors to the courts periodically (the last such survey was conducted in 2010). The Courts Service also maintains a number of court user groups at jurisdiction and office level to obtain regular feedback from court/court office users on the standard of service provided and to receive suggestions for improvement in service/procedures. A survey was carried out in 2011 to examine the satisfaction levels among judges in relation to the support and services they receive from the Courts Service. It is intended to carry out similar surveys at periodic intervals.
Italy: The final reports of these surveys can be found on the website of the Statistics Department of the Ministry of Justice: http://webstat.giustizia.it/default.aspx
Latvia: There are surveys at a court level, provided by the Court Administration.
Lithuania: National Courts Administration of Lithuania once a year are calculating ratings of courts clients to measure their trust ant satisfaction with the services delivered by courts. Survey agency "Vilmorus" every month are calculating ratings of courts and prosecutor's offices clients to measure their trust with the services delivered by courts and prosecutors.
Netherlands: In 2011 there has been a standardized customer satisfaction survey with all 19 first instance courts, the appeal courts and the specialized court. Various types of clients of the courts are included in the surveys. A survey aimed at victims, the assistance they get and their treatment by judicial authorities has been recently developed. Besides there are employee appreciation surveys organised in each court every three years.
Poland: Surveys covering court staff were conducted as a part of justice system evaluation studies financed by the EU - the result are communicated to the Ministry of Justice and are the subject of analysis.
Romania: „Study over the opinions and attitudes (initial conditions) regarding the implementation of the reform of judiciary in Romania", elaborated by Gallup Romania, in 2008, available on the webpage of the Superior Council of Magistracy (www.csm1909.ro); Survey within the project "Elaborating the Strategy for communication and public relations for the judiciary" – 2007, its conclusions being included in the Superior Council of Magistracy's Strategy for communication of the Superior Council of Magistracy and the judiciary, available on the SCM website (www.csm1909.ro); "Opinion and attitude survey (baseline) regarding the implementation of the judicial reform in Romania" prepared by Gallup Organization and submitted to SCM in February 2008.
Slovenia: Within the Slovenian Public Opinion Survey (SPOS) public trust in different institutions is surveyed and one question relates also to the courts. (http://www.cjm.si/). However, this is a general opinion survey and it does not focus only on citizens, visitors of the court.
The incidental survey at court level aimed at parties has been in use at the District Court of Ljubljana to measure the satisfaction of the parties, involved in the mediation procedures.
Spain: Regarding the surveys aimed at judges, the Sociological Studies Department of the General Council of the Judiciary elaborates quality surveys aimed at judges, lawyers, and court users to assess the judicial activity and its evolution (www.poderjudicial.es). The General Council of Bar Association elaborates surveys aimed at lawyers and people who reached legal aid (www.cgae.es).
Sweden: Every five years the Swedish Courts Administration carries out nationwide surveys on confidence among users and every two years it carries out studies on the work situation among court employees.

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid in 2012 (Q 12)

States	Legal aid budget per inhabitant	Legal aid for cases brought to court	Legal aid for criminal law cases	Legal aid for other than criminal law cases	Legal aid for non-litigious cases or cases not brought to court (legal consultation, ADR, etc)	Total approved public budget to legal aid
Austria	2,25	NA	NA	NA	NA	19 000 000
Belgium	7,80	NA	NA	NA	NA	87 024 000
Bulgaria	0,80	NA	NA	NA	NA	5 811 015
Croatia	0,04	NA	NA	NA	NA	166 632
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	2,30	24 142 835	18 419 178	5 723 657	NA	24 142 835
Denmark	14,93	83 643 048	40 251 707	43 391 341	NA	83 643 048
Estonia	2,22	NA	NA	NA	NA	2 857 850
Finland	12,47	NA	NA	NA	NA	67 697 000
France	5,60	308 120 000	88 730 000	219 390 000	59 060 000	367 180 000
Greece	0,75	NA	NA	NA	NA	8 300 000
Hungary	0,09	NA	NA	NA	NA	907 974
Ireland	18,11	83 159 000	50 500 000	32 659 000	NA	83 159 000
Italy	2,57	153 454 322	99 665 697	53 788 625	NA	153 454 322
Latvia	0,47	NA	NA	NA	NA	962 294
Lithuania	1,51	NAP	NAP	NAP	NAP	4 543 826
Luxembourg	6,67	NA	NA	NA	NA	3 500 000
Malta	0,12	49 500	NA	NA	NA	49 500
Netherlands	28,79	NA	NA	NA	NA	483 000 000
Poland	0,63	24 107 000	NA	NA	NA	24 107 000
Portugal	5,26	NA	NA	NA	NA	55 184 100
Romania	0,37	7 958 050	7 251 927	706 123	NA	7 958 050
Slovakia	0,33	NA	NA	NA	NA	1 771 287
Slovenia	3,27	6 741 620	NA	NA	NA	6 741 620
Spain	0,80	NA	NA	NA	NA	36 890 711
Sweden	24,74	NA	NA	NA	NA	236 399 146

Table 5.2. Types of legal aid in criminal and other than criminal cases in 2012 (Q16)

States	Representation in court in criminal cases	Legal advice in criminal cases	Representation in court in other than crim cases	Legal advice in other than crim cases
Austria	Yes	Yes	Yes	Yes
Belgium	Yes	Yes	Yes	Yes
Bulgaria	Yes	Yes	Yes	Yes
Croatia	Yes	Yes	Yes	Yes
Cyprus	Yes	Yes	Yes	Yes
Czech Republic	Yes	Yes	Yes	Yes
Denmark	Yes	Yes	Yes	Yes
Estonia	Yes	Yes	Yes	Yes
Finland	Yes	Yes	Yes	Yes
France	Yes	Yes	Yes	Yes
Greece	Yes	Yes	Yes	Yes
Hungary	Yes	Yes	Yes	Yes
Ireland	Yes	Yes	Yes	Yes
Italy	Yes	NAP	Yes	NAP
Latvia	Yes	Yes	Yes	Yes
Lithuania	Yes	Yes	Yes	Yes
Luxembourg	Yes	Yes	Yes	Yes
Malta	Yes	No	Yes	No
Netherlands	Yes	Yes	Yes	Yes
Poland	Yes	No	Yes	No
Portugal	Yes	Yes	Yes	Yes
Romania	Yes	Yes	Yes	Yes
Slovakia	Yes	Yes	Yes	Yes
Slovenia	Yes	Yes	Yes	Yes
Spain	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	Yes	Yes
Yes	26	23	26	23
No	-	2	-	2

Table 5.2. bis Legal aid coverage in 2012 (Q17, Q18, Q19)

States	Does LA include_coverage/exemption from court fees?	Can LA be granted for fees related to enforcement judgements?	Can legal aid be granted for other costs in criminal cases ?	Can legal aid be granted for other costs in non criminal cases
Austria	Yes	Yes	NAP	Yes
Belgium	Yes	Yes	No	No
Bulgaria	No	No	Yes	Yes
Croatia	Yes	Yes	No	No
Cyprus	Yes	No	No	No
Czech Republic	Yes	Yes	Yes	Yes
Denmark	Yes	Yes	NA	Yes
Estonia	Yes	Yes	Yes	Yes
Finland	Yes	Yes	Yes	Yes
France	Yes	Yes	Yes	Yes
Greece	Yes	Yes	Yes	Yes
Hungary	Yes	Yes	No	No
Ireland	Yes	No	Yes	Yes
Italy	Yes	Yes	Yes	Yes
Latvia	No	No	Yes	Yes
Lithuania	Yes	Yes	Yes	Yes
Luxembourg	Yes	Yes	No	No
Malta	Yes	No	No	No
Netherlands	Yes	Yes	Yes	Yes
Poland	Yes	Yes	Yes	Yes
Portugal	Yes	Yes	Yes	Yes
Romania	Yes	Yes	No	Yes
Slovakia	Yes	No	No	Yes
Slovenia	No	No	Yes	Yes
Spain	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	Yes	Yes
Yes	23	19	16	20
No	3	7	8	6

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case in 2012 (Q 12, 20)

States	Total number of cases granted with legal aid per 100 000 inhabitants	Criminal cases granted with legal aid per 100 000 inhabitants	Other than criminal cases granted with LA per 100 000 inhabitants	Average amout of legal aid allocated per case	Average amout of legal aid allocated per criminal case	Average amout of legal aid allocated per other than criminal case
Austria	239	49	191	€ 939	NA	NA
Belgium	615	263	352	€ 1 269	NA	NA
Bulgaria	551	441	110	€ 145	NA	NA
Croatia	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA
Denmark	52	NA	52	€ 28 674	NA	€ 14 875
Estonia	NA	NA	NA	NA	NA	NA
Finland	797	569	228	€ 1 565	NA	NA
France	1 396	571	825	€ 401	€ 237	€ 406
Greece	NA	NA	NA	NA	NA	NA
Hungary	75	2	73	€ 122	NA	NA
Ireland	1 319	1 081	238	€ 1 373	€ 1 017	NA
Italy	320	195	125	€ 803	€ 854	€ 722
Latvia	NA	NA	NA	NA	NA	NA
Lithuania	1 654	1 176	479	€ 91	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	125	51	74	€ 94	NA	NA
Netherlands	2 143	650	1493	€ 1 343	NA	NA
Poland	NA	NA	NA	NA	NA	NA
Portugal	1 592	NA	NA	€ 331	NA	NA
Romania	196	186	10	€ 191	€ 183	€ 347
Slovakia	NA	NA	44	NA	NA	NA
Slovenia	407	50	357	€ 804	NA	NA
Spain	NA	NA	NA	NA	NA	NA
Sweden	NA	NA	NA	NA	NA	NA
Average	765	407	310	€ 2 543	€ 573	€ 4 088
Median	551	263	191	€ 803	€ 546	€ 564
Maximum	2 143	1 176	1 493	€ 28 674	€ 1 017	€ 14 875
Minimum	52	2	10	€ 91	€ 183	€ 347

Table 5.4. Cases not brought to court for which legal aid was granted in 2012 (Q20.1)

States	Cases not brought to court for which legal aid was granted
Austria	NAP
Belgium	58 050
Bulgaria	2 112
Croatia	465
Cyprus	NA
Czech Republic	NA
Denmark	NA
Estonia	NA
Finland	34 794
France	NAP
Greece	NA
Hungary	12 414
Ireland	NA
Italy	NA
Latvia	NA
Lithuania	44 195
Luxembourg	NA
Malta	NA
Netherlands	60 312
Poland	NAP
Portugal	1 359
Romania	NA
Slovakia	13
Slovenia	698
Spain	NA
Sweden	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid in 2012, in € (Q6, Q9, Q12, Q13)

States	Total annual approved public budget allocated to all courts, public prosecution and legal aid	Annual income of court fees (or taxes) received by the State	Share of court fees (or taxes) in the budget
Austria	770 790 000	834 870 000	108%
Belgium	998 125 000	34 917 000	3%
Bulgaria	214 599 576	61 595 758	29%
Croatia	198 808 413	28 759 251	14%
Cyprus	NA*	11 377 030	NA
Czech Republic	479 600 709	59 014 432	12%
Denmark	NA*	98 520 187	NA
Estonia	41 842 522	7 219 348	17%
Finland	362 713 356	33 833 367	9%
France	4 014 305 137	NAP	NA
Greece	450 970 924	99 050 000	22%
Hungary	452 447 662	14 897 692	3%
Ireland	230 777 000	43 720 000	19%
Italy	4 575 001 196	465 147 222	10%
Latvia	65 953 173	16 573 777	25%
Lithuania	83 783 573	7 600 585	9%
Luxembourg	77 236 940	NA	NA
Malta	13 405 486	6 399 974	48%
Netherlands	2 103 688 000	237 570 000	11%
Poland	1 827 573 567	408 787 000	22%
Portugal	605 812 816	207 899 840	34%
Romania	480 890 952	54 301 587	11%
Slovakia	224 434 765	53 448 064	24%
Slovenia	189 999 970	40 461 043	21%
Spain	1 489 804 631	171 689 715	12%
Sweden	1 018 131 920	5 134 908	1%
Average	873 779 054	125 116 157	21%
Median	451 709 293	48 584 032	16%
Maximum	4 575 001 196	834 870 000	108%
Minimum	13 405 486	5 134 908	1%

*For Cyprus and Denmark, the total annual approved public budget allocated to all courts, public prosecution and legal aid is NA (non available) because one of the component of the budget is missing (the budget allocated to legal aid for Cyprus and the budget allocated to the public prosecution system for Denmark. See also table 1.1.

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction in 2012 (Q8)		
States	For criminal cases	For other than criminal cases
Austria	No	Yes
Belgium	No	Yes
Bulgaria	No	Yes
Croatia	Yes	Yes
Cyprus	Yes	Yes
Czech Republic	No	Yes
Denmark	No	Yes
Estonia	No	Yes
Finland	No	Yes
France	No	No
Greece	Yes	Yes
Hungary	No	Yes
Ireland	No	Yes
Italy	No	Yes
Latvia	No	Yes
Lithuania	No	Yes
Luxembourg	No	No
Malta	No	Yes
Netherlands	No	Yes
Poland	No	Yes
Portugal	Yes	Yes
Romania	No	Yes
Slovakia	No	Yes
Slovenia	No	Yes
Spain	No	Yes
Sweden	No	Yes
Yes	4	24
No	22	2

Table 5.7: Court fees calculation methodology and the amount of court fees to commence action for € 3000 debt recovery (Q8.1 and 8.2)

States	Calculation methodology	Court fees to commence action for €3000 debt recovery
Austria	Court fees in Austrian proceedings concerning civil and commercial litigation under the civil procedure code (Zivilprozessordnung – ZPO) depend mostly on the value of the claim. The amount of the fees is laid down in a list or tariff which forms part of our Gerichtsgebührengesetz (GGG). This Act on court fees also specifies the correct way of calculating these costs (in particular the calculation of the assessment basis for the value under dispute). According to § 14 GGG the assessment basis for the fees of a given case of litigation is the value under dispute ("Streitwert") according to §§ 54 to 60 of the Jurisdiktionsnorm (JN) determining the basis for the Court's jurisdiction and for the mode of appeal. §§ 15 to 18 GGG contain specific provisions regarding the value under dispute for specific cases - for example for actions concerning properties or special proceedings like renting. The court fee according to the "Streitwert" is laid down in fee items (Tarifposten – TP) 1 to 3 of the tariff appended to the GGG (TP 1 for cases of first instance, TP 2 for the second instance and TP 3 for litigation cases before the Supreme Court). If there are more than two parties to the case a percentage is added to these fees according to § 19a GGG. As can be derived from this tariff the charge for a proceeding concerning two parties - e.g. - about a value of 7.000 € is 285 € for the first instance (TP 1 GGG), 518 € for the second instance (TP 2 GGG) and 648 € for the Supreme Court (TP 3 GGG). The court fees for other values can be calculated from the lists respectively. In cases where there are several claimants or defendants a surcharge has to be paid according to § 19a GGG (of 10 percent for the third party and 5 percent for any further party to the proceedings). As a rule court fees for civil lawsuits in Austria are lump sums which cover all costs of the given instance in the case irrespective of the complexity of the case and the concrete amount of expenditure necessary ("Pauschalgebühren"). The list of fees in the tariff is calculated on the average costs and expenditures to maintain the court and it's personnel taking also into account the risk for State liability in such cases under the given value of the dispute and social considerations (to allow effective access to justice also for small claims). In Austria the courts have to be maintained by court fees their costs are not provided for by general taxation.	After fee item (Tarifpost) 1 Act on court fees (Gerichtsgebührengesetz – GGG) the court fee would be 155 € for the first instance.
Belgium	The amount of the fees varies according to the type of the lists (*rôle général, registre des requêtes* or *registre des référés*) and to the level of jurisdiction (first instance, appeal, court of cassation).	Regarding costs to be borne by the losing party in order to pay the lawyers' fees of the opposing parties : € 650 (Arrêté royale of 26 October 2007)

Bulgaria		
Croatia	The calculation of court fees is made in accordance with the value of the claim and pre-defined tariff (Law on Court Fees- OG 157/13, Article 21-36 + tariff of court fees).	€ 76 (570 Kn)
Cyprus	In civil cases this is according to the value of the claim. In criminal cases it is a fixed amount.	€ 48
Czech Republic	The court fee is CZK 1000 if the value of the claim is lower than CZK 20000 and 5% if it is higher than CZK 20000. In non-monetary performance the court fee is CZK 2000.	CZK 3771 = € 150
Denmark	For cases up to € 6.709 there is a tax of € 67 to pay when proceedings are initiated. For cases between € 6.709 and € 836.900 there is a fee of 1,2 % of the value of the claim which exceeds € 6.709 plus € 20. The same amount is paid at the time of the oral hearing. For cases whose value is higher than € 836.900, there is a tax of € 10.063 to be paid when the action is brought before the court and at the time of the oral hearing.	The basis fee is € 54. The surcharge amounts to € 40.
Estonia	In administrative court proceedings, the state fee is a set sum. In civil proceedings it depends on the value of the claim. A set sum applies to civil cases when it is complicated to determine the value of the claim (e.g divorce, non-proprietary claim). The law provides always a set sum for non-litigious civil cases.	The state fee to commence an action for € 3000 debt recovery is € 225.
Finland	After the consideration of the matter, the District Court collects a charge from the petitioner in a “petitionary matter”* litigation and the plaintiff in a civil matter case; the amount of the charge varies depending on the nature of the matter and the time taken by the court for the consideration of the case. TRIAL CHARGES COLLECTED BY THE DISTRICT COURTS Criminal case and an appeal under the Enforcement Act : € 80 No charge is collected in criminal cases that are prosecuted by the public prosecutor. Civil case and land court case, whose hearing is concluded: in written preparation:€ 80 in oral preparation: € 113 in a main hearing with a single judge: € 147 in a main hearing with the full court: € 182 by a default judgment, where the details of the case have been entered in the electronic system and in case of a decision de plano, that is, the decision is adopted without further activity on the part of the court. 60 euros.	See above Q 8.1 The amount of the charge varies depending on the nature of the matter and the time taken by the court for the consideration of the case. Court fees in a Civil case, whose hearing is concluded * in written preparation: € 80 * in oral preparation € 113 * in a main hearing with a single judge: € 147 * in a main hearing with the full court: € 182 * by a default judgment, the particulars of which have been entered directly in the data system € 60.

PETITIONARY MATTER*

a) € 80

b) if a party opposes the petition the case is brought before a district court and the charges are the same than in a civil case
However, in the petitionary matters referred to the following cases the fees amount to:
Divorce

a) € 80

b) if a party opposes the petition the case is brought before a district court and the charges are the same than in a civil case
c) continued hearing after the reconsideration period € 45

Mediation in civil disputes

a) if the proceeding has not yet initiated:€ 49

b) during the course of the proceeding: € 113

c) the charge for a matter resulting in a confirmed conciliation agreement is always 113 €, regardless of the stage where the final decision is made.
Bankruptcy

(a) bankruptcy declaration (debtor not adjudicated bankrupt): € 117;
(b) bankruptcy declaration € 243, charged to the bankrupt's estate;
(c) when the proceeding ends in a distribution list: € 289;

(d) when the proceeding ends otherwise than in a distribution list: € 117; no charge is collected if the process continues in the form of a public investigation;
(e) other bankruptcy matter heard separately: € 117; no charge is collected in a case concerning imposing of a security measure or coercive measure or certification of an inventory, or other obligation of a debtor, further declaration, or correction or amendment of a confirmed distribution list;
(f) in the case of a contested claim: if the matter is referred to court as one in dispute, a charge equal to the one collected on civil disputes is collected from the contesting party
Corporate restructuring

(a) hearing where restructuring is denied: € 117

(b) hearing where restructuring is approved: € 528

(c) other matter heard separately: € 117

Merger

€ 233

The following petitionary matters are handled free of charge:
1) a matter according to the Act on the enforcement of a decision on child custody and right of access
2) a matter according to the Coercive Measures Act

3) a matter handled by the initiative of a court or the notification of another authority

SUPREME COURT

	Criminal case: € 113 If the decision of a lower court in a criminal case is overturned to the advantage of the appellant, no fees are due. Other matter € 226 When a petition for extraordinary appeal is turned down or leave to appeal is not granted, only 50% of the charge is collected. SUPREME ADMINISTRATIVE COURT 226 € When a petition for extraordinary appeal is turned down or leave to appeal is not granted, only 50% of the charge is collected. COURTS OF APPEAL Petitionary matter € 80 Criminal case € 90 If the decision of a lower court in a criminal case is overturned to the advantage of the appellant, no fees are due. Other matter € 182 ADMINISTRATIVE COURTS € 90 MARKET COURT 226 € LABOUR COURT 226 € INSURANCE COURT No fees are due. * Petitionary matters are cases which are initiated with a written application. Petitionary matters may be undisputed or disputed. For example child custody cases, adoption cases, guardianship cases and divorce cases are petitionary matters.	
France		
Greece		
Hungary	In Hungary the costs related to justice are regulated by the CPC and different ministerial decrees. The CPC contains the general regulations on the procedure concerning the determination of the costs, and the proportion in which the parties have to bear them. The ministerial decrees contain the exact amount of the costs or the rules to determine the costs related to justice, such as the fees of public notaries, experts, transcription. There is no written regulation in force in respect of the lawyer's fees and the bar has not drafted yet guidelines on this subject.	€ 180

	The litigation costs are always established by the proceeding judge and on the basis of the underlying ministerial decrees containing the rules on the fees and costs. Generally the main aspects taken into account by judges are the value of the claim, and the real activity of the given person (lawyer, expert, interpreter, etc) in the litigation. In first instance cases, the fees (illeték) for court proceedings amount to 6 % of the value of the claim (between a minimum of 10, 000 HUF and a maximum of 900,000 HUF). If the value of the claim cannot be determined, the law stipulates that 6% of a fictitious amount has to be paid. The costs of the proceeding are always determined by law, as well as in the following cases: - Divorce procedures (házassági bontóper): 12,000 HUF - Labour court procedures (munkaügyi per): 7,000 HUF - Administrative procedures, except for cases on competition, public procurement, tax and electronic communication (közigazgatási határozat bírósági felülvizsgálata iránti eljárás): 20,000 HUF - Administrative extrajudicial procedures (közigazgatási nemperes eljárás): 7500 HUF - Cost of general procurement (általános meghatalmazás): 18,000 HUF - Insolvency procedures: liquidation 50,000 HUF; bankruptcy 30,000 HUF - In cases involving business associations without the status of legal persons (jogi személyiséggel nem rendelkezo gazdálkodó szervezet): liquidation 25,000 HUF, bankruptcy 20,000 HUF - Arbitration: 1 % (a minimum of 5000 HUF and a maximum of 250,000 HUF). If the value of the claim cannot be calculated, the fee is 10 000 HUF - Order for payment (fizetési meghagyás): 3 % (a minimum of 5000 HUF and a maximum of 300,000 HUF). - Appeal: 6% (a minimum of 10,000 HUF, a maximum of 900,000 HUF) - Reopening a procedure (perújítás): fees must be paid again - Motion for review (felülvizsgálati kérelem): 6 percent in the case of decisions (a minimum of 10,000 HUF, a maximum of 2,500,000 HUF); in the case of orders (végzés), half of the costs payable for decisions (a minimum of 7000 HUF, a maximum of 1,250,000 HUF). Stage of the civil proceeding which entails the payment of fixed costs. The obligation to pay court costs in civil proceedings arises when the claim is brought before a court. The application will be rejected if the court duties are not paid in full. The amount of the attorney's fee is based on an agreement between the party and the attorney. The bailiff's fee must be paid at the beginning of the enforcement procedure.	
Ireland	Court fees are charged on a range of transactions and are charged in accordance with fees set out in Court Fees Orders made by the Minister for Justice and Equality.	€ 22,0

<table>
<tr><td>Italy</td><td>Courts fees depend on the value of the dispute. See this table for more information http://www.professionegiustizia.it/tabella_contributo_unificato.php</td><td>To commence a case whose value is € 3.000 the court fee is € 85. The fee to appeal for the same case is € 127,50 whilst the cassation fee is € 170.</td></tr>
<tr><td>Latvia</td><td>The methodology is defined by the Civil Procedure Law (Article 34) and Administrative Procedure Law (Article 125).</td><td></td></tr>
<tr><td>Lithuania</td><td>Stamp duty and its indexation
A stamp duty is the amount of money which is paid for the application (claim), or other procedural action, performed in a court. It is considered as one of the main preconditions for the implementation of an individual’s right to apply to a court, thus it must be calculated carefully.

The amounts of the stamp duty payable for particular types of disputes are provided in Article 80 of the Code of Civil Procedure of the Republic of Lithuania (the Code). It is important to note that, according to according to

prep.
1. As stated or indicated by; on the authority of: according to historians.
2. In keeping with: according to instructions.
3. the Code, a stamp duty may be of two forms: 1) general (fixed amount); or 2) proportional (percent). A general stamp duty is an exact (fixed) amount of money (e.g. LTL 500lit·as
n.
See Table at currency.

[Lithuanian lìtas.]

Noun 1. litas - the basic unit of money in Lithuania
Lithuanian monetary unit - monetary unit in Lithuania), which is independent from the amount of a claim. It must be indexed by taking into consideration the quarter's consumer price index, if it is greater than 110. A proportional stamp duty is usually paid in property (pecuniary) disputes and must be calculated as a percent (e.g. 3 percent) from the total amount of a property (pecuniary) claim; however, the Code also sets the minimum and maximum limits for the proportional stamp duty: the minimum stamp duty for pecuniary claim shall not be less than LTL 50, whereas the maximum stamp duty payable for one pecuniary claim shall not be more than LTL 30 000 and these minimum and maximum limits shall also be indexed in the same way as the general (fixed) stamp duty. Under the Code, stamp duties in pecuniary disputes are as follows:
<table><tr><th>Amount of the claim</th><th>Stamp duty*</th></tr><tr><td>for claims up to LTL 100 000</td><td>3% of claimed amount</td></tr></table></td><td>310,75 Lt (~ € 90)</td></tr>
</table>

	(but not less than LTL 50 with indexation)
for claims up to LTL 300 000	LTL 3 000 + 2% of claimed amount exceeding LTL 100 000
for claims over LTL 300 000	LTL 7 000 + 1% of claimed amount exceeding LTL 30 000 (but not more than 30 000 with indexation)

** the stamp duty payable for the request of the court order is equal to quarter of the stamp duty payable for the claim, but not less than LTL 10* (€ 2,89)*;*

** the stamp duty payable for the claim of the documentary process is equal to half of the stamp duty payable for the claim, but not less than LTL 20* (€ 5,79)*.*

In disputes arising from a lease (except for recovery of money) the payment of the official fee amount to 200 Lt.(€ 57,92).

Lithuania

As to the claims :

concerning the modification (adjustment, termination, etc.) of a contract – stamp duty amount to 500 Lt.(€ 144,8).

in disputes regarding investigation of a legal entity's activities and cases where decisions of public procurement are being contested - 1,000 Lt.(€ 289,62).

in other disputes – 100 Lt.(€ 28,96).

contentious business cases – 100 Lt. (€ 28,96), except the cases defined in the Code of Civil Procedure.

Stamp duty for separate appeals (when court orders of the 1st instance courts are appealed separately from the court decision (1st part of article 334 of the Code of Civil Procedure)) is not due, except for separate appeals against a court orders on the imposition of provisional safeguards, for which the stamp duty is 100 Lt.(€ 28,96).
For a petition for review of a default judgment, an official fee of 100 Lt.(28,96 EUR) shall be payable.

A request to impose provisional safeguards or measures of evidence safeguarding or collecting (before the date of a claim lodging to the court) shall require the payment of the official fee of 200 Lt.(57,92 EUR).

For a petition of an arbitration decision, an official fee of 1,000 Lt.(289,62 EUR) shall be payable.

	Stamp duty indexation. As it was noted, according to Article 82 of the Code, the courts shall index the stamp duty, except if calculated in percent (proportional stamp duty), by taking into consideration the quarter's consumer price index[1] if it is greater than 110. The applicable index is calculated for the period from the month in which the law, where the stamp duty is defined, enters into force to the beginning of every quarter. The indexes applied by courts shall be published once every quarter by the institution, authorized by the Government. The published index shall be applied from the 1st day of the second month of the respective quarter. This means that the general (fixed) stamp duty shall always be indexed as provided in Article 82 of the Code. This does not apply to the proportional stamp duty, which is calculated as a percent. However, the case law of the Supreme Court of Lithuania shows that the minimum (LTL 50) and maximum (LTL 30 000) limits of proportional stamp duty in pecuniary cases shall also be indexed in accordance with Article 82 of the Code of Civil Procedure: ➢ **As regards the indexing of the minimum stamp duty (LTL 50)**, in civil case of 26 September 2008 No. 3K-3-451/2008, the Supreme Court of Lithuania has pointed out that in pecuniary disputes the stamp duty shall be calculated by taking into account the total amount of the claim. According to part 1 of Article 80 of the Code, if the total amount of the claim in property disputes is up to LTL 100 000, the stamp duty shall consist of 3 percent of the total sum of the claim but not less than LTL 50. This rule consists of two main provisions: 1) proportional stamp duty (in percent) applicable to pecuniary claims is set; 2) the fixed minimum rate (LTL 50) is set in cases when the proportional stamp duty (percent expression) is below this minimum limit. This minimum sum of stamp duty shall be considered as the general (fixed) stamp duty, thus the indexation rule provided in Article 82 of the Code shall also be applied. ➢ **As regards the indexing of the maximum stamp duty (LTL 30 000),** it is considered that this limit shall also be indexed. This is confirmed by the case law of the Supreme Court of Lithuania, which states that the minimum (LTL 50) and maximum (LTL 30 000) limits of stamp duty shall also be indexed in accordance with Article 82 of the Code. A person, bringing an action, mentioned in Article 80 of the Code of Civil Procedure will have to pay only **75 perc. of the stamp duty** established in Article 80 of the Code of Civil Procedure, if he/she brings all the procedural documents with the attachments **only by electronic means**.	
Luxembourg		
Malta	Court fees are calculated in accordance with Tariffs set out in Schedules A to K of the Code of Organisation and Civil Procedures (Chapter 12), which provides for Registry Fees, Lawyers Fees and various other Fees which may arise during the proceedings.	Fees payable by the plaintiff amount to € 23.29 in Registry Fees, € 170 in Legal fees due to the lawyer and €6.99 for every notification which needs to be issued. As a result, a typical case where there is one defendant involved would cost a total of € 200.

		With regards to the defendant, his expenses amount to € 11.65 in Registry Fees, € 170 in Legal fees due to the lawyer and € 6.99 for every notification which needs to be issued.
Netherlands	Civil cases With regards to the courts, the high courts and the Supreme Court there are fixed fees based on a limited number of categories of the financial value of the claim There is also a fixed fees for matters whose financial value is indeterminate. • For each (non) financial category there is different fixed fees for natural persons and for legal entities. • There is a fixed low fee of € 73,-for defendants with insufficient means. • Since 1 January 2011, the court registry fees are collected at the beginning of the procedure. • Also defendants pay court fees . • The law provides that the Court may decide not to apply the procedural consequences of the late payment of the registry fee when special circumstances exist; Administrative cases The court registry fees must be paid in advance. The rate depends on the type of case and whether it is a natural or legal person. The court registry fee for housing benefit/allowance, rent allowance, tax return (private) amounts to € 44, –. A registry fee of € 318, – applies to all other administrative cases concerning legal entities and it amounts to € 160, – for natural persons (private).	For cases started between jan 1st 2012 and april 1st 2013: € 437 for companies/institutions/organisations € 207 for individuals € 73 for individuals with very low income For cases starting after April 1st 2013: € 448 for companies/institutions/organisations € 213 for individuals € 75 for individuals with very low income
Poland	Court fees are calculated according to a bill of law on the costs of judicial proceedings. The amount of the fees generally depends on the value of the claim; however they can be fixed for certain types of cases.	€ 150 (5% of case value)
Portugal		
Romania	In respect of applications that have a monetary value, the costs shall be fixed as a percentage; the percentage gradually decreases as the amount increases. Article 2 (1) of Law no. 146/1997 on judicial stamp duties:	Article (1) (d) of Law no. 146/1997 « The proceedings and applications that may be valued in money, introduced in courts, shall be fixed as follows: between 5001 lei and 25000 lei – 411 lei +6% for what exceeds 5000 lei SO « : € 3000 * (4,41lei/€) = 13230 lei

	The proceedings and applications filed before court which have a monetary value shall be charged as follows: a) up to 50 lei/€ 11.34 - 6 lei/€ 1.36 ; b) between 51 lei/€ 11.56 and 500 lei/€ 113.38 - 6 lei/€ 1.36 + 10% for what exceeds 50 lei/€ 11.34; c) between 501 lei/€ 113.61 and 5.000 lei/€ 1133.79 - 51 lei/€ 11.56 + 8% for what exceeds 500 lei/€ 113.38; d) between 5.001 lei/€ 1134.01 and 25.000 lei/€ 5668.93 - 411 lei/€ 93.20 + 6% for what exceeds 5.000 lei/€ 1133.79 ; e) between 25.001 lei/€ 5669.16 and 50.000 lei/€ 11337.87 - 1.611 lei/€ 365.31 + 4% for what exceeds 25.000 lei/€ 5668.93 ; f) between 50.001 lei/€ 11338.10 and 250.000 lei/€ 56689.34 - 2.611 lei/€ 592.06 + 2% for what exceeds 50.000 lei/€ 11337.87; g) over 250.000 lei/€ 56689.34 - 6.611 lei/ € 1499.09 + 1% for what exceeds 250.000 lei/ € 56689.34 .	The duty of 411 lei+6% of 8230 lei (494 lei)= 905 lei, respectively € 205.
Slovakia	The general rule for the calculation of the court fees is the 6% of the value of the claim. The minimum fee is 16,50€ and the maximum fee is 16 596,50 €, in the civil cases and 33 193,50 € in the commercial disputes. If it is not possible to put a value to the claim the court fee is € 99,50. For the certain types of the cases and/or the court applications the Act on court fees stipulates different rates or amounts of the court fees.	€ 180
Slovenia	Court fees are calculated according to the value of the claim and a specific quotient which is prescribed for certain kinds of court proceedings. In some cases (e.g. divorce cases, insolvency cases) court fees are fixed in the amount.	€ 125
Spain	The new Law 10/2012 of Justice Administration and Toxicologic and forensic science fees, sets the fee sum. The amount of the fee depends on the civil, contentious-administrative or labour nature of the proceeding. The amount depends as well on the type of procedure. For example in civil proceedings, the sum fee is € 150 for the oral trial and € 300 for the ordinary trial.	The Civil Procedure Code 1/2000 of 7 of January of 2000, in article 250 states that the action for debt recoveries under € 6000 is ruled by an oral trial. According to article 7 of the Law 10/2012 of Justice administration and toxicologic and forensic science fees, the sum of court fees to begin an oral trial is € 150.

Sweden	The courts fees are established by a regulation from the government. There is no specific method to assess the fees. There are different levels of courts fees depending on the type of matter. The fees do not depend on the value of the dispute. The amount of the fees has been the same for many years.	€ 52 €

[1]In Lithuania, the Consumer Price Index or CPI measures changes in the prices paid by consumers for a basket of goods and services. It is reported by the Statistics Lithuania.

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases in 2012 (Q25)

States	The court	Authrority external to the court	A mixed authority
Austria	Yes	No	No
Belgium	Yes	Yes	No
Bulgaria	Yes	Yes	No
Croatia	No	Yes	No
Cyprus	Yes	Yes	No
Czech Republic	No	No	Yes
Denmark	No	Yes	No
Estonia	Yes	No	No
Finland	No	No	Yes
France	No	No	Yes
Greece	Yes	No	No
Hungary	No	Yes	No
Ireland	No	Yes	No
Italy	No	No	Yes
Latvia	No	Yes	No
Lithuania	No	Yes	No
Luxembourg	No	Yes	No
Malta	No	Yes	No
Netherlands	No	Yes	No
Poland	Yes	No	No
Portugal	No	Yes	No
Romania	Yes	Yes	No
Slovakia	No	No	Yes
Slovenia	Yes	No	No
Spain	No	Yes	No
Sweden	No	No	Yes
Yes	9	15	6
No	17	11	20

Comments - Indicator 5 Legal aid and court fees

Table 5.1 : Annual public budget allocated to legal aid in 2012 (Q12)

Austria: The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.
Bulgaria: Increased budget for legal aid for 2012 in comparison to 2010 is due to the extension of the service users due to increasing number of poor citizens who do not have own sufficient financial resources to authorize a lawyer. According to the Law on Legal aid one of types of legal aid is pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court; Such legal aid under may be granted to: 1. persons and families who satisfy the eligibility requirements for receipt of monthly social assistance benefit according to the procedure established by Article 9 and Article 10 of the Regulations for Application of the Social Assistance Act; 2. persons and families who satisfy the eligibility requirements for assistance with a targeted heating allowance for the preceding or current heating season; 3. persons placed in specialized institutions for provision of social services or using a resident-type social service or using a Mother and Baby Unit social service according to Article 36 of the Regulations for Application of the Social Assistance Act; 4. children placed with foster families or with immediate or extended family members according to the procedure established by the Child Protection Act; 5. a child at risk within the meaning given by the Child Protection Act; 6. persons referred to in Article 144 of the Family Code and to persons who have not attained the age of 21 years, in accordance with Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations; 7. victims of domestic or sexual violence or of trafficking in human beings, who are unable to pay and wish to avail themselves of the assistance of a lawyer; 8. seekers of international protection according to the procedure established by the Asylum and Refugees Act, in respect of which the granting of legal aid is not due on another legal basis; 9. foreigners in respect of whom a coercive administrative measure has been applied and foreigners accommodated at a special facility for temporary accommodation of foreigners according to the procedure established by the Foreigners in the Republic of Bulgaria Act, who are unable to pay and wish to avail themselves of the assistance of a lawyer; Such circumstances are certified by judgments of court or by documents issued by the relevant competent authorities, and by a declaration on marital and property status of the person.
Croatia: The budget allocated to legal aid in 2012 was 166.631,53 EUR. Due to the decreased budget planned for the Ministry of Justice in 2012, the amount is lower than in 2010.
Estonia: Legal aid can be granted for cases which are not brought to court but the budged allocated to it cannot be specified.
France: The previous survey (2010/2012) contained no specific line for "non-contentious matters or not brought before the courts," contrary to questionnaire 2012/2014. Aid to the intervention of the lawyer in non-judicial procedures such as police custody, mediation or criminal composition, were then included in the heading on criminal missions. Aid to the intervention of lawyers in non-judicial proceedings (GAV , mediation, criminal composition , assistance to inmates and legal consultations) in 2012 amounting € 49,732,000 were included in line 12.2. So for all criminal Missions (court and out of court) must be added 49,732,000 to 88,730,000 , bringing the figure to € 138,462,000 . This increase is explained by the increase in compensation of police custody following the 2011 reform.
Greece: Q12: The observed increase is due to accumulated debts from previous years. The decrease in all categories is easily interpreted by the broadly known budgetary adjustment our country has been going through during the last years.
Hungary: Q 12: The difference between the two cycles is because each year this budget is developed. Extrajudicial assistance can be granted in two forms by the system of legal aid: legal advice and drafting legal documents.
Ireland: The overall figure of €32.659m includes expenditure on legal services for asylum-seekers, which is not captured by Q. 20 as these are non-court-based cases,
- The figure also includes funding for the provision of the Family Mediation Service, which are also non-court-based cases, and
- It does not take account of legal advice cases, which do not involve court representation (Q. 20.1 refers).

Lithuania: Annual approved public budget for primary legal aid (free legal advice) – 513 681,15 €. Annual approved budget for secondary legal aid (free legal representation) – 4 030 144,9 €. According to the types of cases information about the amounts paid for lawyers who provide secondary legal aid is available: a) In civil and administrative cases – 1 350 333,83 €; b) In criminal cases – 1 955 879,07 €. The numbers include remuneration for lawyers and exclude other state-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation and etc.).
Luxembourg: There is no distinction between legal aid allocated in criminal or civil matters.
Malta: Q12: The amount indicated represents the full amount allocated by the Government to the appointment of Legal Aid lawyers for persons requiring their services. All judicial fees incurred by such

persons are also borne by the Government, however it is not possible to quantify such expenses as these vary from case to case. The difference between the two cycles is due to the fact that the previous figure was more generic and this year's figure was obtained following a detailed examination of the funds available. The Public Prosecution Services is carried out by the Attorney General's office who not only acts as a Public Prosecution but also acts as the Principal Legal Advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution purposes, but also for other purposes relating to legal work and advise for the Government, both locally and internationally.
Portugal: In Portugal it is possible to obtain legal aid for non-litigious cases. According to Portuguese Law legal protection consists of two types of assistance: Legal information, which seeks to inform of one's rights and the legal system, providing for the optimum exercise of those rights and the fulfillment of the legally established duties, in particular by means of the gradual creation of services providing access to the courts and judicial services, and Legal protection, which includes a) Legal advice, through law firms which it is intended will cover the entire national territory and which citizens may visit in order to receive free legal advice from legal professionals. Legal advice may involve carrying out extra-judicial steps or informal mechanisms of reconciliation; b) Legal aid, which takes the following forms: - Total or partial exemption from court fees and other charges relating to the proceedings; - Deferment of payment of court fees and other charges relating to the proceedings; - Appointment and payment of the legal representative's fees, or alternatively, payment of fees to the legal representative chosen by the applicant.
Slovenia: According to Article 26 of the Free Legal Aid Act legal aid may also be granted for legal advice surpassing initial legal advice; for the formulation, verification and certification of documents on legal relations, facts and statements and for legal advice and representation in cases of out-of-court settlement.
Sweden: Q12: The difference with the previous cycle is due the fact that that more funds have been allocated for the purposes. Also the exchange rates make the increase seem somewhat bigger in Euro than it has been in Swedish kronor.

Table 5.2 Types of legal aid in criminal and other than criminal cases in 2012 (Q 16)

Austria: Legal aid can be granted to any natural person regardless of nationality or residence of the applicant. A party without sufficient financial means may apply for legal aid when entering or just before entering into litigation or at any time later as long as the civil proceeding is still pending. The core provisions regarding legal aid are set out in §§ 63 to 73 of the Austrian Civil Procedure Order (Zivilprozessordnung, ZPO).
Bulgaria: Legal aid is granted only to natural persons, in criminal, civil and administrative matters before courts of all instances. Legal aid authorities are Ministry of Justice – it conducts the state policy in the sphere of legal aid; National Legal Aid Bureau /NLAB/ which provides general and methodological guidance of the activity concerning the granting of legal aid by issuing mandatory instructions on the application of the Act and the statutory instruments of secondary legislation; Bar Councils which organize and administer legal aid within the respective geographical jurisdiction; the authority directing the procedural steps, the court or the relevant police or customs authority decide whether to grant legal aid or not /when there is a civil or administrative case/. NLAB grants or refuses granting legal aid for a consultation with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court and/or preparation of documents for bringing a case before a court. The types of legal aid are: pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court; preparation of documents for bringing a case before a court; representation in court by legal counsel; representation upon detention under Article 63 (1) of the Ministry of Interior Act and under Article 16a of the Customs Act. The legal aid system cover the cases in which the assistance of a lawyer, a stand-by defence counsel or representation is mandatory as provided by virtue of a law /these cases are indicated in the procedural acts - Criminal Procedure code, Civil Procedure Code and in Administrative Procedure Code/. Legal aid system covers also the cases in which the candidate for legal aid is unable to pay for the assistance of a lawyer, wishes to have such assistance, and the interests of justice require this. In the last two years the following reforms have been made: Legislative changes in the Legal Aid Act /LAA/ in several directions (increasing the powers of the authorities of the legal aid system regarding the appliance of LAA and exercising control over granting legal aid) ; the scope of persons who have right to legal aid has been expanded.
Czech Republic: Legal aid is provided either by the state or by the Czech Bar Association at its own cost.
Denmark: Criminal cases: A council for the defence can be appointed in all criminal cases. The Government will pay the fee to the council. However, if a person accused of a crime is convicted, the state has a recourse claim against the convicted person. Other than criminal cases: In general, the losing party bears the legal costs. However, the court can decide that each party bears his or her own costs partly or entirely.
Estonia: For interpreting the above-mentioned data it is useful to know that in Estonia there are two types of aid/assistance: 1) state legal aid for all types of cases that is granted for defence, for representing a person in different proceedings (court proceedings but also in pre-trial proceedings, in re-litigation proceedings, in extrajudicial proceedings, in administrative proceedings, in enforcement proceedings, in judicial review proceedings), for drawing up legal documents and for other legal counselling; 2) procedural assistance for

civil and administrative cases that allows the court to release a person for example from payment of the state (court) fees or expenses related to mandatory pre-trial proceedings, to conciliation proceedings, to enforcement proceedings or to essential costs of the proceedings (costs related to witnesses, experts, translations, evidence, inspections, delivery, determination of the value of the civil matter etc). The state legal aid is financed by the state budget but the procedural assistance is not granted on account of the state (with some exceptions). It means that the grant of procedural assistance does not preclude the obligation to bear the procedural expenses on the bases of the court judgment. The state legal aid is financed by the state budget but the procedural assistance is not granted on account of the state (with some exceptions). It means that the grant of procedural assistance does not preclude the obligation to bear the procedural expenses on the bases of the court judgment.

France: In 2011, a major reform in the criminal field took place. Law No. 2011-392 of 14 April 2011 relating to custody has strengthened the rights of defense of the persons held in custody or retained in customs. With the exception of compelling reasons, the person in custody or placed in retained in customs may apply to be assisted by a lawyer of their own choice or an appointed lawyer at the outset of police custody and during the extension of this measure. Articles 9 and 23 of the aforementioned Act allow compensation for appointed lawyers involved in a measure of custody or customs restraint.

Italy: The Criminal Procedure provides that in case of convictition the convicted party has to pay all the costs.

Latvia: The Legal Aid Administration is the competent institution responsible for the provision of legal aid in the cases and according to the procedures specified in this State ensured legal aid law. Legal aid can be provided in out-of-court and in-the-court settlement of matters of legal nature or for the protection of infringed or contested rights of a person or his or her interests protected in the cases, ways and amounts provided for by the State ensured legal aid law.

Netherlands: The Dutch legal aid system is basically a threefold model in that it encompasses three 'lines' that provide legal aid: 1. The preliminary provision of the interactive online application called Roadmap to Justice (Rechtwijzer; see www.rechtwijzer.nl) offers digital help by means of a 'decision tree'. It helps people find solutions for their legal problems in an interactive manner. The Legal Services Counters (see point 2 below) also have a website that can be seen as a preliminary provision. 2. The Legal Services Counters (LSC) act as what is commonly known as the 'front office' (primary help). Legal matters are being clarified to clients and information and advice given. If necessary, clients will be referred to other professionals or support agencies. Clients may also be referred to a private lawyer or mediator, who acts as the secondary line of legal aid. Clients may also apply for legal aid from a subsidised lawyer or mediator directly. 3. Private lawyers and mediators provide legal aid in more complicated or time-consuming matters (secondary help). Private lawyers and mediators are paid by the Legal Aid Board to provide their services to clients of limited means. Generally they are paid a fixed fee according to the type of case, although exceptions can be made for more extensive cases. The legal aid system, therefore, is a mixed model, consisting of a public preliminary provision, public first-line and private second-line help. Although there were several cutbacks in the system, the public expenditure on legal aid is still increasing each year. The reason for this is, on the one hand, the higher fees the lawyers receive, and, on the other, the growing number of people seeking recourse to the system. A major cost-cutting measure in 2008 was to further stimulate alternative ways of dispute settlement; mediation and the 'Roadmap to Justice' were the first steps in that direction. Other spending cuts that were implemented included increasing the financial significance a case should have before it becomes liable for legal aid and the introduction of the diagnosis & triage measure, which should encourage people to resolve their dispute at an earlier stage. In 2010 the client's contributions for certificates for legal aid were increased; these apply if people seeking justice are unable to submit a diagnosis document (diagnosis and triage measure). In 2012 and 2013, the lawyers' fees were adjusted and not index-linked. Moreover, the LAB itself has to make cuts of € 5 million; one of the measures to achieve this is by introducing the web portal. All clients' contributions were increased in October 2013. Furthermore, the client's contribution in divorce cases went up even more. There is also more attention to multiple use of certificates for legal aid and time consuming cases. The State Secretary for Security and Justice believes that in due course the system of legal aid needs to be reviewed. For this purpose, a consultation paper was issued in late 2011, in which three directions are explored: loan system, tendering, and gatekeeper. He subsequently identified the views of organisations that have a stake or otherwise possess the expertise with respect to legal aid. In mid-2013 it was decided to opt for the direction of the gatekeeper in the future.

Slovakia: Since the January 1st 2012 the legal aid in the civil cases has been provided through the Legal Aid Center only. The Legal Aid Center provides legal aid to persons in material need, which has to be proved by the applicant. Legal aid includes the consultation and the representation in the case. In civil proceedings the court can refer any participant whose material conditions allow the exoneration from the court fees to the Legal Aid Center. This decision can be held in any time during the proceedings. In criminal proceedings legal aid covers cases of compulsory defense, stipulated by the Code of criminal procedure. If in these cases the defendant does not choose the counsel himself/herself, an "ex officio" counsel has to be appointed to the defendant by the court for free. The costs of the counsel are paid from the budget of the court where the proceedings are held. The number of criminal cases where such legal aid has been granted is not available.

Spain: The legal aid system in Spain is ruled by the Act on Legal Aid 1/1996 of 10 of January, over the last two years it was reformed by the Royal Decree 3/2013 of 22 of February. The aim of this new regulation is to reform the court fees in the justice administration related with the legal aid system. This reform settles the content of the benefit of legal aid including the exemption from payment of the court fees. The Spanish legal aid system is under a global project reform.

Table 5.2 bis (Q17, 18 and 19)

Austria: Q17 : As far as civil cases are concerned, according to § 64 of the Austrian Civil Procedure Order (Zivilprozessordnung, ZPO) legal aid may cover a provisional exemption from court fees, fees for witnesses, experts, interpreters and guardians, costs of the necessary announcements and the cash expenditure of guardians or lawyers, representation by a court official or – if necessary – a lawyer. In criminal cases: According to sec 391 par 1 CCP the enforcement of the court's decision on costs has to take into account the ability of the convicted person to bear the costs for the daily life for him/herself and the family as well as the obligation of compensation in regard of the offence. The court may, if the costs cannot be enforced because of an impecunious defendant, declare the costs unrecoverable. If the court assumes that in the future the costs will be recoverable but for the time being they are not, the economic capacity of the person concerned has to be re-examined after a certain period. The statute for limitation to recover the costs is five years after the final decision in the proceeding. If the court decides that the convicted person has to bear the costs of the proceeding and further on he or she is not able to pay the costs the authorities, responsible to recover costs, may prolong the payment deadline, allow to pay instalments, or to abate the costs. In principle every person who retains a defence lawyer or another representative has to bear the costs him or herself even if the lawyer was appointed ex officio (sec 393 par 1 of CCP). According to sec 61 para 2 CCP the court has to decide on total or partial legal aid on the request of the defendant if the defendant cannot bear the total costs for the defence lawyer without impairment of his/her own or his/her family's maintenance which enables him/her to a simple lifestyle and if it is necessary in the interest of justice in particular in the interest of an adequate defence. In any case legal aid has to be granted during the whole procedure if and as long as the defendant is held in pre trail detention; during the entire procedure on the confinement in an institution for mentally abnormal offenders; during the trail on the confinement in an institution for addicted offenders in need of curing and on the confinement in an institution for dangerous subsequent offender; during the trail in front of a jury or of a court of lay assessors; during the trail in front of a single judge if the sentence which may be imposed is more than three years of deprivation of liberty; during the appeal procedure against a verdict of a court of jury or a court of lay assessors, in case the European Court for Human Rights has determined a violation of the European Convention on Human Rights or an additional Protocol to it for conducting the request for the reopening of the procedure and for the trail in public; if the defendant is blind, deaf, mute or otherwise handicapped or is not able to conduct the defense by him/herself because he/she can do not understand the language at court, for the appeal procedure, if the factual and legal position is difficult. Where in any case the defendant needs a defense lawyer, the court has to decide on legal aid ex officio even if the defendant does not request for it but further requirements to provide legal aid are given. With regard to the decision on legal aid the court has to examine the defendant's economic capacity to bear the costs for a defense lawyer. The economic capacity is determined by the maintenance which enables the defendant and his/her family to a simple lifestyle, and can be identified at the bases of the minimum living wage which may not be garnished given by sec 5 of the act on garnishment of wages and the appropriate maintenance which is higher than the minimum living wage. In particular the income and other assets on the one hand and the number of persons who are entitled to maintenance on the other hand determine the threshold for the court decision on the obligation on costs reimbursement.
Q18: If legal aid is granted in the main proceeding, the same applies to the enforcement proceeding. The requirements for granting legal aid has only to be examined again, if the enforcement proceeding will be opened one year after the main proceeding has closed (§ 68 para 1a of the Austrian Civil Procedure Order).
Q19: As far as civil cases are concerned, according to § 64 of the Austrian Civil Procedure Order (Zivilprozessordnung, ZPO) legal aid may cover not only the (provisional) exemption from court fees but also the exemption from fees for witnesses, experts, interpreters and guardians, costs of the necessary announcements and the cash expenditure of guardians or lawyers, representation by a court official or – if necessary – a lawyer. If the personal presence of the party at a hearing is ordered by the court, their necessary travel expenses are also replaced. The system differs a lot for Criminal Cases, because there are no costs to bear for the parties, until the court has taken a final decision. In case of an acquittal, the state has to bear all the costs. According to sec. 390 para. 1 CCP there is only one exception from this rule, if a person, different from the Public Prosecutor, i.e. "Privatankläger" holds the accusation and loses the case because of an acquittal. Then the so called Privatankläger (private prosecutor) has to bear the costs. In case of a false accusation, the person who knowingly accused the (acquitted) perpetrator would have to bear the costs of the trial (sec. 390 para. 4). In case of a conviction – as a general rule – the convicted person has to bear the costs (sec. 389 para. 1). But if there was given a legal aid, normally the costs will be declared as unrecoverable. The procedure is the same as already mentioned in point 17. Summarising it can be said,

that there are no costs in criminal cases which could be granted until the court has taken a final decision which also encompasses a decision on the costs.
Belgium: Q17: According to Article 664 of the Belgian Code Juridical, legal aid is the total or partial exemption of court fees for those who do not have the necessary income. It also enables interested parties to benefit from free of charge services of public ministries and the assistance of a technical adviser during forensic examinations.Q18 expertise: According to Article 665, Code 2 of Juridical Belgian legal assistance is applicable to acts relating to enforcement of judgments.
Bulgaria: Legal aid encompasses also the lawyers' travelling expenses.
Croatia: Q17: The approval of exemption from payment of court proceeding costs includes the exemption from payment of court fees, of an advance for the costs of witnesses, expert witnesses, inspections, announcements and other costs prescribed in accordance with the applicable rules of procedure. When necessary for the conduct of the proceedings, the advance for the costs of the court proceedings shall be covered from the funds of the court before which the proceedings are being conducted, and in accordance with the applicable rules of procedure, the obligation for payment of the advance lies with the beneficiary of legal aid. Any funds paid from the court funds form part of the costs of the proceedings, and the court shall decide on the reimbursement of such costs from the adversary of the party who is the beneficiary of the legal aid, pursuant to the provisions of the applicable rules of procedure on the reimbursement of costs. The court shall recover any costs paid out of the court budget, in accordance with the official duty, from the party which is required to refund them in accordance with the applicable rules of procedure. If the party opposing the beneficiary of the legal aid is ordered to refund the costs of the proceedings, and it is established that he or she is not capable of paying such costs, the court may subsequently order for the costs to be paid in full or partially by the beneficiary of the legal aid from the money awarded to him or her, if the amount of the awarded sum affects the material situation of the beneficiary insofar as it justifies the refund. This does not touch on the rights of the beneficiary to request, in that case, repayment from his or her adversary for what he or she has paid. Q18: Exemption from payment of court fees may be granted in all judicial proceedings, including enforcement procedures and security procedures, if the financial situation of the applicant is such that payment of court fees could threaten the maintenance of the applicant and household members (Articles 13 and 14 of the Free Legal Aid Act (OG 143/13)).
Czech Republic: Q17: There is a possibility for participants in the proceedings to ask for waiver of court fees ordered by the court: such release should be justified by the participant's personal situation and may not serve as arbitrary or apparently unsuccessful application or protection of the law. Q18: Granting legal aid could be granted in every stage of the proceedings –even only for enforcement of judicial decisions. Q19: If legal aid is granted, it covers all costs, including lawyer's fees, fees of judicial experts, etc.
Denmark: Q17: If a party is granted legal aid in a case before the court, the party is inter alia exempt from paying court fees. Q18: Legal aid can be granted for the fees that are related to cases before the bailiff's court. Q19: Other than criminal cases: Legal aid can be granted for all necessary costs associated with the proceedings. The court decides which expenses are covered by legal aid.
Estonia: Q17: Legal aid does not include coverage of or the exemption from court fees but there is another procedure for it in civil and administrative cases – procedural assistance. A person can request procedural assistance for bearing procedural expenses. As a result of it, court may release a person, in part or in full, from payment of the state fee or enable to pay it in instalments. Q18: Legal aid cannot be granted for fees related to the enforcement of judicial decisions (except representing a person in enforcement proceedings), but procedural assistance can be granted to release a person from all or a part of the expenses related to enforcement proceedings. Q19: Legal aid cannot be granted for other costs than representing, drawing up legal documents and legal counselling, but procedural assistance is granted for other costs, e.g costs related to witnesses, experts, interpreters and translators.
Finland: Q17: The court charges and other similar payments are waived for a recipient of legal aid. Q18: Legal aid covers the first attempt to collect outstanding claims by way of distraint. For the second attempt a new legal aid decision is needed.Q19: Granting of legal aid shall release the recipient from liability for the fees and reimbursements for an attorney appointed; the fees and reimbursements arising from the interpretation and translation services required in the consideration of the matter; and handling charges, document charges and the reimbursement of miscellaneous expenses in the authority seised of the main matter; the said charges shall likewise not be collected by other authorities for their measures and documents in so far as necessary for the matter being dealt with. The compensation for witnesses called by a party receiving legal aid shall be paid from state funds. The other costs of evidence submitted by a party receiving legal aid shall be paid from state funds if the evidence has been necessary for the resolution of the matter. If a party receiving legal aid, other than the defendant in a criminal matter, has been summoned to the court in person in order to resolve the matter, the compensation for the costs of coming to court shall be paid from state funds.
France: Q17: Articles 40 and 40-1 of the Law of 10 July 1991 on the legal aid plan that the beneficiary of legal aid has the right to the assistance of a counsel and of all public or ministerial officers (bailiffs and notaries in particular). They are also exempt from payment, advance or deposit of all costs related to proceedings, procedures or acts for which it was granted (expertise, social investigation, family mediation ...),

with the exception of the right to advocacy (13 €) for certain procedures. Q18: Section 10 of the Act of 10 July 1991 on legal aid states that legal aid may be granted in connection with the execution, on the French territory, of a court order, including from other Member States of the European Union except Denmark. Q19: Legal aid may be granted to the beneficiary of legal aid to cover the fees of public or corporate officers (bailiffs, notaries in particular) as well as expert fees. Thus, the recipient is exempt from payment, advance or deposit of all costs related to proceedings, procedures or acts for which it was granted (expertise, social investigation, family mediation ...)

Greece: Q17 Exoneration in civil and commercial cases includes specifically (Court) stamp fees, witnesses, expert fees or appointed advocate, notary public or court bailiff and the obligation of guarantee for such fees. Q19: In administrative courts there is no such legislative provision.

Hungary: Q17: Legal aid does not include the full coverage of court fees, but only the fee for the appointed lawyer. This kind of legal aid is granted by the justice service's decision based upon either the evaluation of the client's overall income and assets or the personal exemption of costs and fees, which is granted by the court. The legal aid system consists of covering court fees and the service of an attorney at law for free.

Ireland: Q17: Court fees are not charged in criminal cases. Civil legal aid generally includes court fees where these are payable. Q18: Civil legal aid does not generally include fees in respect of enforcement by an enforcement agent (this is distinct from enforcement of proceedings in a court which may be covered). Q19: In criminal cases, Legal Aid can cover the cost of expert reports (medical and technical, production of documentation, legal fees and necessary incidental expenses. In civil cases, fees of other professionals may be covered where it is necessary having regard to the circumstances of the case.

Italy: Q17: People granted with legal aid are not required to pay the court fees.Q18: Legal aid also covers expenses related to the enforcement of judicial decisions. Q19: For instance it can refer to private detectives, interpreters and expert witnesses.

Latvia: Q19: In accordance with State ensured legal aid law and connected regulation, travel costs and certain cases interpreter costs are covered by legal aid.

Lithuania: Q17: According to paragraph 4 of the Article 14 of the Law on State-guaranteed Legal Aid, in civil and administrative actions as well as in civil actions brought in criminal matters, persons eligible for secondary legal aid shall be exempt from the stamp duty and other litigation costs, the costs of the proceedings and procedural costs in the criminal matters. Q18: The costs of secondary legal aid shall comprise the costs of the execution process. The costs of state-guaranteed legal aid shall not cover the costs incurred by the debtor in the execution process.Q19: The costs of secondary legal aid from which the applicant shall be exempted are: litigation costs incurred in civil proceedings, the costs incurred in administrative proceedings, the costs related to the hearing of a civil action brought in a criminal matter, the costs related to defence and representation in court (including the appeal and cassation proceedings, irrespective of the initiator) as well as the costs of the execution process, the costs related to the drafting of procedural documents and collection of evidence, interpretation, representation in the event of preliminary extrajudicial consideration of a dispute, where such a procedure has been laid down by laws or by a court decision. The costs of state-guaranteed legal aid shall also cover the costs of interpretation of communication between the lawyer and the applicant where, in the cases provided for in treaties of the Republic of Lithuania, it is impossible to ensure that a person providing state-guaranteed legal aid communicates with the applicant in the language which the latter understands. Where the physical presence of an applicant is required by the law or by the court, the travel costs to be borne by an applicant shall be borne by the State-guarantee legal aid services from the state budget finds allocated for that purpose.

Luxembourg: Q17: Legal aid covers all costs of proceedings, procedures or acts for which it was granted and in particular to: 1) stamp duty and registration 2) registry fees 3) emolument of lawyers; 4) fees and expenses of bailiffs; 5) expenses and fees of notaries 6) fees and expenses of technicians 7) taxes witnesses; 8) fees of translators and interpreters 9) fees for custom certificates, 10) expenses; 11) fees and charges formalities registration, mortgage and pledge; 12) advertising costs in newspapers. (Article 8 of the Grand-Ducal Regulation of 18 September 1995).

Malta: Q17: All expenses are borne by the Government.

Netherlands: Q17: Lower incomes get partly compensated in certain civil cases. Q18: Lower incomes get lower fees. And the plaintiff's salary is paid by the court.Q19: Legal aid can also be granted for the following costs: travel costs, interpreter and translation costs, administrative costs, special regulation for medical expert costs in injury cases.

Poland: Q17: Court fees can be exonerated by courts' decisions in a case that require courts' action within execution or enforcement proceedings. Q18: The costs are connected to the enforcement agent's fees and actions. Q19: Expert fees and travel cost reimbursement.

Portugal: Q17, 18, 19: Portuguese law foresees the total or partial exemption from court fees and other expenses related to the case.

Romania: Q17: According to the Article 6 letter d) of Government Emergency Ordinance no. 51/2008, legal aid can be also granted as waivers, discounts, time schedules or delays at the payment of the stamp duties stipulated by law, inclusively of those owed in the enforcement phase. Q18: According to the definition at question 17, for the enforcement phase, legal aid may be granted as facilities at the payment of judicial

duties, but, according to Article 6 letter c) of GEO no. 51/2008, it can also be the payment of the bailiff's fee. Q19: According to the Article 6 letter b) GEO no. 51/2008, public aid may be also the payment of the expert, translator or interpreter used during the trial, with the consent of the court or of the jurisdictional authority, if this payment is the obligation of the one requiring judicial public aid, according to law.
Slovakia: Q17: The person who is granted the legal aid by the Legal Aid Center is in the civil cases "ex lege" exempt from all court fees. Q19: In civil cases the person who is granted legal aid cannot be burdened by the costs of the proceedings covered in advance by the state. If the court orders the expertise (or other evidence) the costs are paid in advance by the state (from the court budget) and the party which is not successful in the proceedings is obliged to reimburse the costs paid by the state. This obligation does not apply to the person who has been granted legal aid.
Slovenia: Q17: The exemption from court fees which was previously regulated by the Free Legal Aid Act is now regulated by the Court Fees Act and is awarded by the court where the proceedings take place. The matter of legal aid is decided by district courts, labour and social courts and the Administrative court. Q18: In the procedure of enforcement of judicial decisions the exemption from court fees is possible according to the provisions of the Court Fees Act. On the other hand, legal aid in the form of legal advice, legal representation and the exemption from payment of the procedural costs is regulated by the Free Legal Aid Act. This means that fees related to the enforcement of judicial decisions are still not paid by the party, but the legal ground for the exemption from payment is not legal aid. That is why the answer given is NO. Q19: The law prescribes that legal aid shall mean the right of the eligible person to the entire or partial provision of funds necessary to cover the costs of legal assistance and the right to exemption of payment of the costs of the judicial proceeding (Free Legal Aid Act, Article 1). Further on the law defines that legal aid may be approved for legal advice, legal representation and other legal services laid down in this Act, for all forms of judicial protection before all courts of general jurisdiction and specialised courts based in the Republic of Slovenia, before the Constitutional Court of the Republic of Slovenia, and before all authorities, institutions or persons in the Republic of Slovenia authorised for out-of-court settlement (hereinafter referred to as: judicial proceedings), as well as in the form of exemption from payment of the costs of the judicial proceeding (Free Legal Aid Act, Article 7). On the other hand the approved legal aid shall not cover the costs of the proceeding and actual expenditure of and remuneration for the person authorised by the opposing party (Free Legal Aid Act, Article 9). The law specifically lists the costs that can be covered by the approved legal aid (Free Legal Aid Act, Article 26)
Spain: Q17: Article 6 of the Act on Legal Aid of 10 of January of 1996, has been modified by the Real Decree-Law 3/2013 of 22 of February. Through this new regulation, the content of the benefit of legal aid includes the exemption from payment of court fees. Q18: In accordance to article 7 of the Act on Legal Aid, the coverage of legal aid is for all the stages of legal proceedings, including lodging of appeals and enforcement. Q19: Accordingly to article 6 of the Act on Legal Aid, people granted legal aid do not have to pay the following costs: - Costs of publishing announcements in official journals; - Experts fees; - Insurance fees; - Obtaining documentary copies and other legal documents for which a notary is required.
Sweden: Q17: According to section 19 of the Legal Aid Act, the person who is granted legal aid does not have to pay court fees such as fee for application or proclamation. Q18: According to section 19 of the Legal Aid Act, the individual with legal aid does not have to pay an application fee to the Swedish Enforcement Authority. Q19: In criminal cases legal aid can be granted for travel expenses and subsistence for the accused person. He or she can also be granted legal aid for expenses for witnesses who are not called by the prosecutor. In other than criminal cases the individual granted legal aid can have expenses covered for traveling and subsistence, evidence in court, investigation costs to a certain amount (approximately 1000* EUR) and for costs for a mediator appointed by the court. *In the previous answer the given maximum amount for investigation costs was appr. "100" EUR. However this must have been an error in writing. The correct amount is appr. 1000 EUR (10 000 SEK).

Table 5.3 : Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case in 2012 (Q12 Q20)

Austria: Q12: The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.
Bulgaria: Q12: Increased budget for legal aid for 2012 in comparison to 2010 is due to the extension of the service users due to increasing number of poor citizens who do not have own sufficient financial resources to authorize a lawyer. According to the Law on Legal aid one of the types of legal aid is pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court; Such legal aid under may be granted to: 1. persons and families who satisfy the eligibility requirements for receipt of monthly social assistance benefit according to the procedure established by Article 9 and Article 10 of the Regulations for Application of the Social Assistance Act; 2. persons and families who satisfy the eligibility requirements for assistance with a targeted heating allowance for the preceding or current heating season; 3. persons placed in specialized institutions for provision of social services or using a resident-type

social service or using a Mother and Baby Unit social service according to Article 36 of the Regulations for Application of the Social Assistance Act; 4. children placed with foster families or with immediate or extended family members according to the procedure established by the Child Protection Act; 5. a child at risk within the meaning given by the Child Protection Act; 6. persons referred to in Article 144 of the Family Code and to persons who have not attained the age of 21 years, in accordance with Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations; 7. victims of domestic or sexual violence or of trafficking in human beings, who are unable to pay and wish to avail themselves of the assistance of a lawyer; 8. seekers of international protection according to the procedure established by the Asylum and Refugees Act, in respect of which the granting of legal aid is not due on another legal basis; 9. foreigners in respect of whom a coercive administrative measure has been applied and foreigners accommodated at a special facility for temporary accommodation of foreigners according to the procedure established by the Foreigners in the Republic of Bulgaria Act, who are unable to pay and wish to avail themselves of the assistance of a lawyer; Such circumstances are certified by judgments of court or by documents issued by the relevant competent authorities, and by a declaration on marital and property status of the person.
Croatia: Q12: The budget allocated to legal aid in 2012 was 166.631,53 EUR. Due to the decreased budget planned for the Ministry of Justice in 2012, the amount is lower than in 2010.
Q20: From 1 February 2009 until 7 November 2013, legal aid has been granted in 18,905 such cases. In 2012, it has been granted in 5,872 cases.
Denmark: Q20: Danish Court Administration. The district courts note it in the court proceeding if legal aid has been granted. The court itself may grant legal aid, but it may also be granted by other government agencies based on income and/or the character of the case.
Estonia: Q12: Legal aid can be granted for cases which are not brought to court but the budged allocated to it cannot be specified. Q20: The number of cases referred to court for which legal aid has been granted and number of cases for which legal aid has been granted for legal advice only cannot be separated. The total number of cases for which legal aid has been granted in 2012 is 17031.
Finland: Q20: The number for the previous exercise concerns all the cases for which legal aid has been granted, also those cases that are not brought to court. The numbers given this time (total 43255 and other than criminal 12392) concerns only the cases processed in court. That explains the difference.
France: Q12: The previous survey (2010/2012) contained no specific line for "non-contentious matters or not brought before the courts," contrary to questionnaire 2012/2014. Aid to the intervention of the lawyer in non-judicial procedures such as police custody, mediation or criminal composition, were then included in the heading on criminal missions. Aid to the intervention of lawyers in non-judicial proceedings (GAV , mediation, criminal composition , assistance to inmates and legal consultations) in 2012 amounting € 49,732,000 were included in line 12.2. So for all criminal Missions (court and out of court) must be added 49,732,000 to 88,730,000 , bringing the figure to € 138,462,000 . This increase is explained by the increase in compensation of police custody following the 2011 reform. Q20: Admission to legal aid in 2012.
Greece: Q12: The observed increase is due to accumulated debts from previous years. The decrease in all categories is easily interpreted by the broadly known budgetary adjustment our country has been going through during the last years.
Hungary: Q 12: The difference between the two cycles is due to the fact that each year this budget is developed. Extrajudicial assistance can be granted in two forms by the system of legal aid: legal advice and drafting legal documents.
Ireland: Q20: The figure of 10913 represents civil legal aid certificates granted and includes cases that may not have proceeded to a court hearing. It does not include asylum cases where legal aid was granted.
Italy: Q20: The higher number of cases for which legal aid has been granted compared to 2010 is due to the fact that the threshold (see Q.23) was slightly increased.
Lithuania: Q12: Annual approved public budget for primary legal aid (free legal advice) – 513 681,15 €. Annual approved budget for secondary legal aid (free legal representation) – 4 030 144,9 €. According to the types of cases information about the amounts paid for lawyers who provide secondary legal aid is available: a) In civil and administrative cases – 1 350 333,83 €; b) In criminal cases – 1 955 879,07 €. The numbers include the remuneration for lawyers and exclude other state-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation and etc.). Q20: The number of criminal cases provided above indicates cases where legal aid was granted by a decision of a pre-trial investigation officer (17853 cases), prosecutor or the court (15312 cases) (when the presence of a defense lawyer is mandatory) and where legal aid was granted in a criminal case by a decision of state-guaranteed legal aid services (where defense is not mandatory or the person is an aggrieved party) (2146 cases). The number of other than criminal cases provided above indicates cases where legal aid was granted in civil (13595) or administrative (786) cases by a decision of state-guaranteed legal aid services.
Luxembourg: Q12 : there is no distinction if legal aid is allocated in criminal matters or non-criminal matters.
Malta: Q12: The amount indicated represents the full amount allocated by the Government to the appointment of Legal Aid lawyers for persons requiring their services. All judicial fees incurred by such persons are also borne by the Government, however it is not possible to quantify such expenses as these

vary from case to case. The difference between the two cycles is due to the fact that the previous figure was more generic and this year's figure was obtained following a detailed examination of the funds available. The Public Prosecution Services is carried out by the Attorney General's office who not only acts as a Public Prosecution but also acts as the Principal Legal Advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution purposes, but also for other purposes relating to legal work and advise for the Government, both locally and internationally. Q20: In criminal cases, statistics started being collected with effect from August 2012, and the number of cases indicated above refers to the period August till December 2013. Between January to October 2013, the number of criminal cases granted legal aid amounted to 463. As the 'other than criminal law' statistics, this refers to all the number of legal aid requests made for civil proceedings to be commenced.
Netherlands: Q20: Source: Legal Aid Board (Granted Legal Aid from "Vaststellingen bestand RvR"). Excluding Granted Legal Aid for lawyers during "Piketdienst"(= Stand-by duty lawyers). In 2012 approximately 127 000. Stand-by duty lawyers were assigned. NB 1: the budget and cases of the Legal Counters (one of the modes of primary legal aid) are not included. NB 2: Budgets and cases of stand by duty cases concerning the division criminal and non-criminal law are estimated by assuming that the distribution of assignments between these types of cases is the same within the stand by duty cases.
Portugal: Q12: Yes, in Portugal is possible to obtain legal aid for non-litigious cases. According to Portuguese Law legal protection consists of two types of assistance: Legal information, which seeks to inform of one's rights and the legal system, providing for the optimum exercise of those rights and the fulfillment of the legally established duties, in particular by means of the gradual creation of services providing access to the courts and judicial services, and Legal protection, which includes a) Legal advice, through law firms which it is intended will cover the entire national territory and which citizens may visit in order to receive free legal advice from legal professionals. Legal advice may involve carrying out extra-judicial steps or informal mechanisms of reconciliation; b) Legal aid, which takes the following forms: - Total or partial exemption from court fees and other charges relating to the proceedings; - Deferment of payment of court fees and other charges relating to the proceedings; - Appointment and payment of the legal representative's fees, or alternatively, payment of fees to the legal representative chosen by the applicant.
Romania: Q20: Data is available only for the Courts of Appeal and Tribunals. The database Ecris was not functional for the first instance courts and for the High Court in 2012.
Slovakia: The number of the criminal cases, where an "ex officio" counsel has been appointed to the defendant free of charge is not available.
Slovenia: Q12According to Article 26 of the Free Legal Aid Act legal aid may also be granted for legal advice surpassing initial legal advice; for the formulation, verification and certification of documents on legal relations, facts and statements and for legal advice and representation in cases of out-of-court settlement. Q20: The number of other than criminal cases referred to the court for which legal aid in the form of legal advice and representation before the court has been granted includes numbers of civil (6041), labour (846), social (41), administrative (8), small offences (57) and other (356) cases. Among all cases referred to the court there were also 4073 exemptions from payment of the costs of the judicial proceeding.
Spain: Q20: In 2012, 662 434 applications reached legal aid, the data does not separate cases brought or not brought to court.
Sweden: Q12: The difference with the previous cycle is due the fact that that more funds have been allocated for the purposes. Also the exchange rates make the increase seem somewhat bigger in Euro than it has been in Swedish kronor.

Table 5.4 : Cases not brought to court for which legal aid was granted in 2012 (Q20.1)

Belgium : 16.432 for OBFG (ordre des barreaux francophone et germanophone) ; 41.618 for OVB (order van Vlaamse balie).
Croatia: From 1 February 2009 until 7 November 2013, legal aid was granted in 2,900 cases that were not conducted before a court. In 2012, legal aid was granted in 465 such cases.
France: In 2012, 68 settlement discussions benefitted from legal aid assistance. Moreover, in terms of information or legal advice but also for amicable dispute settlement measures, 713,319 people benefitted from being received at the "House of Justice and Law" (Maison de Justice et du Droit), including associations in the field of access to law but also by lawyers, notaries and bailiffs for legal consultations or by justice conciliators. It is however not possible to provide an overall figure because the data cannot be aggregated.
Lithuania: The number provided above indicates the number of matters when primary legal aid (legal information, legal advice, drafting of the documents to be submitted to state and municipal institutions, with the exception of procedural documents, advice on the out-of-court settlement of a dispute, actions for the amicable settlement of a dispute and drafting of a settlement agreement) was granted.
Slovenia: The number of cases not brought to court for which legal aid has been granted includes:
- first legal advice (218),
- legal advice surpassing initial legal advice (207),
- formulation, verification and certification of documents on legal relations, facts and statements (244);

- legal advice and representation in cases of out-of-court settlement (29).

Table 5.5 : Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and lega laid in 2012 (Q6, Q9)

Austria: Q6 The figures include the public prosecution services and the budget of legal aid (€ 19,0 Mio for legal representation is included). "Other": Postal services (€ 37,3 Mio), Traineeship (€ 13,9 Mio), office equipment, lump-sum payment for legal representation (€ 19,0 Mio) , travel expenses, other small expenses. The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.
Bulgaria: Q 6, column 5 (Annual public budget allocated to investments in new (court) buildings) – The sum of 5828727 € was allocated by the State budget to the Ministry of Justice under the Investments of Judiciary Bodies Programme.
Cyprus: the amount in question 9 also includes income from transfers.
Denmark: The budget allocated to the public prosecution services is included in the overall budget to the police.
Estonia: Q 6 (annual public budget allocated to computerization): 812 487. The budget allocated to computerization has increased a lot due to the large IT development projects like digital court file project, the new court information system that brought along the need to develop other information systems and registers connected to it, and many others projects. Q 6 (annual public budget allocated to justice expenses): 326 259. The budget allocated to justice expenses has decreased a lot due to the fact that before the expenses of expertise were included in the budget allocated to the functioning of courts, now they are in the budget of Estonian Forensic Science Institute. Q9: The decrease in income of court taxes can be explained by the fact that in 2012 state fees regarding court procedures have been reduced significantly (the fees were reduced from 1-2% to almost 500%).
France: Q6: The Legal aid budget is not included in the given numbers.
Greece: Q6 :The annual budget allocated to training and education is mostly the budget of the National School of Judges (legal entity of public law), which is responsible for the prefatory training of judges. The budget depends on the number of candidates who pass the annual exams (held by the same entity). In addition to that, these expenses are so far funded by programs of the National Strategic Reference Framework.
Hungary: Q6 (annual public budget allocated to computerisation): The difference in numbers between the two cycles is due to the fact that in 2010 the budget was exceptionally high for computerisation. (annual public budget allocated to investments in courts buildings): The difference in numbers between the two cycles is due to the fact that there was no source for investment like in 2010. In 2014 annual public budget allocated to investments in new (court) buildings will be 26 590 660 €.
Ireland: Q6: in the previous report items such as interpretation services were included under the general heading. The Courts Service has indicated that the current response more accurately reflects the budget allocated to expenses under 6.3.
Italy: Q6: Due to the structure of the Italian judicial system, the ministry of justice has one single budget which does not distinguish between the budget allocated to the courts, the budget allocated to the public prosecution services and the one allocated to the administration. Q.9: The large increase of court fees is part of an overall reform aimed at rebalancing court fees and cost of justice. In addition to that, it is an instrument to reduce litigation as in Italy it has reached very high rates.
Latvia: Q6: The budget for General Prosecutor Office during the economic crisis was reduced significantly. Financial means were reduced in almost all budget positions, but starting in 2012 the budget increased up to almost 5 000 000 EUR.
Lithuania: Q6: Annual approved public budget for primary legal aid (free legal advice) – 513 681,15 €. Annual approved budget for secondary legal aid (free legal representation) – 4 030 144,9 €. According to the types of cases information about the amounts paid for lawyers who provide secondary legal aid is available: In civil and administrative cases – 1 350 333,83 €; In criminal cases – 1 955 879,07 €. These numbers include the remuneration for lawyers and exclude other state-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation and etc.)
Luxembourg: Q6: The Public Ministry does not have a separate budget.
Portugal: Q6: The difference between the two cycles is due to the fact that in the previous exercise under 6.3 costs with computerization were included by mistake. This year's value includes only costs with expertise and interpretation.
Romania: Q6: Starting with 2010, based on the Unitary Salary Law for 2009, the salary rights for magistrates and other judiciary staff included, as a monetary value, the supplements obtained through the case law (for the neuropsychological and risk overstress supplement representing 50% and for the confidentiality supplement representing 15%, respectively). From a technical point of view, some supplements were included in the base salary and others were considered as a supplement in addition to the base salary.

Under these circumstances, the salary rights of the staff within the courts had increased during the first 5 months of 2010 by 18,5 % in comparison to the same period of 2009. 2012: The annual budget allocated to courts in 2012 decreased compared to the budget allocated in 2010 because of the legislative amendments referring to the wage rights paid to the staff in the budgetary sector in the period 2010 – 2012. There is an increase in the budget allocated to salaries in 2012 compared to 2010, because from June 2010 the salaries in the budgetary sector have been reduced by 25% (six months) and from January 2011 the budgetary salaries have been increased by 15%, and further increased by 8% from June 2012 compared to May 2012 and by 7,4 % from December 2012. Funds have been allocated to courts for purchasing furniture for the new personnel – about – 113.379 EUR, IT equipment – 407937 EUR, as well as for redevelopment works necessary for creating council chambers and offices within courts - 285.034 EUR at the courts of appeal and law courts identified by significant disturbances in courts activity. Q9: Due to the legislative amendments on judicial stamp duties in 2012 the income obtained through stamp duty was a local budget.
Slovenia: Q6: The difference in the budget allocated to training and education (1 835 808 in 2008, 1 229 741 EUR in 2010 and 506 115 EUR in 2012) can be attributed to the effect of the economic and financial crisis. As there were cuts in the budget of the judiciary, one of the affected fields was training and education. This meant that the expenditures for international training of judges and court personnel were lowered (seminars, conferences, etc.). Similarly, fewer funds were available for national legal seminars and other educational events.
Spain: Q6: The data for 2012 regarding the functioning of all courts shows a reduction compared with 2010 data, this is due to the following: 2012 includes the data related to the Ministry of Justice, but does not include the data related to the budgetary of the Council General of the Judiciary or the Autonomous Communities; Since 2010, the budget allocated to the functioning of all courts separates Prosecution Office budget. The main characteristic of our budgetary system is based on territorial organisation, Spain is divided in 17 Autonomous Regions and 2 Autonomous Cities, with competence in the field of administration of justice and financial means, which means that in the Autonomous Regions holding powers in matters of justice, the role of the Ministry of Justice and the Parliament is played by the regional ministries and regional assemblies.
Sweden: Q6: Due to differences in nomenclature within different audit systems there is an inherent problem in comparing numbers. As a result, the figures presented in question 6 should be used with caution. The figures are not approved budget but executed expenses. The difference with the previous cycle is the fact that last year's figure is much lower because of an underestimation of the budget need concerning the application fees. This was corrected in 2012. Q9: The change between the years is due to a misjudgment from our side about the budgeted amounts. It is not the outcome that has changed over the years, but the budgeted amounts. Due to differences in nomenclature within different audit systems there is an inherent problem in comparing numbers. As a result, the figures presented in question 6 should be used with prudence. The figures are not approved budget but executed expenses. Last year's figure is much lower due to an underestimation of the budget need concerning the application fees. This was corrected in 2012, hence the large difference.

Table 5.6 : Court fees required to start a proceeding at a court of general jurisdiction in 2012 (Q8)

Austria: The duty to pay court fees arises from the start of the civil procedure at the court, but the proceedings itself are not dependent on the payment of this fee. The most important (at least preliminary) exemption from court fees is the attribution of legal aid to the claimant according to the respective provisions of the civil procedure code (Zivilprozessordnung – ZPO, in particular §§ 63 and 64) and §§ 8 and 9 of the court fee act (Gerichtsgebührengesetz - GGG). Detailed information can be derived from the legal aid factsheet on the website of the European Network for Civil and Commercial Matters (http://ec.europa.eu/civiljustice/legal_aid/legal_aid_aus_en.htm). Other exemptions are laid down in various other provisions as listed in § 10, § 13 and Art. VI Nr. 28 GGG.
Belgium: - in criminal matters: There is no right to open and register the case before the court for criminal cases, correctional or police, even if there is a civil party. - In other than criminal cases : A right of registering the court case, which is a court fee (federal income tax), applies in the case of registration of a case, motion or application in the General register, or in the register of applications registry of the Court ((article 269/1, Code des droits d'enregitrement, d'hypothèque et de greffe ou C. enreg.)the exemption of the registration is planned - the role is general or specific - if the registration concerns: 1) a cause whose judgments and decisions benefit from the exemption of the right, or of the formality of registration (art. 161, 162 or 301 C. enreg.) 2) a question by the clerk of the court to which the case is referred in accordance with the law on the use of languages in administrative matters, or by judicial decision divestiture (art. 279/1, 2°, C. enreg.).
Bulgaria: Civil Procedure Code - Court fees on the cost of action and court costs are collected upon conduct of the case. Where it is not possible to estimate the amount of the action, the amount of the court fees is determined by the court. Where the subject matter of the case is a right of ownership or other rights in rem to an immovable, the amount of the court fees is determined on one fourth of the cost of action. Considering the

petition for waiver, the court shall take into consideration: income; property status; family situation; health status; employment status; the age; other circumstances ascertained.
Croatia: Litigants are required to pay a court tax or fee to start a proceeding at a court of general jurisdiction for criminal cases, but only when the procedure is initiated by a private claim. The same rule was applied in 2010 as it was explained below the question n. 8. („In the proceedings before the courts …. criminal according to a private claim…"). Therefore, this year the answer for criminal matters is yes in order to include them transparently in the answer.
Article 16 of the Court Fees Act (including amendments from 2013) defines which subjects are exempt from paying court fees examples: The Republic of Croatia and state government bodies; Persons and bodies performing public authorities for the performance of such authorities; Disabled veterans of the Homeland War, based on adequate documents proving their status; Spouses, children and parents of veterans who were killed, missing or captured in the Homeland War, based on adequate documents proving their status; Spouses, children and parents of those who were killed, missing or captured in the Homeland War, based on adequate documents proving their status; Displaced persons, refugees and returnees, based on adequate documents proving their status; etc. Foreign countries are exempt from paying fees if that is determined by an international agreement or subject to reciprocity. In case of a doubt regarding the existence of conditions from paragraph 2 of this Article, the court shall seek explanation from the Ministry of Justice.
The Czech Republic: There is a possibility for participant in the proceedings to ask for waiver of court fees ordered by the court, such release should be justified by the participant's personal situation and may not serve as arbitrary or apparently unsuccessful application or protection of law.
Denmark: Yes, there are exceptions. In some civil cases, you do not pay tax nor fee e.g. in paternity cases and custody cases.
Estonia: There are exceptions to the rule to pay court a fee (called state fee in Estonia). The law provides persons or institutions that are exempt from it and acts for which the state fee is not charged. In addition, the state grants procedural assistance for bearing procedural expenses, including state fee. When granting the procedural assistance, it is the court that decides whether a person should be released in part or in full from payment of the state fee. The State Fees Act specifies which cases do not require a state fee charge.
Finland: Charges are collected once the performance has been completed. Payment liability lies with the initiator of the matter (plaintiff or petitioner); on appeal with the appellant; and with other performances with the person ordering the performance. After the consideration of the matter, the District Court collects a charge from the petitioner in a petitionary matter and the plaintiff in a civil matter; the amount of the charge varies depending on the nature of the matter and the court time its consideration has required. Certain matters are by the law free of charge. A beneficiary of legal aid is free from payment liability. Certain parties are likewise free from payment liability. These include authorities in the ambit of the Ministry of Justice, the police, other authorities pursuing pre-trial investigations, the prosecutors and the enforcement authorities. The following petitionary matters are handled free of charge: 1) a matter according to the Act on the enforcement of a decision on child custody and right of access; 2) a matter according to the Coercive Measures Act; 3) a matter handled by the initiative of a court or the notification of another authority.
France: A contribution to legal aid of the amount of € 35 was introduced by the Law of 29 July 1991 Amending Finance with effect from 1 October 2011. This measure was designed to supplement the funding of legal aid. Section 128 of the Finance Act 2014 repealed this contribution, the legislator wishing by this measure remove this measure, estimating it capable of restricting access to justice.
Hungary: The Act XCIII of 1990 on Duty Allowances in Court Proceedings specifies the exemptions from charges of court fees in civil and criminal proceedings, as well as cases of partial exemption
Ireland: Family Law Proceedings are exempt from court fees.
Italy: Courts fees depend on the value of the dispute. See this table for more information http://www.professionegiustizia.it/tabella_contributo_unificato.php
Latvia: Exceptions are regulated with Civil Procedure Law Article 43.
Lithuania: Article 83 of the Code of Civil Procedure of the Republic of Lithuania defines the cases which are released from the payment of the stamp duty (official fee) in cases which are heard by a court (employees and consumers in cases concerning all claims arising from the legal relationships of employment and consumption; plaintiffs in cases concerning the adjudication on maintenance; plaintiffs in cases concerning compensation of material and non-material damages, connected with an incident of harm to a person's health, the loss of his life in an accident at work, or a professional illness; etc). The Code of Civil Procedure establishes that by means of summary proceedings, taking into consideration the person's material situation, the court can partly release from payment of stamp duty. An application for partial release of the stamp duty must be reasoned. Proof providing the necessity of release of the stamp duty must be annexed to the application. The court decision on the application has to be motivated.
Luxembourg: It is not necessary to pay a tax or fee to start a proceeding before a court of law. It is however possible that a party is ordered to pay costs and expenses but the amount of these convictions is very low (a few dozen euros).
Malta: There are exceptions in which, if the litigant applies for Legal Aid services, all court tax fees and legal fees are borne by the Government.

Netherlands: A court fee is required in Administrative Law en Civil Law procedures. Only in insolvency cases, child care cases, psychiatric patient cases and asylum cases people do not have to pay a court tax or fee. There are no other exceptions.
Poland: The general rule states that litigant must pay the initial court fee. There are two kinds of exceptions. The first exception concerns the case category -in some of them (mainly employment and child support) there is no initial fee. The second category is connected with granting court fees exception (the party must file a motion)
Portugal: The Regulation of Procedural Costs defines the categories of persons who are exempt from costs (ex: The Public Prosecutor in actions, proceedings and appeals, when acting on his own behalf, in the defense of the rights and interests that the law confers to him; Any citizen, association or foundation, that takes part in procedures concerning the defense of values and assets protected by the Constitution; Magistrates and vowels of the High Superior Council that are not judges, in any actions which they are party by the exercise of their functions; Victims of working accidents and carriers of professional illness, in the procedures of accident or illness, when represented by the Public Prosecutor or by the syndicate; i) Persons in minors' jurisdiction procedures, should the costs be at their charge; The mandatory pension redemptions; b) Urgent administrative proceedings related to some electoral processes; etc)
Romania: In the other matters except the criminal matters, the principle is the payment of judicial stamp duty. Nevertheless, there are several categories of procedures exempted from the payment of the fee. As provided by Law no. 146/1997 on the judicial fees, the exceptions are as follows: labour litigations, as well as the enforcement of decisions pronounced in those litigations; some family cases (alimony, adoption, tutelage and others); the payment of pensions and other social insurances litigations and the payment for unemployed persons; cases for granting damages for convictions or illegal preventive measures, etc.
Slovakia: The Act on the Court fees (No. 71/1992 Coll.) regulates the exceptions from the duty to pay the court fee. There is a list of the persons who as a litigants are not obliged to pay the court fees (e.g. the state, the foundations, the consumer etc.) and a list of certain types of legal procedures which are exempted of the court fees (e. g. the proceedings on guardianship and trusteeship, the maintenance proceedings etc.). Except for the situations stipulated in the Act on the court fees the court itself can grant the participant the exoneration from the court fees when the social circumstances of the participant give reason to this and the claim is not frivolous.
Slovenia: According to the Court Fees Act the court shall exempt from payment of court fees a party, if such payment would significantly affect the funds needed for the maintenance of the party or his/her family members. A worker is not required to pay a court fee in individual labour disputes on conclusion, existence and termination of labour contract. The Labour and Social Courts Act specifies that in collective labour disputes and social disputes no court tax is required.
Spain: The Law 10/2012 of 20 November of Justice administration and toxicology and forensic science fees, rules that parties have to pay a fee to start a proceeding in civil, contentious-administrative and labour cases. The Law provides objective and subjective exemptions. Objective exemptions regarding capacity, civil status, family and minors procedures; protection on fundamental rights, procedures against electoral administration; debt petitioner, commercial matters (concurso voluntario); claims on the defense of their statutory rights of the civil servants; initial claims of monitory procedure, administrative-contentious appeals when the claim is the silence of the administration. Subjective examples regarding the right of legal aid for natural persons, Public Prosecutors, state and autonomous public administration and its public entities, and for autonomous legislative assemblies.
Sweden: Administrative law cases are excluded as well as court cases about obtaining an order to pay when the person the claim is directed at objects to an order to pay already issued by the Enforcement Authority.

Table 5.8: Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)

Austria: Legal aid can be granted any natural person regardless of nationality or residence of the applicant. A party without sufficient financial means may apply for legal aid when entering or just before entering into litigation or at any time later as long as the civil proceeding is still pending. The core provisions regarding legal aid are set out in §§ 63 to 73 of the Austrian Civil Procedure Order (Zivilprozessordnung, ZPO). It is noteworthy that no strict financial threshold is applied to determine whether an applicant qualifies for legal aid or not. At its discretion the court may grant full legal aid or - according to the financial situation of the applicant regarding the amount of costs to be expected in the future - allow it only partially. It may cover: a provisional exemption of court fees, fees for witnesses, experts and edicts; of costs for guardians and cash expenditure of guardians or lawyers in case of representation by legal aid; and representation by a court official or - if necessary - a lawyer (which is very often the case). If the court decides to grant legal aid including the assistance of a lawyer, the local lawyers chamber (Länderkammer of the Austrian Bar Association) has to select the next available lawyer among its members. The applicant may however nominate a particular lawyer. Although this request is not binding on the local lawyers´ chamber, it will in general accept a well-founded proposal (for example if the lawyer is willing and already familiar with the case). As a general rule, any decision on legal aid can be subject to appeal to the court of second instance

whose decision becomes final. In legal aid matters an appeal to the Supreme Court (Oberster Gerichtshof) is not available.

Bulgaria: Legal aid is granted only to natural persons, in criminal, civil and administrative matters before courts of all instances. Legal aid authorities are Ministry of Justice – it conducts the state policy in the sphere of legal aid; National Legal Aid Bureau /NLAB/ which provides general and methodological guidance of the activity concerning the granting of legal aid by issuing mandatory instructions on the application of the Act and the statutory instruments of secondary legislation; Bar Councils which organize and administer legal aid within the respective geographical jurisdiction; the authority directing the procedural steps, the court or the relevant police or customs authority decide whether to grant legal aid or not /when there is a civil or administrative case/. NLAB grants or refuses granting legal aid for a consultation with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court and/or preparation of documents for bringing a case before a court. The types of legal aid are: pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court; preparation of documents for bringing a case before a court; representation in court by legal counsel; representation upon detention under Article 63 (1) of the Ministry of Interior Act and under Article 16a of the Customs Act. The legal aid system cover the cases in which the assistance of a lawyer, a stand-by defence counsel or representation is mandatory as provided by virtue of a law /these cases are indicated in the procedural acts - Criminal Procedure code, Civil Procedure Code and in Administrative Procedure Code/. Legal aid system covers also the cases in which the candidate for legal aid is unable to pay for the assistance of a lawyer, wishes to have such assistance, and the interests of justice require this. In the last two years the following reforms have been made: Legislative changes in the Legal Aid Act /LAA/ in several directions: increasing the powers of the authorities of the legal aid system regarding the appliance of LAA and exercising control over granting legal aid; the scope of persons who have right to legal aid has been expanded e.g persons and families who satisfy the eligibility requirements for receipt of monthly social assistance; children placed with foster families or with immediate or extended family members according to the procedure established by the Child Protection Act, etc)

The Czech Republic: Legal aid is provided either by the state or by the Czech Bar Association at its own cost.

Denmark: In criminal cases: A council for the defence can be appointed in all criminal cases. The Government will pay the fee to the council. However, if a person accused of a crime, is convicted, the state has a recourse claim against the convicted person. In other than criminal cases, in general, the losing party bears the legal costs. However, the court can decide that each party bears his or her own costs partly or entirely.

Estonia: For interpreting the above-mentioned data it is useful to know that in Estonia there are two types of aid/assistance: state legal aid for all types of cases that is granted for defense, and procedural assistance for civil and administrative cases that allows the court to release a person for example from payment of the state (court) fees or expenses related to mandatory pre-trial proceedings. The state legal aid is financed by the state budget but the procedural assistance is not granted on account of the state (with some exceptions). It means that the grant of procedural assistance does not preclude the obligation to bear the procedural expenses on the bases of the court judgment. The state legal aid is financed by the state budget but the procedural assistance is not granted on account of the state (with some exceptions). It means that the grant of procedural assistance does not preclude the obligation to bear the procedural expenses on the bases of the court judgment.

France: In 2011, a major reform in the criminal field took place. Law No. 2011-392 of 14 April 2011 relating to custody has strengthened the rights of defense of the persons held in custody or retained in customs. With the exception of compelling reasons, the person in custody or placed in retained in customs may apply to be assisted by a lawyer of their own choice or an appointed lawyer at the outset of police custody and during the extension of this measure. Articles 9 and 23 of the aforementioned Act allow compensation for appointed lawyers involved in a measure of custody or customs restraint.

Italy: The Criminal Procedure provides that in case of condemnation the convicted party has to pay all the costs.

Latvia: The Legal Aid Administration is the competent institution responsible for the provision of legal aid in the cases and according to the procedures specified in this State ensured legal aid law. Legal aid can be provided in out-of-court and in-the-court settlement of matters of legal nature or for the protection of infringed or contested rights of a person or his or her interests protected in the cases, ways and amounts provided for by the State ensured legal aid law.

Netherlands: The Dutch legal aid system is basically a threefold model in that it encompasses three 'lines' that provide legal aid: 1. The preliminary provision of the interactive online application called Roadmap to Justice (Rechtwijzer; see www.rechtwijzer.nl) offers digital help by means of a 'decision tree'. It helps people find solutions for their legal problems in an interactive manner. The Legal Services Counters also have a website that can be seen as a preliminary provision. 2. The Legal Services Counters (LSC) act as what is commonly known as the 'front office' (primary help). Legal matters are being clarified to clients and information and advice given. If necessary, clients will be referred to other professionals or support agencies.

Clients may also be referred to a private lawyer or mediator, who acts as the secondary line of legal aid. Clients may also apply for legal aid from a subsidized lawyer or mediator directly. 3. Private lawyers and mediators provide legal aid in more complicated or time-consuming matters (secondary help). Private lawyers and mediators are paid by the Legal Aid Board to provide their services to clients of limited means. Generally they are paid a fixed fee according to the type of case, although exceptions can be made for more extensive cases. The legal aid system, therefore, is a mixed model, consisting of a public preliminary provision, public first-line and private second-line help. Although there were several cutbacks in the system, the public expenditure on legal aid is still increasing each year. The reason for this is, on the one hand, the higher fees the lawyers receive, and, on the other, the growing number of people seeking recourse to the system. A major cost-cutting measure in 2008 was to further stimulate alternative ways of dispute settlement; mediation and the 'Roadmap to Justice' were the first steps in that direction. Other spending cuts that were implemented included increasing the financial significance a case should have before it becomes liable for legal aid and the introduction of the diagnosis & triage measure, which should encourage people to resolve their dispute at an earlier stage. In 2010 the client's contributions for certificates for legal aid were increased; these apply if people seeking justice are unable to submit a diagnosis document (diagnosis and triage measure). In 2012 and 2013, the lawyers' fees were adjusted and not index-linked. Moreover, the LAB itself has to make cuts of € 5 million; one of the measures to achieve this is by introducing the web portal. All clients' contributions were increased in October 2013. Furthermore, the client's contribution in divorce cases went up even more. There is also more attention to multiple use of certificates for legal aid and time consuming cases. The State Secretary for Security and Justice believes that in due course the system of legal aid needs to be reviewed. For this purpose, a consultation paper was issued in late 2011, in which three directions are explored: loan system, tendering, and gatekeeper. He subsequently identified the views of organisations that have a stake or otherwise possess the expertise with respect to legal aid. In mid-2013 it was decided to opt for the direction of the gatekeeper in the future.

Slovakia: Since the January 1st 2012 the legal aid in the civil cases has been provided through the Legal Aid Center only. The Legal Aid Center provides the legal aid to the persons in the material need. The state of the legal aid has to be proved by the applicant. The legal aid includes the consultation and the representation in the case. In the civil proceedings the court can refer to the Legal Aid Center any participant whose material conditions allow the exoneration from the court fees. This decision can be held in any time during the proceedings. In the criminal proceedings the legal aid covers the cases of the compulsory defense, stipulated by the Code of the criminal procedure. If in these cases the defendant does not choose the counsel himself/herself, an "ex officio" counsel has to be appointed to the defendant by the court for free. The costs of the counsel are paid from the budget of the court where proceeding is held. The number of the criminal cases where such legal aid has been granted is not available.

Spain: The authority in charge to grant or refuse legal aid is the Legal Aid Comission, which is set up in the capital of each "provincial" and in the two Autonomous Cities, Ceuta and Melilla.

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use in 2012 (Q 62, 63, 64)

States/entities	Direct assistance to judges and court					Administration and				Communication between courts and the parties									Total number of points in 2012	Change in total number of points between 2012 and 2010	100% of courts	+50% of courts	-50% of courts	-10% of courts	0 % of courts	Total number of points in 2010	100% of courts	4 points
	Word processing	Electronic database of jurisprudence	Electronic files	E-mail	Internet connection	Case registration system	Court management information system	Financial information system	Videoconferencing	Electronic web forms	Website	Follow-up of cases online	Electronic registers	Electronic processing of small claims	Electronic processing of undisputed debt recovery	Electronic submission of claims	Videoconferencing	Other electronic communication facilities										
Austria																			72	0	72	-	-	-	-	72	+50% of courts	3 points
Belgium																			34	0	16	12	2	4	-	34	-50% of courts	2 points
Bulgaria																			46	1	44	-	-	2	-	45	-10% of courts	1 point
Croatia																			45	2	24	18	-	3	-	43	0 % of courts	0 point
Cyprus																			32	-2	32	-	-	-	-	34		
Czech Republic																			62	1	56	-	6	-	-	61		
Denmark																			48	8	48	-	-	-	-	40		
Estonia																			72	0	72	-	-	-	-	72		
Finland																			68	0	68	-	-	-	-	68		
France																			55	0	40	3	10	2	-	55		
Germany																			58	3	44	6	6	2	-	55		
Greece																			27	7	-	3	14	10	-	20		
Hungary																			52	1	44	6	2	-	-	51		
Ireland																			54	3	40	3	8	3	-	51		
Italy																			62	9	32	30	-	-	-	53		
Latvia																			69	12	68	-	-	1	-	57		
Lithuania																			69	6	60	9	-	-	-	63		
Luxembourg																			52	0	52	-	-	-	-	52		
Malta																			72	0	72	-	-	-	-	72		
Netherlands																			56	0	52	3	-	1	-	56		
Poland																			49	0	32	6	6	5	-	49		
Portugal																			72	0	72	-	-	-	-	72		
Romania																			56	6	32	21	-	3	-	50		
Slovakia																			49	0	40	3	2	4	-	49		
Slovenia																			63	0	52	9	2	-	-	63		
Spain																			56	5	44	9	-	3	-	51		
Sweden																			68	22	68	-	-	-	-	46		

Table 6.2. Use of videoconferencing in the courts in 2012 (Q 65)

States	Use of videoconferencing for hearings in crim cases	Court hearing held in police station and/or prison	Legislation using videoconferencing in courts	Use of videoconferencing in other than criminal cases
Austria	Yes	Yes	Yes	Yes
Belgium	Yes	Yes	Yes	Yes
Bulgaria	Yes	Yes	No	No
Croatia	Yes	Yes	Yes	No
Cyprus	Yes	No	Yes	Yes
Czech Republic	Yes	No	Yes	No
Denmark	Yes	Yes	Yes	Yes
Estonia	Yes	Yes	Yes	Yes
Finland	Yes	Yes	Yes	Yes
France	Yes	Yes	Yes	Yes
Germany	Yes	Yes	Yes	Yes
Greece	No	No	No	No
Hungary	Yes	Yes	Yes	Yes
Ireland	Yes	Yes	Yes	Yes
Italy	Yes	Yes	Yes	Yes
Latvia	Yes	Yes	Yes	Yes
Lithuania	Yes	Yes	Yes	Yes
Luxembourg	Yes	Yes	No	Yes
Malta	Yes	No	No	Yes
Netherlands	Yes	No	No	Yes
Poland	Yes	Yes	Yes	Yes
Portugal	Yes	Yes	Yes	Yes
Romania	Yes	No	Yes	Yes
Slovakia	Yes	Yes	Yes	No
Slovenia	Yes	Yes	Yes	Yes
Spain	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	Yes	Yes
Yes	**26**	**21**	**22**	**22**
No	**1**	**6**	**5**	**5**

Table 6.3. The ICT tools of courts and for court users 2010

States/entities	Direct assistance to judges and court clerks							Administration and management						Communication between courts and the parties											Weighted average
	Word processing	Electronic database of jurisprude	Electronic files	E-mail	Internet connection	Group Average	Group Weight Factor	Case registration system	Court management informatio	Financial information system	Videoconferencing	Group Average	Group Weight Factor	Electronic web forms	Website	Follow-up of cases online	Electronic registers	Electronic processing of small claims	Electronic processing of undispute	Electronic submission of claims	Videoconferencing	Other electronic communication	Group Average	Group Weight Factor	
Austria	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Belgium	4	4	3	4	4	3,8	0,28	3	2	3	1	2,3	0,22	1	3	0	1	0	0	0	1	0	0,7	0,50	1,9
Bulgaria	4	4	4	4	4	4,0	0,28	4	4	4	0	3,0	0,22	4	4	0	4	0	0	0	1	0	1,4	0,50	2,5
Croatia	4	3	2	4	4	3,4	0,28	4	3	4	1	3,0	0,22	1	3	1	3	0	0	1	1	4	1,6	0,50	2,4
Cyprus	4	4	0	4	4	3,2	0,28	2	0	4	4	2,5	0,22	0	4	0	0	0	0	0	4	0	0,9	0,50	1,9
Czech Republic	4	4	1	4	4	3,4	0,28	4	4	0	2	2,5	0,22	4	4	4	4	4	4	4	2	4	3,8	0,50	3,4
Denmark	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	0	4	0	0	0	0	0	0	0	0,4	0,50	2,2
Estonia	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Finland	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	0	4	4	4	4	4	4	3,6	0,50	3,8
France	4	4	3	4	4	3,8	0,28	4	4	4	4	4,0	0,22	4	4	2	2	2	1	1	2	2	2,2	0,50	3,1
Germany	4	4	1	4	4	3,4	0,28	4	3	4	2	3,3	0,22	3	4	4	4	0	0	2	2	4	2,6	0,50	2,9
Greece	2	2	2	2	2	2,0	0,28	2	2	1	1	1,5	0,22	1	1	0	1	0	0	0	0	1	0,4	0,50	1,1
Hungary	4	4	4	4	4	4,0	0,28	4	4	4	0	3,0	0,22	3	4	0	4	0	1	3	0	4	2,1	0,50	2,8
Ireland	4	4	1	4	4	3,4	0,28	4	1	4	2	2,8	0,22	4	4	2	2	1	1	3	2	4	2,6	0,50	2,8
Italy	4	4	4	4	4	4,0	0,28	4	3	3	1	2,8	0,22	3	3	2	3	3	3	3	2	0	2,4	0,50	2,9
Latvia	4	4	4	4	4	4,0	0,28	4	1	4	0	2,3	0,22	4	4	4	4	4	4	4	0	0	3,1	0,50	3,2
Lithuania	4	4	4	4	4	4,0	0,28	4	3	4	3	3,5	0,22	4	4	3	4	4	1	3	3	3	3,2	0,50	3,5
Luxembourg	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	0	0	0	0	0	4	4	1,8	0,50	2,9
Malta	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Netherlands	4	4	1	4	4	3,4	0,28	4	4	4	3	3,8	0,22	4	4	4	4	0	0	0	4	4	2,7	0,50	3,1
Poland	4	4	1	4	4	3,4	0,28	4	3	4	2	3,3	0,22	3	4	1	4	1	1	1	2	2	2,1	0,50	2,7
Portugal	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Romania	4	4	4	4	4	4,0	0,28	4	0	4	3	2,8	0,22	4	4	4	0	0	0	4	3	0	2,1	0,50	2,8
Slovakia	4	4	1	4	4	3,4	0,28	4	4	4	1	3,3	0,22	2	4	1	4	0	0	4	1	3	2,1	0,50	2,7
Slovenia	4	4	3	4	4	3,8	0,28	4	3	4	4	3,8	0,22	3	4	2	4	4	3	3	3	3	3,2	0,50	3,5
Spain	4	4	4	4	4	4,0	0,28	4	4	4	1	3,3	0,22	4	4	0	4	0	0	1	2	3	2,0	0,50	2,8
Sweden	4	4	0	4	4	3,2	0,28	4	4	4	4	4,0	0,22	0	4	0	3	0	0	0	4	3	1,6	0,50	2,6

Table 6.4. The ICT tools of courts and for court users 2012

States/entities	Direct assistance to judges and court clerks							Administration and management						Communication between courts and the parties										Weighted average
	Word processing	Electronic database of jurisprudence	Electronic files	E-mail	Internet connection	Group Average	Group Weight Factor	Case registration system	Court management information system	Financial information system	Videoconferencing	Group Average	Group Weight Factor	Electronic web forms	Website	Follow-up of cases online	Electronic registers	Electronic processing of small claims	Electronic processing of undisputed debt recovery	Electronic submission of claims	Videoconferencing	Other electronic communication facilities	Group Average	Group Weight Factor	
Austria	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Belgium	4	4	3	4	4	3,8	0,28	3	2	3	1	2,3	0,22	1	3	0	1	0	0	0	1	0	0,7	0,50	1,9
Bulgaria	4	4	4	4	4	4,0	0,28	4	4	4	1	3,3	0,22	4	4	0	4	0	0	0	1	0	1,4	0,50	2,6
Croatia	4	3	3	4	4	3,6	0,28	4	3	4	1	3,0	0,22	1	3	3	3	0	0	0	1	4	1,7	0,50	2,5
Cyprus	4	4	0	4	4	3,2	0,28	0	0	4	4	2,0	0,22	0	4	0	0	0	0	0	4	0	0,9	0,50	1,8
Czech Republic	4	4	2	4	4	3,6	0,28	4	4	0	2	2,5	0,22	4	4	4	4	4	4	4	2	4	3,8	0,50	3,4
Denmark	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	0	4	0	0	0	0	0	4	4	1,3	0,50	2,7
Estonia	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Finland	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	0	4	4	4	4	4	4	3,6	0,50	3,8
France	4	4	3	4	4	3,8	0,28	4	4	4	4	4,0	0,22	4	4	2	2	2	1	1	2	2	2,2	0,50	3,1
Germany	4	4	1	4	4	3,4	0,28	4	3	4	2	3,3	0,22	3	4	4	4	1	4	2	2	4	3,1	0,50	3,2
Greece	2	2	2	2	2	2,0	0,28	2	2	1	1	1,5	0,22	1	1	1	1	1	1	1	1	3	1,2	0,50	1,5
Hungary	4	4	2	4	4	3,6	0,28	4	4	4	0	3,0	0,22	3	4	0	4	0	0	3	4	4	2,4	0,50	2,9
Ireland	4	4	4	4	4	4,0	0,28	4	1	4	2	2,8	0,22	4	4	2	2	3	1	1	2	4	2,6	0,50	3,0
Italy	4	4	4	4	4	4,0	0,28	4	3	4	3	3,5	0,22	3	3	3	4	3	3	3	3	3	3,1	0,50	3,4
Latvia	4	4	4	4	4	4,0	0,28	4	1	4	4	3,3	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	3,8
Lithuania	4	4	4	4	4	4,0	0,28	4	3	4	3	3,5	0,22	4	4	4	4	4	4	4	3	4	3,9	0,50	3,8
Luxembourg	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	0	0	0	0	0	4	4	1,8	0,50	2,9
Malta	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Netherlands	4	4	1	4	4	3,4	0,28	4	4	4	3	3,8	0,22	4	4	4	4	0	0	0	4	4	2,7	0,50	3,1
Poland	4	4	1	4	4	3,4	0,28	4	3	4	2	3,3	0,22	3	4	1	4	1	1	1	2	2	2,1	0,50	2,7
Portugal	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	4	4	4	4	4	4	4	4,0	0,50	4,0
Romania	4	3	1	4	4	3,2	0,28	4	4	3	3	3,5	0,22	4	3	4	3	1	1	4	3	3	2,9	0,50	3,1
Slovakia	4	4	1	4	4	3,4	0,28	4	4	4	1	3,3	0,22	2	4	1	4	0	0	4	1	3	2,1	0,50	2,7
Slovenia	4	4	3	4	4	3,8	0,28	4	4	4	4	4,0	0,22	3	4	2	4	0	4	3	4	4	3,1	0,50	3,5
Spain	4	4	4	4	4	4,0	0,28	4	4	4	3	3,8	0,22	4	4	1	4	0	1	1	3	3	2,3	0,50	3,1
Sweden	4	4	4	4	4	4,0	0,28	4	4	4	4	4,0	0,22	4	4	0	4	4	4	4	4	4	3,6	0,50	3,8

Table 6.5. ICT tools for court and for court users - Differences 2012-2010

2012-2010

States/entities	Direct assistance to judges and court clerks					Administration and management				Communication between courts and the parties								
	Word processing	Electronic database of jurisprudence	Electronic files	E-mail	Internet connection	Case registration system	Court management information system	Financial information system	Videoconferencing	Electronic web forms	Website	Follow-up of cases online	Electronic registers	Electronic processing of small claims	Electronic processing of undisputed debt recovery	Electronic submission of claims	Videoconferencing	Other electronic communication facilities
Austria																		
Belgium																		
Bulgaria									1									
Croatia			1									2				-1		
Cyprus						-2												
Czech Republic			1															
Denmark																	4	4
Estonia																		
Finland																		
France																		
Germany														1	4			
Greece												1		1	1	1	1	2
Hungary			-2												-1		4	
Ireland			3											2		-2		
Italy								1	2			1	1				1	3
Latvia									4								4	4
Lithuania												1			3	1		1
Luxembourg																		
Malta																		
Netherlands																		
Poland																		
Portugal																		
Romania		-1	-3				4	-1			-1		3	1	1			3
Slovakia																		
Slovenia							1							-4	1		1	1
Spain									2			1			1		1	
Sweden			4							4			1	4	4	4		1

Comments - Indicator 6 The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use in 2012 (Q 62, 63, 64)
Table 6.4. The ICT tools of courts and for court users

Cyprus : we do not have an electronic filing system. However we have tried to use computer technology for facilitating the management of cases.
Czech Republic: Other electronic communication facilities - data boxes as a mean of communication with parties (they are obligatory for legal entities, lawyers, notaries, executors etc. and voluntary for individuals) and state authorities.
Croatia: Current situation is that electronic web forms are available at all commercial courts for online registration of newly incorporated companies. These forms can be used only by public notaries. Follow up cases online is still not applicable on all courts because the project of the introduction of a free and public access to basic court case data (e-predmet) is still ongoing. The same can be applied to electronic registers. There is no possibility of electronic processing of small claims, electronic processing of undisputed debt recovery and electronic submission of claims. Electronic submission of claims in 2010 was understood as the submission of the application for online registration of newly incorporated companies (translation misunderstanding) and that is why the answer in 2010 was -10%. Other electronic communication facilities mean e-mail communication and it is used on all courts.
Denmark: Other: General public encrypted/secure e-mail (mandatory for citizens and companies from 2014)
Estonia: The everyday-tool of the judges and other court staff, Courts Information System, is connected to different electronic registers and information systems that are used by the state authorities or by the parties of the proceeding (prosecutors, lawyers etc). There is a special online information system for citizens and their representatives, public portal of E-File, which is connected to the court information system and allows electronically submit procedural documents to courts and to observe the progress of the proceeding.
Finland: Other includes electronic applications for legal aid
Hungary: Concerning „Electronic processing of undisputed debt recovery", since 2011 notaries can initiate this procedure that is why we put „0 of courts" (it was different in the previous exercise). E-justice: The aim of the project is the development of electronic registration and access of the documents that come into existence during the judicial actions. As a result the operation of the justice could be more effective.
Ireland: Concerning electronic submission of claims: In the last report +50 was reported, however, it is considered that there was a misinterpretation of the question and electronic availability of forms rather than submission was reported. Circumstances where a form could be downloaded for completion and then handed into the court office appear to have been included in the last report as electronic submission. The Irish Courts Service has invested heavily in the deployment of digital audio recording (DAR) which are now used to record all trials and appeals in criminal proceedings in the courts at indictment and appeal level. DAR is used in the Supreme Court, Court of Criminal Appeal, Special Criminal Court, High Court (Central Criminal Court) and the Circuit Criminal Court and all main venues of the District Court (the latter being the equivalent of a magistrates court) To date, permanent DAR facilities are available in all courtrooms either through permanent or portable equipment.
Latvia: "Videoconferencing"- Within the Latvian and Swiss cooperation programme individual project "Modernization of Courts in Latvia" starting from June, 2012 at least one court room in each court are equipped with videoconference equipment and all court rooms are equipped with sound recording equippment. "Other electronic communication facilities" are meant sound recording systems.
Luxembourg: Although electronic processing of small clains as well as of undisputed debts is not possible, electronic access to a certain number of set formulas is possible through the Justice and the Guichet Internet sites.
Netherlands: Electronic webforms and website should have been 100% for the year 2008. The answers are now registered 2008-2010: abolishment of the 'procureur'made it possible to harmonize ICT on a national level in 2010.
Slovakia: Other facilities - Points of single contact
Slovenia: All the answers are given regarding the number of cases, processed by Slovenian courts. Since IT system provision and support in Slovenian courts is provided centrally by the Supreme Court, Slovenian courts are equally equipped with IT. Therefore we cannot give the estimates regarding the number of courts, but only regarding to the number (and types) of cases processed.
Under the term 'Electronic files' the answer given understands 'Electronic case files' which presents the possibility of keeping all the files in electronic form, electronic submission and electronic serving of files. This is enabled for enforcement cases (e-Izvršba), insolvency cases (eINS), land (eZK) and business (eSrg) registry cases. Case registration system - all courts are equipped with Case management systems (CMS), but not all court procedures use one – however, more than 95% (currently about 97%) of cases are processed by the courts using the appropriate electronic case management system. The answer regarding the category Videoconferencing is 100% of courts, since all 11 district courts are equipped with the technology + 2 mobile units are available, meaning that the technology is available to all the courts when

needed. Electronic web forms are used in insolvency procedures (eINS), in business (eSReg) and land (eZK) register procedures, for record on the fact that a person is not accused in criminal procedure, for supervisory appeal according to the Act on Protection of the Right to a Trial without Undue Delay, for the application for enforcement on the basis of authentic documents (COVL), for European order of payment, in European small claims procedure, for application for recording a court procedure.Follow-up cases online - they are used in some types of procedures, e.g. land register (eZK), court register (SRg), insolvency procedures (eINS). Electronic registers – both registers kept by the courts are in electronic form – the court register (for companies) (SRg) and the land register (eZK). Electronic processing of small claims – there is no electronic processing of small claims. In the previous evaluation cycle we understood 'processing of small claims' as a procedure for the enforcement on the basis of authentic document, which is completely electronic. In this cycle we provide the information in consistency with the definition of small claims in answer to question number 45. Electronic processing of undisputed debt recovery - under the term 'undisputed debt recovery' the answer given understands the procedure for issuing a payment order and the procedure for enforcement on the basis of an authentic documents. The latter is essentially a procedure for issuing a payment order with allowed enforcement under the condition the payment order remains uncontested. Electronic submission of claims – used at the Central department for enforcement on the basis of authentic documents (CoVL), in land and business register procedures (eZK, SRg) and in insolvency procedures (eINS). Videoconferencing - the answer is 100% of courts, since all 11 district courts are equipped with the technology + 2 mobile units are available, meaning that the technology is available to all the courts when needed. Other electronic communication facilities – the answer given takes into account the use of e-delivery (used at the Central department for enforcement on the basis of authentic documents (CoVL), in land register procedures (eZK) and in insolvency procedures (eINS)).

Spain: LEXNET, is a secure electronic telematic system that enables bidirectional communication between the courts and several legal actors in their exchange of documents, notices, letters or claims. EJIS (Judicial Interoperability and Security Programme) is a plattform that allows courts of law networking and finding out in real time the information regarding particular matters or persons. ELECTRONIC JUDICIAL FILE is a system for electronic processing of information generated during the transactions of judicial files. The Electronic Judicial File replaces the traditional dossier by its digital equivalent. It promotes the exchange of communication between the judiciary agencies and other institutions involved in the justice system. SIRAJ provides management of the different records through a single application. The system integrates the various court records, including the Central Record of Precautionary Measures, allowing simultaneous on-line consultation of the information contained in the Central Record of Convicts, Injunctions and Domestic Violence. The Spanish system of ELECTRONIC APOSTILLE is a Web application architecture that resides on centralized servers to issue and record e-Apostilles. The system follows the recommendations of HCCH and NNA and is framed as a pilot Electronic Apostille (e-APP) project. Spain co-participates in the European Case Law Identifier (ECLI)and co-participates in the European e-CODEX project to exchange police and judicial information between judicial bodies of Europe. E-FIDELIUS is a secure recording system applied for hearings and trials by means of electronic signature used by many Courts in Spain. Parties and legal players can download the video recording files signed electronically by the Judicial Secretary from machine dispensers located at courts buildings. E-Fidelius is a EU funded project (FEDER).

Sweden: Electronic submission of claims : It is possible to submit a claim (or appeal) electronically through email but it must also be submitted, signed in original by post or submitted directly to the court.

The main reason for the differences 2010/2012 is probably that the questions have been interpreted in different ways. Concerning q 62 electronic files can be a lot of different things. In the interpretation we made we consider for instance pdf-files to be electronic files. Also the differences in q 64 can be partly explained with different interpretations. For instance electronic submission of claims, we do not have a special system for this but claims can be sent in by e-mail. Concerning registers and webforms there may also have been a development since the last answers.

Table 6.2. Use of videoconferencing in the courts in 2012 (Q 65)

Austria : Since 2005 the procedural preconditions exist for the use of video conferencing systems in the hearing of witnesses, parties, experts and interpreters in civil proceedings as well as in the hearing of witnesses in criminal proceedings (defendants only in preliminary proceedings). For scheduling video conferencing hearings a database for videoconferencing-system reservation was provided to judges and prosecutors via the intranet. The database features the possibility to book the required videoconferencing-systems while automatically informing the person responsible for the video-conference by e-mail. Since March 2011 any court, prosecution office and penitentiary is equipped with video-conferencing system. In the year 2012 3330 videoconferencing settings have been held, about 16% with courts from foreign countries.

Belgium: Articles 112 and following of the Code of Criminal Procedure apply: Witnesses or experts car be heard in Belgium, but convicts cannot. The system of federal prosecution is operational and used in criminal matters at the request of foreign countries or for Belgium or in order to make meetings. It is available for the other prosecution. There is also equipment at the Court of Appeal of Antwerp for civil matters. A draft

provision of videoconferences of administrative authorities of the provinces Provincial Prosecutor's Office is ongoing.
Croatia: 65.2. According to the Amendments to the Criminal Procedure Act, that entered into force in July 2011, there is a possibility, for all criminal cases, to hold a court hearing in premises other than court (including police station/prison). For that reason, the answer is YES. 65.4. There is a legal and technical possibility of using videoconference in other than criminal cases but in practice it is used only in criminal cases (especially cross border proceedings). Therefore, the answer is NO.
Denmark : Two amendments have been implemented in the Danish Administration of Justice Act (Retsplejeloven). They cover two new paragraphs (§ 748a and § 748b) each of which addresses two types of videoconferencing.
Estonia: In criminal proceedings, videoconference is used to organise hearings of the witnesses. It does not have specific regulation with regard to the rights of the defence. As regards telephone conference, in order to protect the suspect and accused person, their consent is necessary. The number of videoconference devices has increased lately. At the moment, in every Estonian courthouse and prison there is at least one videoconference device.
Finland: According to the Criminal Procedure Act, in criminal cases a preparatory hearing may be arranged by the use of videoconferencing or by telephone if the court deems that this is appropriate. Also in cases concerning imprisonment the defendant may be heard with the use of a videoconference.
In civil, administrative and criminal cases a witness, another person to be heard for probative purposes or a party may be heard in the main hearing without his or her appearance in person with the use of a videoconference or other appropriate technical means of communication, where the persons participating in the hearing have an audio and video link with one another, if the court deems that this is suitable.
France: Articles 706-71 and R53-33 R53-39 of the Code of Criminal Procedure, Articles 712-7, 712-9 and 712-13 of the Code of Criminal Procedure. The field of videoconferencing has been gradually extended (Prison Act of 24 November 2009, Article 100 of the orientation and programming law for the performance of Homeland Security (LOPPSI) March 14, 2011).
Hungary : Act on Criminal Procedure (Section 244/A (1), Section 244/B (1), Section 244/C (1), Section 244/D (1))
Ireland: Re 65.2: The Judge is always in the courtroom. The accused may be heard through video link with the prison. Re 65.3: Can be used for various types of pre-trial hearing (e.g. bail and remand applications) and taking of certain types of evidence at trial. Re 65.4: Video conferencing and video display technology has been deployed extensively in the High Court (the highest first instance jurisdiction) and Circuit Court (the intermediate first instance jurisdiction) and in certain courtrooms in the District Court (the equivalent of magistrates level jurisdiction). Video conferencing is permissible in criminal proceedings under legislation for the following purposes :(a) for the hearing of evidence of certain types of witness (e.g. children and witnesses who are otherwise vulnerable) and where used, a video record must be kept; (b) for the hearing of certain types of pre-trial applications and appeals where the accused/convicted person is in prison custody.
Video conferencing is available for use in civil proceedings where the court directs that a party may participate, or that a witness may give evidence, by such means.
Italy: Law 7/1/1998 n°11 - Discipline of participating in criminal proceedings in the trial examination at a distance and collaborators of justice. Video conferencing has gone through a particular focus in the last period. Video conferencing is part of a more general three-year plan (2012-2014) that aims to enhance the technological infrastructure of the Italian Judicial System.
Latvia: In order to implement use of videoconferencing tools what could be used by courts following laws were amended – Civil Procedure Law, Criminal Procedure Law and Administrative Procedure Law.
Lithuania: Courts in Lithuania has no videoconferencing equipment yet. In such a case the videoconferences take place at the premises of the National Courts Administration (NCA), which has a stationery videoconferencing equipment and helps courts to organize such interrogations on the ground of legal requests received from judicial institutions of foreign countries or in cases when Lithuanian courts wants to interrogate person residing abroad. In addition, it should be mentioned, that the NCA implements the project within Lithuanian-Swiss Cooperation programme which aims to create a system for arranging remote court sessions, recording and preserving materials of these sessions in the electronic form.
Luxembourg: Although both the technical and legal possibility of videoconferencing exist, the practical impact is limited due to the short distances in Luxembourg. Frequent use of the video facilities is, however, made in civil as well as criminal MLA cases.
Malta: Video conferences are used in civil cases relating the family matters when minors necessitating protection are involved.
Netherlands: Follow-up of cases online only possible by lawyers in civil cases. Electronic registers only for insolvencies and legal restraint cases. Videoconferencing only for some specific criminal cases (e.g. related to extension of punishment) and in immigration law cases. There is a decree (‘Besluit videoconferentie’, 2006) restricting the use of video conferencing in criminal cases (e.g. not in case of minor suspects and suspects of murder and sexual offenses).

Portugal : In Portugal, videoconferencing is widely used in the courts. In civil cases, the Portuguese Civil Procedure Code establishes in article 621 that witnesses testify at the final hearing in person or by videoconferencing except in some circumstances. Also, witnesses resident outside the legal district, or the respective island in the case of the autonomous regions, are presented by the parties when the witnesses themselves have stated they will be available. Alternatively, they can be heard by videoconferencing in the courtroom from the district court of their area of residence or, if that court does not have the necessary means for videoconferencing, from the main court of the legal district of their area of residence. When witnesses reside outside the country they can also be heard by videoconferencing if the court abroad has the necessary means for videoconferencing. In criminal proceedings, experts from official entities, laboratories or other official entities can be heard by videoconferencing at their place of work if it's technically possible (article 158, article 317 and 350 Penal Procedure Code). The use of teleconference is also allowed for other special cases, such as protection of witnesses (Law n.93/99, July 14) and domestic violence (Law n.º 112/2009, September 16).

Romania: The Criminal Procedure Code stipulates at present the possibility to use the audio-video means for recording the statements of the wounded party, civil party and witnesses, as mean for the protection of life, body integrity or their freedom or of their close relatives. (Art. 771; Art. 862)

Slovakia: The Criminal procedure Code regulates the process of hearing of a witness by the technical means. If the heard witness is not personally present in the court room (e. g. protected witness), the substitute judge (member of the panel) has to be present with the witness simultaneously during the hearing.

Slovenia: The Criminal Procedure Act states in Article 244.a that the hearing of a defendant or witness can be done with the use of modern technical means of audio and video transfer (videoconferencing). The Civil Procedure Act states in Article 114.a that if the parties agree, they can give their statement from another location than the courtroom, if technical means allow video transfer (videoconference). The Witness Protection Act states in Article 19 indicates measures for witness protection and one of them is also the use of videoconference for hearing a protected witness. Videoconference equipment is available in all 11 district courts in Slovenia. Three mobile videoconference sets have also been provided that can be used in local courts or anywhere else when needed.

Spain: The Criminal Procedure Code, through the reform made by Law 13/2003, rules the use of videconferencing. See Article 731.bis and article 229. 3 of Organic Act on the Judiciary 6/1985.

In accordance with article 147 of the Law on Civil Procedure 1/2000, oral proceedings, trials and hearings before the trial can be recorded on a suitable support designed to record and reproduce sound and image. All courts in Spain have audiovisual devices to record trials and hearings.

Sweden: The legal framework concerning the use of videoconferencing is documented in the code of judicial procedure and in the administrative court procedure act. The court decides if videoconferencing is to be used, weighing the importance of having a person present in the court against the reasons for the person participating via video. In deciding whether a hearing should be held in person or by videoconference the courts the wishes of the parties of the case are taken into special account. Concerning the hearing the rules are the same that apply to a hearing of a person present in the court.

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges in 2012 (Q 110)

States	Through a competitive exam	Specific recruitment procedure	A combination of both	Other
Austria	Yes	Yes	No	No
Belgium	No	No	Yes	No
Bulgaria	Yes	No	No	No
Croatia	No	No	No	Yes
Cyprus	No	No	No	Yes
Czech Republic	Yes	No	No	No
Denmark	No	No	No	Yes
Estonia	No	No	No	Yes
Finland	No	No	No	Yes
France	Yes	No	No	No
Greece	Yes	No	No	No
Hungary	Yes	No	No	No
Ireland	No	Yes	No	No
Italy	Yes	No	No	No
Latvia	No	No	Yes	No
Lithuania	No	No	Yes	No
Luxembourg	Yes	No	No	No
Malta	No	No	No	Yes
Netherlands	No	No	Yes	No
Poland	No	No	Yes	No
Portugal	Yes	No	No	Yes
Romania	Yes	No	No	No
Slovakia	No	No	Yes	No
Slovenia	No	No	Yes	No
Spain	Yes	No	No	No
Sweden	No	No	No	Yes
Yes	11	2	7	8
No	15	24	19	18

Table 7.2. Types of compulsory trainings for judges in 2012 (Q 127)*

States	Initial training	General in-service training	In-service training for specialised judicial functions	In-service training for management functions of the court	In-service training for the use of computer facilities in the court	Total number of compulsory trainings per country
Austria						1
Belgium						2
Bulgaria						1
Croatia						1
Cyprus						-
Czech Republic						1
Denmark						1
Estonia						3
Finland						-
France						4
Germany						1
Greece						4
Hungary						2
Ireland						4
Italy						1
Latvia						2
Lithuania						4
Luxembourg						1
Malta						-
Netherlands						3
Poland						2
Portugal						2
Romania						2
Slovakia						1
Slovenia						2
Spain						3
Sweden						-
Compulsory	**23**	**9**	**9**	**4**	**3**	Average: 2 types of comp. train.

*Note: This table refers only to compulsory training even if the question 127 from the CEPEJ questionnaire distinguish compulsory training/optional training/no training. Please refer to Part 2 for comparison between 2010 data and 2012 data for each Member States.

Table 7.3. Budget of training institution for 2012 (Q 131)

States/entities	Judge	Prosecutor	One single institution
Belgium			5 637 000
Bulgaria			1 503 273
Croatia			1 716 506
Czech Republic			2 318 395
Denmark	2 106 500		
Estonia	314 788		
France			28 915 000
Hungary	1 262 000	400 335	
Ireland	250 000		
Latvia	136 570		
Lithuania	263 843		
Netherlands			32 800 000
Portugal			5 076 495
Romania			4 761 224
Slovakia			620 000
Slovenia			308 317
Spain	26 452 820	6 241 700	
Sweden	530 000		

Notes:

Estonia: Budget of the Department dealing with training of judges but not on Institution as such.

Lithuania: Budget of the Training Center of the National Courts Administration

Netherlands : 32 800 000 of which 15 600 000 euros for salaries and 17 200 000 for training courses

Slovenia: Budget of the Judicial Training Center

Spain: Initial and continuous training for judges is done by the “Escuola Judicial” and for the prosecutors by the “Centro de Estudios Juridicos”, The budget for 2012 was 17 665 900 euros. The institution is in charge of the initial and continuous training of the Prosecutors, Secretaries, Judiciales, Forensies, non judicial staff of the Justice Administration and State Advocacy. The budget for prosecutor's training was 6 241 700€ in 2012.
The budget for 2012 was 17 665 900 Euros.

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career in 2012 (Q132)

States/entities	Gross annual salary of a 1st instance professional judge	Gross salary of a judge in regard to national average gross annual salary	Net annual salary of a 1st instance professional judge	Gross annual salary of a Public Prosecutor	Gross salary of a prosecutor in regard to national average gross annual salary	Net annual salary of a Public Prosecutor
Austria	49 509	1,7	31 415	52 548	1,8	32 966
Belgium	64 886	1,6	35 334	64 886	1,6	35 334
Bulgaria	14 345	3,2	12 911	14 345	3,2	12 911
Croatia	29 184	2,3	16 992	33 126	2,6	18 696
Cyprus	72 948	3,0	NA	32 038	1,3	NA
Czech Republic	26 492	2,1	NA	23 771	1,9	NA
Denmark	104 755	2,0	NA	53 230	1,0	NA
Estonia	35 321	3,3	27 376	16 620	1,6	12 972
Finland	61 336	1,6	43 123	47 508	1,2	35 013
France	36 793	1,1	31 196	37 798	1,1	32 112
Greece	30 160	NA	22 070	30 160	NA	22 070
Hungary	17 644	1,9	11 152	17 644	1,9	11 152
Ireland	122 512	3,7	NA	30 218	0,9	NA
Italy	54 497	1,9	33 911	54 497	1,9	33 911
Latvia	19 755	2,2	13 379	19 356	2,2	13 104
Lithuania	18 614	2,5	14 149	14 551	2,0	11 059
Luxembourg	72 426	1,7	NA	72 426	1,7	NA
Malta	40 221	2,1	32 919	22 515	1,2	20 792
Netherlands	74 000	1,4	43 000	62 855	1,2	NA
Poland	21 942	2,1	17 489	21 942	2,1	17 489
Portugal	28 703	1,4	NA	28 703	1,4	NA
Romania	24 688	4,4	17 316	24 688	4,4	17 316
Slovakia	29 710	3,1	NA	28 060	2,9	NA
Slovenia	32 633	1,8	20 291	31 980	1,7	19 560
Spain	47 494	2,1	33 721	47 494	2,1	33 721
Sweden	54 471	1,3	NA	53 479	1,3	NA
Average	45 578	2,2	25 430	36 017	1,9	22 363
Median	36 057	2,1	24 723	31 099	1,7	19 560
Maximum	122 512	4,4	43 123	72 426	4,4	35 334
Minimum	14 345	1,1	11 152	14 345	0,9	11 059

Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court in 2012 (Q 132)

States/entities	Gross annual salary of a judge of the Supreme Court or the Highest Appellate Court	Gross salary of a judge in regard to national average gross annual salary	Net annual salary of a judge of the Supreme Court or the Highest Appellate Court	Gross annual salary of a Public Prosecutor of the Supreme Court or the Highest Appellate Instance	Gross salary of a prosecutor in regard to national average gross annual salary	Net annual salary of a Public Prosecutor of the Supreme Court or the Highest Appellate Instance
Austria	119 771	4,0	71 418	119 771	4,0	71 418
Belgium	118 643	2,9	56 536	120 815	2,9	57 409
Bulgaria	28 019	6,2	25 217	28 019	6,2	25 217
Croatia	63 120	5,0	31 320	63 120	5,0	31 320
Cyprus	133 219	5,5	NA	NA	NA	NA
Czech Republic	54 272	4,4	NA	46 635	3,7	NA
Denmark	176 769	3,4	NA	88 200	1,7	NA
Estonia	48 077	4,5	37 924	39 733	3,7	30 526
Finland	128 700	3,3	78 553	82 018	2,1	54 484
France	110 082	3,2	93 762	110 082	3,2	93 762
Greece	57 009	NA	47 030	57 009	NA	47 030
Hungary	35 289	3,9	25 476	34 121	3,7	21 235
Ireland	197 272	5,9	NA	85 127	2,6	NA
Italy	179 747	6,3	97 833	179 747	6,3	97 833
Latvia	37 616	4,2	25 573	25 788	2,9	17 412
Lithuania	29 103	3,9	22 118	23 742	3,2	18 044
Luxembourg	129 943	3,1	NA	121 421	2,9	NA
Malta	40 221	2,1	32 919	32 434	1,7	27 861
Netherlands	128 900	2,4	67 000	94 585	1,8	NA
Poland	60 998	5,9	43 445	60 998	5,9	43 445
Portugal	66 204	3,3	NA	66 204	3,3	NA
Romania	42 049	7,6	29 493	35 344	6,4	24 791
Slovakia	42 916	4,4	NA	42 916	4,4	NA
Slovenia	63 664	3,5	34 212	55 812	3,0	31 536
Spain	107 565	4,7	66 690	107 565	4,7	66 690
Sweden	94 500	2,3	NA	73 378	1,8	NA
Average	88 218	4,2	49 251	71 783	3,6	44 707
Median	64 934	4,0	40 685	63 120	3,3	31 536
Maximum	197 272	7,6	97 833	179 747	6,4	97 833
Minimum	28 019	2,1	22 118	23 742	1,7	17 412

Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court in 2012 (Q 132)

States/entities	Gross annual salary of a judge of the Supreme Court or the Highest Appellate Court	Gross salary of a judge in regard to national average gross annual salary	Net annual salary of a judge of the Supreme Court or the Highest Appellate Court	Gross annual salary of a Public Prosecutor of the Supreme Court or the Highest Appellate Instance	Gross salary of a prosecutor in regard to national average gross annual salary	Net annual salary of a Public Prosecutor of the Supreme Court or the Highest Appellate Instance
Austria	119 771	4,0	71 418	119 771	4,0	71 418
Belgium	118 643	2,9	56 536	120 815	2,9	57 409
Bulgaria	28 019	6,2	25 217	28 019	6,2	25 217
Croatia	63 120	5,0	31 320	63 120	5,0	31 320
Cyprus	133 219	5,5	NA	NA	NA	NA
Czech Republic	54 272	4,4	NA	46 635	3,7	NA
Denmark	176 769	3,4	NA	88 200	1,7	NA
Estonia	48 077	4,5	37 924	39 733	3,7	30 526
Finland	128 700	3,3	78 553	82 018	2,1	54 484
France	110 082	3,2	93 762	110 082	3,2	93 762
Greece	57 009	NA	47 030	57 009	NA	47 030
Hungary	35 289	3,9	25 476	34 121	3,7	21 235
Ireland	197 272	5,9	NA	85 127	2,6	NA
Italy	179 747	6,3	97 833	179 747	6,3	97 833
Latvia	37 616	4,2	25 573	25 788	2,9	17 412
Lithuania	29 103	3,9	22 118	23 742	3,2	18 044
Luxembourg	129 943	3,1	NA	121 421	2,9	NA
Malta	40 221	2,1	32 919	32 434	1,7	27 861
Netherlands	128 900	2,4	67 000	94 585	1,8	NA
Poland	60 998	5,9	43 445	60 998	5,9	43 445
Portugal	66 204	3,3	NA	66 204	3,3	NA
Romania	42 049	7,6	29 493	35 344	6,4	24 791
Slovakia	42 916	4,4	NA	42 916	4,4	NA
Slovenia	63 664	3,5	34 212	55 812	3,0	31 536
Spain	107 565	4,7	66 690	107 565	4,7	66 690
Sweden	94 500	2,3	NA	73 378	1,8	NA
Average	88 218	4,2	49 251	71 783	3,6	44 707
Median	64 934	4,0	40 685	63 120	3,3	31 536
Maximum	197 272	7,6	97 833	179 747	6,4	97 833
Minimum	28 019	2,1	22 118	23 742	1,7	17 412

Table 7.6. Additional benefits for judges in 2012 (Q 133)

States	Reduced taxation	Special pension	Housing	Other financial benefit
Austria	No	No	No	No
Belgium	No	Yes	No	No
Bulgaria	No	No	No	No
Croatia	No	No	No	No
Cyprus	No	Yes	No	Yes
Czech Republic	No	No	Yes	Yes
Denmark	No	No	No	No
Estonia	No	Yes	No	No
Finland	No	No	No	No
France	No	No	No	No
Greece	No	No	No	Yes
Hungary	No	No	No	Yes
Ireland	No	No	No	No
Italy	No	No	No	No
Latvia	No	Yes	No	Yes
Lithuania	No	Yes	No	No
Luxembourg	No	No	No	No
Malta	No	No	No	Yes
Netherlands	No	No	No	No
Poland	No	Yes	No	No
Portugal	No	No	Yes	Yes
Romania	No	Yes	Yes	Yes
Slovakia	No	Yes	No	Yes
Slovenia	No	No	No	No
Spain	No	No	No	No
Sweden	No	No	No	No
Yes	-	8	3	9
No	26	18	23	17

Table 7.7. Terms of office of judges in 2012 (Q 121, 122, 125)

States	Undetermined (if specified official age of retirement)	If renewable, length (in years)	Probation period (in years)
Austria	Yes (65)		No
Belgium	Yes (70/77)		No
Bulgaria	Yes (65)		5
Croatia	Yes (70)		NO
Cyprus	Yes (63)		2
Czech Republic	Yes (70)		NAP
Denmark	Yes (70)		No
Estonia	Yes (68)		3
Finland	Yes (68)		NAP
France	Yes (67)		3
Greece	Yes (67)		1.5
Hungary	Yes (70)		3
Ireland	Yes (70)		No
Italy	Yes (75)		NAP
Latvia	Yes (70)	3	1
Lithuania	Yes (65)		NO
Luxembourg	Yes (68)		1,5
Malta	Yes (65)		NAP
Netherlands	Yes		NAP
Poland	Yes (67)		NAP
Portugal	Yes (70)		2
Romania	Yes (65)		1
Slovakia	Yes		NAP
Slovenia	Yes (70)		NAP
Spain	Yes (70)		2
Sweden	Yes (67)		NAP

Table 7.8. Distribution of the disciplinary proceedings initiated against judges in 2012 (Q 144)

States	Total number	Breach of professional ethics	Professional inadequacy	Criminal offence	Other
Austria	66	54	9	3	0
Belgium	14	NA	NA	NA	NA
Bulgaria	8	2	NAP	NAP	6
Croatia	44	2	11	0	31
Cyprus	0	0	0	0	0
Czech Republic	27	2	24	0	1
Denmark	NA	NA	NA	NA	NA
Estonia	1	0	1	0	0
Finland	642	NA	NA	NA	NA
France	4	3	1	0	0
Greece	18	16	2	0	0
Hungary	11	6	5	9	3
Ireland	0	0	0	0	0
Italy	99	8	91	0	0
Latvia	11	1	7	0	3
Lithuania	60	18	42	NA	0
Luxembourg	2	0	2	0	0
Malta	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA
Poland	50	12	38	0	0
Portugal	47	NA	NA	NA	NA
Romania	20	2	18	0	0
Slovakia	20	0	19	NAP	1
Slovenia	1	0	0	0	1
Spain	46	1	43	0	2
Sweden	2	0	1	1	0

Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges in 2012 (Q 140)

States	Citizen	Relevant Court or hierarchical superior	Higher Court or Supreme Court	Judicial Council	Disciplinary court or body	Ombudsman	Parliament	Minister of Justice (executive power)	Other	Total number of authorities (or other) per country
Austria	No	No	No	No	Yes	No	No	No	No	1
Belgium	No	Yes	No	No	Yes	No	No	No	No	2
Bulgaria	No	Yes	No	Yes	No	No	No	Yes	Yes	4
Croatia	No	Yes	Yes	Yes	No	No	No	Yes	No	4
Cyprus	No	No	Yes	Yes	No	No	No	No	No	2
Czech Republic	No	Yes	Yes	No	No	Yes	No	Yes	Yes	5
Denmark	No	Yes	No	No	Yes	No	No	No	Yes	3
Estonia	Yes	Yes	Yes	No	No	Yes	No	No	No	4
Finland	Yes	No	No	No	No	Yes	No	No	Yes	3
France	Yes	Yes	No	No	No	No	No	Yes	No	3
Greece	No	Yes	No	No	Yes	No	No	Yes	No	3
Hungary	No	Yes	No	Yes	No	No	No	No	No	2
Ireland	No	No	No	No	No	No	Yes	No	No	1
Italy	No	No	Yes	No	No	No	No	Yes	No	2
Latvia	No	Yes	Yes	No	No	No	No	Yes	Yes	4
Lithuania	Yes	Yes	Yes	Yes	No	No	No	No	No	4
Luxembourg	No	Yes	Yes	No	No	No	No	No	No	2
Malta	Yes	No	No	Yes	No	No	Yes	No	No	3
Netherlands	No	Yes	No	No	No	No	No	No	No	1
Poland	No	No	No	No	Yes	No	No	No	No	1
Portugal	No	No	No	Yes	No	No	No	No	No	1
Romania	No	No	Yes	No	Yes	No	No	Yes	No	3
Slovakia	No	Yes	No	No	No	Yes	No	Yes	Yes	4
Slovenia	No	Yes	No	Yes	Yes	No	No	Yes	No	4
Spain	No	No	Yes	Yes	Yes	No	No	No	No	3
Sweden	No	Yes	No	No	No	Yes	No	No	Yes	3
Yes	**5**	**16**	**10**	**9**	**8**	**5**	**2**	**10**	**7**	Average:
No	**21**	**10**	**16**	**17**	**18**	**21**	**24**	**16**	**19**	3 author.

Table 7.10. Authorities with disciplinary power against judges in 2012 (Q 142)

States	Court	Higher Court or Supreme Court	Judicial Council	Disciplinary court or body	Ombudsman	Parliament	Minister of Justice (executive power)	Other	Total number of authorities (or other) per country
Austria	No	No	No	Yes	No	No	No	No	1
Belgium	Yes	Yes	No	Yes	No	No	No	No	3
Bulgaria	No	No	Yes	No	No	No	No	Yes	2
Croatia	No	No	Yes	No	No	No	No	No	1
Cyprus	No	No	Yes	No	No	No	No	No	1
Czech Republic	No	No	No	Yes	No	No	No	No	1
Denmark	No	No	No	Yes	No	No	No	No	1
Estonia	No	Yes	No	Yes	No	No	No	No	2
Finland	No	No	No	No	Yes	No	No	Yes	2
France	No	No	Yes	No	No	No	No	No	1
Greece	No	Yes	No	Yes	No	No	No	No	2
Hungary	No	No	No	Yes	No	No	No	No	1
Ireland	No	No	No	No	No	Yes	No	No	1
Italy	No	No	Yes	No	No	No	No	No	1
Latvia	No	No	No	Yes	No	No	No	No	1
Lithuania	No	No	No	No	No	No	No	Yes	1
Luxembourg	No	Yes	No	No	No	No	No	No	1
Malta	No	No	Yes	No	No	Yes	No	No	2
Netherlands	Yes	Yes	No	No	No	No	No	No	2
Poland	No	No	No	Yes	No	No	No	No	1
Portugal	No	No	Yes	No	No	No	No	No	1
Romania	No	No	Yes	No	No	No	No	No	1
Slovakia	No	No	No	Yes	No	No	No	Yes	2
Slovenia	No	No	Yes	Yes	No	No	No	No	2
Spain	No	No	Yes	Yes	No	No	No	No	2
Sweden	No	No	No	Yes	No	No	No	No	1
Yes	2	5	10	13	1	2	-	4	Average:
No	24	21	16	13	25	24	26	22	1 author.

Table 7.11. Number of sanctions pronounced against judges in 2012 (Q 145)

States	Total number	Reprimand	Suspension	Removal of cases	Fine	Temporary reduction of salary	Degradation of post	Transfer to another geographical (court) location	Dismissal	Other
Austria	11	3	1	0	0	5	0	0	0	2
Belgium	4	4	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	16	NA	0	0	0	2	0	0	2	12
Croatia	28	20	0	0	3	0	0	0	1	4
Cyprus	0	0	0	0	0	0	0	0	0	0
Czech Republic	27	0	0	NAP	NAP	9	0	NAP	0	18
Denmark	0	0	0	0	0	0	0	0	0	0
Estonia	0	0	0	0	0	0	0	0	0	0
Finland	13	0	0	0	0	0	0	0	0	13
France	7	3	2	1	NAP	NAP	0	1	NAP	0
Greece	13	1	1	0	9	0	0	0	0	2
Hungary	2	2	0	0	0	0	0	0	0	0
Ireland	0	0	0	0	0	0	0	0	0	0
Italy	39	31	0	NAP	NAP	NAP	5	3	0	0
Latvia	7	0	0	0	NAP	0	NAP	NAP	2	5
Lithuania	3	0	0	0	0	0	0	0	0	3
Luxembourg	0	0	0	0	0	0	0	0	0	0
Malta	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	1	0	NA	NA	NA	NA	NA	NA	1	0
Poland	25	20	0	0	0	0	0	3	2	0
Portugal	30	5	5	0	16	0	0	0	1	3
Romania	9	2	0	NAP	NAP	4	NAP	0	3	0
Slovakia	9	0	0	0	0	5	0	NAP	0	4
Slovenia	1	1	0	0	0	0	0	0	0	0
Spain	57	6	5	0	16	0	0	1	0	29
Sweden	0	0	0	0	0	0	0	0	0	0

Table 7.12 Procedure to challenge a judge in 2012 (Q 85)

States	Possibility of successful challenges in 2012	Number of successful challenges in 2012
Austria	Yes	NA
Belgium	Yes	NA
Bulgaria	Yes	NA
Croatia	Yes	NA
Cyprus	Yes	0
Czech Republic	Yes	NA
Denmark	Yes	NA
Estonia	Yes	NA
Finland	Yes	NA
France	Yes	NA
Greece	Yes	NA
Hungary	Yes	NA
Ireland	Yes	NA
Italy	Yes	NA
Latvia	Yes	NA
Lithuania	Yes	NA
Luxembourg	Yes	NA
Malta	Yes	NA
Netherlands	Yes	42
Poland	Yes	1 873
Portugal	Yes	NA
Romania	Yes	NA
Slovakia	Yes	NA
Slovenia	Yes	NA
Spain	Yes	NA
Sweden	NA	NA

Table 7.14. Number of court presidents (professional judges) in 2012 (Q 47)

States	Total number of court presidents	Number of 1st instance presidents	Number of 2nd instance presidents	Number of supreme court presidents	Total number of court presidents males	Number of 1st instance presidents males	Number of 2nd instance presidents males	Number of supreme court presidents males	Total Number of court presidents females	Number of 1st instance presidents females	Number of 2nd instance presidents females	Number of supreme court presidents females
Austria	**79**	63	15	1	**49**	38	9	1	**31**	25	6	0
Belgium	**82**	71	10	1	**55**	47	7	1	**27**	24	3	0
Bulgaria	**184**	113	69	2	**NA**	NA	NA	NA	**NA**	NA	NA	NA
Croatia	**158**	139	18	1	**69**	54	14	1	**89**	85	4	0
Cyprus	**18**	17	NAP	1	**10**	9	NAP	1	**8**	8	NAP	0
Czech Republic	**97**	86	9	2	**61**	54	6	1	**36**	32	3	1
Denmark	**29**	26	2	1	**21**	18	2	1	**8**	8	0	0
Estonia	**9**	6	2	1	**4**	2	1	1	**5**	4	1	0
Finland	**46**	38	6	2	**36**	29	6	1	**10**	9	0	1
France	**245**	196	47	2	**175**	139	34	2	**70**	57	13	0
Greece	**573**	402	169	2	**174**	88	85	1	**399**	314	84	1
Hungary	**157**	131	25	1	**74**	57	16	1	**83**	74	9	0
Ireland	**4**	3	NAP	1	**2**	2	NAP	0	**2**	1	NAP	1
Italy	**224**	199	24	1	**176**	153	22	1	**48**	46	2	0
Latvia	**46**	39	6	1	**17**	15	1	1	**29**	24	5	0
Lithuania	**59**	56	2	1	**28**	25	2	1	**31**	31	0	0
Luxembourg	**8**	6	NAP	2	**5**	3	NAP	2	**3**	3	NAP	0
Malta	**3**	2	1	NAP	**3**	2	1	NAP	**0**	0	0	NAP
Netherlands	**20**	13	6	1	**18**	11	6	1	**2**	2	0	0
Poland	**299**	282	11	6	**157**	142	9	6	**142**	140	2	0
Portugal	**NA**	NA	NA	NA	**NA**	NA	NA	NA	**NA**	NA	NA	NA
Romania	**208**	145	62	1	**79**	54	25	0	**129**	91	37	1
Slovakia	**61**	52	8	1	**33**	28	4	1	**28**	24	4	0
Slovenia	**66**	60	5	1	**22**	19	2	1	**44**	41	3	0
Spain	**NA**	NAP	103	5	**NA**	NAP	88	5	**NA**	NAP	15	0
Sweden	**72**	60	10	2	**46**	38	7	1	**26**	22	3	1

Table 7.15. Number of professional judges sitting in courts on an occasional basis in 2012 (Q48, Q 49)

States	Professional judges sitting in courts on an occasional basis	Professional judges sitting in courts on an occasional basis - gross figure	If possible, in full-time equivalent	Professional judges sitting in courts on an occasional basis - full time equvivalent	Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs	Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs - gross figure
Austria	NAP	NA	NAP	NA	NA	NA
Belgium	NAP	NA	NAP	NA	No	2 601
Bulgaria	NAP	NA	NAP	NA	NAP	NA
Croatia	NAP	NA	NAP	NA	NAP	NA
Cyprus	NAP	NA	NAP	NA	NAP	NA
Czech Republic	NAP	NA	NAP	NA	Yes	5 923
Denmark	NAP	NA	NAP	NA	Yes	12 103
Estonia	NAP	NA	NAP	NA	No	802
Finland	NAP	NA	NAP	NA	Yes	2 202
France	Yes	428	Yes	214	No	24 932
Greece	NAP	NA	NAP	0	NAP	NA
Hungary	NAP	NA	NAP	NA	Yes	4 563
Ireland	NAP	NA	NAP	NA	NAP	NA
Italy	NAP	NA	NAP	NA	Yes	3 275
Latvia	NAP	NA	NAP	NA	NAP	NA
Lithuania	NAP	NA	NAP	NA	NAP	NA
Luxembourg	NAP	NA	NAP	NA	NA	NA
Malta	Yes	19	NAP	NA	NAP	NA
Netherlands	No	1 100	NA	NA	NAP	NA
Poland	NAP	NA	NAP	NA	NA	NA
Portugal	NAP	NA	NAP	NA	NAP	NA
Romania	NAP	NA	NAP	NA	NAP	NA
Slovakia	NAP	NA	NAP	NA	NA	NA
Slovenia	NAP	NA	NAP	NA	No	3 445
Spain	NA	NA	NA	NA	No	7 685
Sweden	Yes	247	Yes	46	Yes	8 600

Table 7.15. Procedures and criteria used for promoting judges in 2012 (Q 113, 114)

States	Procedures and criteria used for promoting judges	Is there a system of qualitative individual assessment of the judges' activity	If yes, please indicate the frequency
Austria	Public announcement and request for a proposal of qualified judges given by a senate composed of judges.	Yes	NA
Belgium	Une différence doit être faite entre d'un coté les nominations de magistrats dans une juridiction supérieure et d'autre côté la désignation aux mandats de président ou mandat-adjoint de vice président, président de chambre ou premier substitut. La première suit la procédure de nomination. La procédure est prévue par l'article 259ter du Code judiciaire: En gros, la procédure pour la nomination dans une juridiction supérieure se déroule comme suit: (détails dans l'article 259ter Code Judiciaire). Après la publication de la vacance d'emploi au Moniteur belge, l'avis écrit motivé est demandé, au moyen d'un formulaire type établi par le Ministre de la Justice, sur proposition du Conseil supérieur de la Justice, 1° du chef de corps de la juridiction ou du ministère public près la juridiction où doit avoir lieu la nomination, sauf lorsqu'il s'agit d'une nomination à la fonction de conseiller a la Cour de cassation, de conseiller ou conseiller suppléant à la cour d'appel ou de conseiller à la cour du travail; 2° du chef de corps de la juridiction ou du ministère public près la juridiction où le candidat exerce des fonctions en tant que magistrat ou magistrat suppléant. 3° d'un représentant du barreau désigné par l'ordre des avocats de l'arrondissement judiciaire où le candidat exerce des fonctions, soit en tant qu'avocat, soit en tant que magistrat. Les personnes visées dans ce paragraphe doivent s'abstenir d'émettre un avis chaque fois qu'il existe un intérêt personnel ou contraire. Elles ne peuvent notamment émettre un avis sur des parents ou alliés jusqu'au quatrième degré ni sur des personnes avec qui elles constituent un ménage de fait. Dans ces cas, l'avis est émis par un autre magistrat visé par la loi ou par le chef de corps de la juridiction immédiatement supérieure ou, pour la Cour de cassation, par l'assemblée générale. Les avis sont transmis au Ministre de la Justice par les instances consultatives et une copie est communiquée au candidat concerné. En l'absence d'avis dans le délai prescrit ou à	No	NA

défaut d'utilisation du formulaire type, ledit avis est censé n'être ni favorable, ni défavorable; au plus tard huit jours après le terme de ce délai, le candidat concerné en est informé par le Ministre de la Justice par lettre recommandée à la poste avec accusé de réception. Il n'est pas tenu compte de cet avis lorsque des avis favorables et unanimes sont requis pour une nomination.
Les candidats disposent d'un délai de quinze jours à compter de la notification des avis pour communiquer leurs observations au Ministre de la Justice.
Le dossier de nomination se compose, selon le cas, exclusivement des documents suivants :
a) la candidature et toutes les pièces justificatives concernant les études et l'expérience professionnelle;
b) le curriculum vitae ;
c) les avis écrits et, le cas échéant, les observations du candidat;
d) le rapport final du stage judiciaire établi par la commission d'évaluation compétente;
e) la mention définitive dans le dossier d'évaluation;
f) les documents attestant la notification des avis au candidat.
Pour une nomination à la fonction de conseiller à la Cour de cassation, de conseiller ou de conseiller suppléant à la cour d'appel ou de conseiller à la cour du travail, le Ministre de la Justice communique pour chacun des candidats, un dossier de nomination à l'assemblée générale de la juridiction où la nomination doit intervenir, avec la demande d'émettre un avis motivé pour chacun des candidats; cet avis sera joint à leur dossier.
L'assemblée générale entend les candidats qui en ont fait la demande par lettre recommandée à la poste.
L'assemblée générale fait parvenir au Ministre de la Justice les avis motivés dans un délai de trente jours.
En l'absence d'avis dans un délai prescrit pour chaque candidat, il n'est pas tenu compte de ces avis; au plus tard huit jours après le terme de ce délai, les candidats concernés en sont informés par le Ministre de la Justice.
Le Ministre de la Justice transmet ensuite à la commission de nomination du Conseil Supérieur de la Justice compétente le dossier de nomination de chaque candidat avec la demande de procéder à la présentation d'un candidat.

La commission de nomination entend les candidats qui en ont fait la demande. La commission de nomination peut décider d'office d'entendre tous les candidats. La présentation s'opère à la majorité des deux tiers des suffrages émis sur la base de critères qui portent sur les capacités et l'aptitude du candidat. La présentation motivée fait l'objet d'un procès-verbal signé par le président et un

membre de la commission de nomination.
Dans un délai de quarante jours à compter de la demande de présentation, la commission de nomination communique la liste du candidat présenté et des candidats non présentés ainsi que le procès-verbal de la présentation au Ministre de la Justice. Une copie de la liste est communiquée aux candidats ainsi qu'au chef de corps de la place vacante et au chef de corps du candidat présenté.
Si aucune présentation n'est communiquée dans le délai prescrit, le Ministre de la Justice peut, à partir du quarantième jour et jusqu'au cinquante-cinquième jour à compter de la demande de présentation, mettre en demeure la commission de nomination par lettre recommandée a la poste de faire une présentation. La commission de nomination dispose d'un délai de quinze jours a compter de l'envoi de la mise en demeure pour faire encore une présentation. Si aucune présentation n'est communiquée dans le délai prescrit ou dans le délai prolongé à la suite de la mise en demeure, le Ministre de la Justice en informe les candidats et un nouvel appel aux candidats est publié au Moniteur belge.
Dès réception de la présentation, le Roi dispose d'un délai de soixante jours pour prendre une décision et pour communiquer celle-ci à la commission de nomination et aux candidats, au chef de corps de la juridiction ou du ministère public près la juridiction où doit avoir lieu la nomination, au chef de corps du candidat. Une copie de cette décision motivée est communiquée à la commission de nomination et au procureur général du lieu où le serment doit être prêté.
En cas de refus motivé, la commission de nomination peut procéder à une nouvelle présentation conformément aux modalités prévues. La décision de refus motivée est communiquée à la commission de nomination et au candidat présenté. Le chef de corps de la juridiction ou du ministère public près la juridiction où doit avoir lieu la nomination, le chef de corps du candidat présenté et les autres candidats sont informés de la décision de refus.
Chaque fois que le Roi omet de décider dans le délai de soixante jours, la commission de nomination concernée et les candidats disposent, à partir du soixante-cinquième jour, d'un délai de quinze jours pour notifier une mise en demeure au Roi par lettre recommandée à la poste. Lorsque le Roi ne prend aucune décision dans les quinze jours de cette notification, son silence est réputé être une décision de refus contre laquelle un recours peut être introduit au Conseil d'Etat. En l'absence de mise en demeure dans les délais et s'il s'agit d'une première présentation, la commission de nomination procède à une nouvelle présentation; s'il ne s'agit pas d'une première présentation, un nouvel appel aux candidats est

	publié. La désignation dans un mandat de chef de corps (président de tribunal, procureur du roi, premier président d'une cour, procureur-général) se déroule selon l'article 259bis quater Cj. La désignation dans un mandat adjoint (président de chambre, premier substitut etc) se déroule selon l'article 259 quinquies Cj. Le président et les présidents de section à la Cour de cassation, les présidents de chambre à la cour d'appel et à la cour du travail et les vice-présidents du tribunal de première instance, du tribunal du travail et du tribunal de commerce sont désignés en leur sein par les assemblées générales compétentes parmi deux candidats qui sont présentés de façon motivée par le chef de corps, pour autant qu'un nombre suffisant de membres remplissent les conditions et aient posé leur candidature. Pour les juridictions ayant leur siège à Bruxelles, les présentations et les désignations s'effectuent par groupe linguistique, en fonction du rôle linguistique du mandat. Lorsque la juridiction concernée compte moins de sept magistrats, le chef de corps procède à la désignation par ordonnance. Les premiers avocats généraux près des cours, les avocats généraux près la cour d'appel et près la cour du travail et les premiers substituts sont désignés par le Roi sur présentation motivée de deux candidats par le chef de corps, si le nombre total le permet. Les désignations aux mandats adjoints de président de la Cour de cassation et de premier avocat général près la Cour de cassation s'effectuent pour une période de cinq ans non renouvelable. Les désignations aux autres mandats adjoints s'effectuent pour une période de trois ans renouvelable après évaluation. Après avoir exercé leurs fonctions pendant neuf années, ils sont, après évaluation, désignés à titre définitif.		
Bulgaria	Art. 188-194 of the Law on Judiciary and in the Rules for conducting competitions for junior judges and junior prosecutors, for an initial appointment and promotion to an office and removal of judges, prosecutors and investigators.	Yes	NA

Croatia	After the State Judicial Council publishes an announcement on vacant judge position, upon the deadline for applications and after the Secretariat of the SJC reviews documents in the Official Gazette, and determine which candidates meet the requirements, the Council will seek from the competent judicial council an assessment of the performance of judicial duties of judges who have submitted the applications based on which a judge can get up to 150 points, while if the application is submitted by a candidate who is a judicial official but not a judge (state attorneys / deputy state attorneys) they will take a knowledge exam as previously stated in the question 110, while in the case of application for a judge of the Supreme Court, the Council will, for the judges who filed the application, also request from the competent judicial councils the evaluation of the performance of judicial duties; for candidates who are judicial officials but not judges (state attorneys / deputy state attorneys) it will request the evaluation of the performance of state attorney's duties of these candidates and for candidates for the Supreme Court who are not judicial officials will request to take a knowledge exam before the Council by the method of writing one or more papers which can get them up to 150 points. Once the competent judicial councils submit the final evaluation of the performance of judicial duties, or after the Council obtains assessments of the performance of state attorney's duties and on that basis, as already mentioned in the question 110, determines the appropriate number of points, and after the Council gives 'points to the written papers of the candidates who are not officials, the Council conducts interviews with the candidates in which the candidates may get up to 20 points. Candidates who got less than 100 points for evaluation of the performance of judicial duties or after knowledge exam and the candidates who would not achieve sufficient points for the appointment after the interview are generally not invited for an interview. At the interview, the Council considers and evaluates the skills necessary for decision-making, sense of justice, appropriate and responsible performance of duties, and motivation of candidates to work in the courts, and previous work and activities relevant to the successful performance of duties as judges for which the candidates applied. After the interview, the Council takes a secret voting and the candidates' points achieved in the interview before the Council are added to the points earned at the assessment of the performance of judicial duties, number of points based on the evaluation of the performance of state attorney's office if the deputies/ state attorneys applied, the points earned on a written papers of the candidates and draw up a ranking list of candidates and make a decision on the	Yes	President of the court where the judge holds judicial office determines by a decision for the preceding calendar year if the judge has fulfilled his/her judicial duties. Furthermore, judges are evaluated both in the process of appointment to another court and when running for president of the court,and they are assessed by the competent judicial council.

	appointment of judges. The decision on the appointment of judges should be based on the total number of points and the determined ranking list of candidates. The ranking list is published on the website of the Council.		
Cyprus	promotion of judges is made by the Supreme Council of Judicature based on the quality and quantity of work	Yes	NA
Czech Republic	The judge can be promoted to a regional or a high court if he has at least 8 years of standing and if his expertise and experience may guarantee the proper excercise of the function. The judge can be promoted to the Supreme Court if he has at least 10 years of standing and if his expertise and experience may guarantee the proper excercise of the function.	Yes	NA
Denmark	NA	No	NA
Estonia	There is not special procedure for 'promoting'. If a position of judge is vacant, a public competition for a vacant position of judge is announced. The judges will apply on the same basis as other candidates, except - a person who worked as a judge directly before appointment is excused from the judge's exam for position of a judge of an appellate court (circuit court).	Yes	Regular qualitative individual assessment mainly concerns newly appointed judges (up to 3 years of tenure as a judge). Assessment consists of annual reports about the newly appointed judge composed by the president of the court, information about the judge's performance is collected from the second instance court, the Bar Association and State Prosecutor's Office (twice during first 3 years) as well as from Chancellor of Justice and Ministry of Justice (once during first 3 years). All reports are gathered and analyzed by judge's examination committee. Statistical data, including information about

			abolished judgments of first instance judges is gathered annually by the Ministry of Justice.
Finland	See above	No	NA
France	La commission d'avancement prévue à l'article 35 de l'ordonnance n° 58-1270 du 22 décembre 1958 modifiée établit chaque année le tableau d'avancement, récapitulant les noms des magistrats susceptibles d'être promus du second au premier grade. Aux termes de l'article 15 nouveau du décret du 7 janvier 1993, peuvent seuls accéder aux fonctions du 1er grade les magistrats du second grade justifiant de sept années d'ancienneté dont cinq ans de services effectifs en position d'activité ou de détachement depuis leur installation dans leurs premières fonctions judiciaires et inscrits au tableau d'avancement. La commission d'avancement examine alors les mérites de ces candidatures à un poste au 1er grade.	Yes	L'activité professionnelle des magistrats est évaluée tous les deux ans. En outre, lors de chaque présentation au tableau d'avancement (permettant un avancement du second au premier grade de la hiérarchie judiciaire) les magistrats font l'objet d'une évaluation.
Greece	The criteria are qualitative and quantitative performance, as well as the ethos of the judge as these are portrayed in the relevant inspection reports. The High Judicial Council of the Supreme Court decides on the promotion when there is a vacant regular position, following a query of the Ministry of Justice.	Yes	once a year
Hungary	Individual tender notices specify the detailed requirements for the position to be filled. Applications shall be submitted to the president of the court where the position is open; The president og the court shall interview the applicants and consult the competent members of the judiciary. The following criteria are important: the term of office of the trainee judge period, the court clerk period, the result of the evaluation process; in case of application to the position of the county court, regional court, Supreme Court the opinion of the related Chamber of the court. 7/2011. (III.4.) KIM decree on the detailed rules of the examination of applications of the judicial positions and ranking. Candidates shall submit their application for promotion to the president of the court concerned or the National Office for the Judiciary. A judge, when first appointed, shall be assigned by the National Office for the Judiciary. Subsequent assignments shall be made by the President of the Curia (Supreme Court) when appointed to the Curia, by the president of the court of appeal when appointed to the court of appeal, and by the presidentof the county court when appointed to a local court, employment tribunal or county court.	Yes	The evaluation of individual judges' performance is carried out based on Act CLXII of 2011 on the Legal Status and Remuneration of Judges. The evaluation includes an inspection of the material, procedural and administrative aspects of the activities of judges. More detailed rules are issued by the National Office for the Judiciary in this regard.
Ireland	See answer to question 112. No criteria are expressly prescribed by legislation for the appointment of a judge to a more senior judicial office.	No	NA

Italy	Every four years, the High Judicial Council (CSM) conducts a professional appraisal based on the professional skills of the judge. The criteria applied are: independence, impartiality, balance, professional capacity, hardworkingness, diligence and commitment.	Yes	Every four years.
Latvia	After nomination of the candidate for the promotion, the Judicial Qualification Board makes the assessment of the candidate by generally using the method of evaluation of performance (the number of decisions taken, the number of confirmed, quashed or amended decisions, existence of complaints) and other data (continuous training, scientific work, pedagogical work etc.). One of the criteria used for promoting judges is references about his or her work. References is submitted from the district (city) courts and from the higher instance court. References are submitted to the Judicial Qualification Board and they evaluate them. If several candidates are claiming on one post, who have received positive conclusion of the Judicial Qualification Board, the Minister of Justice directs all of the candidates and the Judicial Council shall decide on the most suitable candidate. Decision of the Judicial Council has not to be appealed. According to the Law on Judicial Power, Section 98, judges after the completion of attestation examinations, may be granted the following categories of qualification class: the fifth, fourth, third, second or first qualification class in the following sequence: 1) fifth qualification class - after three working years, 2) fourth qualification class - after three working years in office with a fifth qualification class, 3) third qualification class - after four working years in office with a fourth qualification class, and 4) second qualification class - after five working years on office with a third qualification class, and 5) first qualification class - after five working years in office with a second qualification class. A judge my be granted a higher qualification class if he or she has been working with the previous qualification class not less than two-thirds of the time period specified in Paragraph 98 and has completed the examination for the next qualification class.	No	NA
Lithuania	The career of the judges is regulated by the Law on Courts and the regulations of the Judicial Council on Entering the Candidates in the Register of Persons Seeking Judicial Promotion, Regulations of the Selection of Candidates for Judicial Appointments, the Assessment Criteria for Candidates for Judicial Office, the Regulations of Selection of the Persons Seeking Promotion in Judicial Office and the Assessment Criteria for Persons Seeking Promotion in Judicial Office. Article 65. Register of Persons Seeking Judicial	Yes	NA

Office and databases
1. A person seeking judicial office at a court of a higher level shall be included in the register of persons seeking judicial office. A judge who wishes to be moved to another court of the same level or another jurisdiction of the same level shall be included in the database of judges wishing to be moved to another court of the same level or another jurisdiction of the same level database. A judge who is seeking a career in the courts of the same level shall be included in the database of the judges seeking a career in the courts of the same level.
2. The register of persons seeking judicial office, the databases of personal files of persons seeking judicial office at a court of a higher level shall be administered by the National Courts Administration.
3. The procedure of including persons in the register of persons seeking judicial office and databases mentioned in paragraph 1 of this Article shall be approved by the Judicial Council.
4. The National Courts Administration shall communicate the information about the persons who have been included in the register of persons seeking judicial office and databases mentioned in the 1 section of this Article to the President of the Republic of Lithuania, the Judicial Council and the Selection Commission.

Article 66. Requirements for a Person Seeking Judicial Office at the Regional Administrative Court or the Regional Court
A judge entered in the register of persons seeking judicial office, of at least five years standing as a judge of a district court as well as a person having Doctor or Habil. Doctor of Social Sciences (Law) degree and of at least five years' standing as a university lecturer in law who has submitted a health certificate may be appointed a judge of a regional administrative court or a regional court.

Article 67. Requirements of a Person Seeking Judicial Office of the Supreme Administrative Court or the Court of Appeals
1. A judge entered in the register of persons seeking judicial office, of at least four years standing as a judge of a regional administrative court or a regional court as well as a person having Doctor or Habil. Doctor of Social Sciences (Law) degree and of at least eight years' standing as a university professor of law who has submitted a health certificate may be appointed a judge of the Supreme Administrative Court or the Court of Appeals.
2. A judge of the Court of Appeals may be appointed a judge of the Supreme Administrative Court, and a judge of the Supreme Administrative Court may be appointed a judge of the Court of Appeals without regard to his record of work at the Court

of Appeals or at the Supreme Administrative Court.

Article 68. Requirements for a Person Seeking Judicial Office of the Supreme Court
A judicial office of the Supreme Court may be filled by:
1) a judge of a regional administrative court, a judge of a regional court with a record of at least eight years of work as a judge;
2) a judge of the Supreme Administrative Court and a judge of the Court of Appeals with a record of at least five years of work as a judge in any of these courts;
3) a person having Doctor or Habil. Doctor of Social Sciences (Law) degree and a record of at least 10 years of work as a university professor of law who has submitted a health certificate.

Article 69(1). Selection of Persons Seeking Judicial Office
1. Selection to judicial vacancies of persons seeking judicial office shall be carried out according to the regulations of Selection of persons seeking judicial office approved by the Judicial Council. Selecting the persons seeking judicial office, the quality of work of every candidate to judicial office, subject and personal qualities, organisational capacities and priority giving advantages shall be evaluated. The assessment criteria of persons seeking judicial office shall be established by the Judicial Council.
2. When persons having a degree of Doctor or Habil. Doctor of Social Sciences (Law) seek to become judges of regional administrative court, regional court, judges of Supreme administrative court and judges of Court of Appeal, only their personal qualities and key competencies shall be evaluated.
3. The persons seeking judicial office shall be selected by the Selection Commission specified in paragraph 1 of Article 55(1) of this Law. The requirements set in Article 55(1) of this Law shall be applied.

Article 55(1) Selection of Candidates to Judicial Office and the Selection Commission
1. The candidates to judicial vacancies at a district court shall be appointed by way of selection. For considering the issues of appointment to vacancies at a district court the President of the Republic shall compose the Selection Commission of Candidates to Judicial Offices (hereinafter the Selection Commission) and establish the working procedure of the Commission and the criteria of selection of candidates to judicial office. The Selection Commission shall be composed of seven persons for three years. Three members of Selection Commission shall be judges and four – members of the public. The President of the Republic shall appoint the Chairman of the

Commission from the members of the Selection Commission. Members of the Judicial Council may not be appointed members of the Selection Commission. Work payment procedure of the members of the Selection Commission, except judges, determined by the Government.
2. The meeting of the Selection Commission shall be valid if attended by at least five members of the Commission. The decisions shall be adopted by the majority vote of all the Commission members.
3. Selection of candidates to judicial vacancies at a district court shall be announced and organised according to the procedure established by the President of the Republic by the Office of the President of the Republic and the National Courts Administration. The selection and organization procedure, harmonized by the Judicial Council, is approved by the President of the Republic.
4. Selection of candidates to judicial vacancies at a district court may be started when judicial vacancy at a district court emerges unexpectedly or at least 6 months before the planned emergence of a judicial vacancy at a district court.
5. Preference to the judicial vacancy at a district court and emergence of vacancies at a district court have judges seeking to be appointed to another court according to the procedure established in Article 64 of this Law or the former judge seeking to be appointed according to the procedure established in Article 61 of this Law. If where are not such candidates, according to the procedure established in the paragraph 3 of this Article, in the selection process, participate judges seeking to be appointed to another court according to the procedure established by paragraph 1 of Article 63 of this Law and the candidates to judges.
6. During the selection the Selection Commission shall examine the documents of the candidates to judicial vacancies at a district court and afterwards the selection will be oral (the interview). During the interview with each candidate to judicial vacancies at a district court participating in the selection the Selection Commission shall establish which candidates to judicial vacancies at a district court are most suitable to be district court judges and shall submit to the President of the Republic their conclusion about the candidates to judicial vacancies at a district court.
7. When selecting the candidates to judicial vacancies at a district court the professional knowledge and skills, the capacity to apply in practice theoretical knowledge and skills, the length of service as a judge, other quantitative and qualitative indicators of legal activity, observance of ethical requirements in professional and other activities, scientific and pedagogical work of every candidate shall be evaluated, in addition the opinion of the court

	where the judge works and where he is a candidate may be taken into account. 8. In its conclusion about the judicial vacancies at district courts the Selection Commission shall indicate to the President of the Republic one or several persons who are most suitable to be district court judges. 9. If the candidates to the judicial vacancies at district courts disagree with the conclusions of the Selection Commission, within 10 days of the Selection Commission meeting they have a right to inform the President of the Republic with the motivated letter. 10. The conclusions of the Selection Commission concerning the candidates to judicial vacancies at the district court shall not be binding to the President of the Republic.		
Luxembourg	id.	No	NA
Malta	The law provides that Magistrates have to have seven years experience as a lawyer while Judges have to have twelve years experience. Apart from these criteria, there exist no other conditions. Nevertheless, the Government of the day, when choosing the lawyer who is to be appointed as a Magistrate or Judge, ensures that such person enjoys the respect of the legal community, has sufficient experience to carry out the function of a Magistrate or Judge, and has the capabilities of administering a Court	No	mail CN 10/1/14: explication sur la différence par rapport au cycle précédent: the qualitative assessment applicable to date is an “informal” one, as a result of which, it was best to indicate “no” in this report
Netherlands	Assesment, interview and selection.	Yes	NA
Poland	- At least 4 years practice as District Court judge in case of promotion to Circuit Court. - At lest 6 years practice as Circuit Court judge in case of promotion to Court of Appeal. - Perfect outcome of performance evaluation	Yes	Mandatory every 4 years
Portugal	In Portugal, the professional merit of his Magistrates is the prevalent criterion regarding career development; seniority comes across as a subsidiary criterion in such a way that, in case of equal classifications, seniority shall prevail for the tiebreaker and in the case of equal seniority, is the higher classification that is decisive. The High Council of Judiciary has a body of 20 judicial inspectors, charged to carry out the procedures on evaluation and disciplinary matters. At the end of the procedure, the inspector makes his report on his assessment and proposes a specific classification to the High Council. Classification must consider the way the judges fulfill their duties; the amount, difficulty and management of the work assigned; his capacity to simplify the procedures; the conditions how the work is done; his technical preparation; his intellectual ability; published legal works; and civic capacity. Recent developments are imposing new rules to the recruitment of judges of Superior Courts. This new procedure imposes an open discussion by jury composed by members of the	Yes	Every 4 years.

	Judicial Council, or indicated by the Council, but also by a prosecutor, an academic teacher and a lawyer. (Law 21/85 de 30/07 (Statute of Judicial Magistrates and Inspection Services Regulation) http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=5&tabela=leis http://www.csm.org.pt/ficheiros/legislacao/regulamento-inspeccoesjudiciais2013.pdf		
Romania	The judges are being promoted following a national exam or competition organised by the Superior Council of Magistracy. In order to participate to the exam/competition there should be met criteria of seniority, evaluation of the professional activity and no disciplinary breaches. The exam/competition consists in several written examinations on theory and practice on the main domain of specialisation of the magistrate, the case-law of the High Court of Cassation and Justice and Constitutional Court, the case-law of ECHR and CJEU and civil or criminal proceedings.	Yes	NA
Slovakia	Promotion to the court of higher instance: The president of the court of higher instance announce the selection procedure to a vacant place of a judge of a higher court. The selection committee consist of 5 members - 1 member nominated by the National Council of the Slovak Republic (parliament), 1 by the Judicial Council of the Slovak Republic, 2 members appointed by the minister of justice and 1 nominated by the council of judges of the court where the vacant post is to be filled. The judge applying for the promotion has to be evaluated by an evaluation commission nominated by the council of judges. The commission examine the valid decisions of a judge, the conducting of the court proceeding from the perspective of its continuity and dignity. The opinion of the appellate panels is taken into account. The important condition for promoting is an activity of a judge in participation in the seminars and study visits, the professional publication activity and lecturing. The selection procedure consist in oral interview. The committee make up the placing list of successful candidates on the base of individual voting of the members of committee. The final decision on promoting of successful candidate is made by the Judicial council of the Slovak republic.	Yes	1. The president of the court draws up every year the Annual statistical report of a judge. The report has to be published at the internet site of the Ministry of justice at least at the April 30th of next year. 2. The evaluation of a judge is performed: a) after five years of the judge practice; the evaluated period is a period of five years preceding the evaluation, b) in connection with the selection procedure, c) at the request of the person authorised to initiate disciplinary proceedings against judge; the evaluated period is the five years preceding the evaluation, or period of the performance of the function, if the judge performs the function not longer than five years, d) if the judge asks for the evaluation, e) after one year immediately following the evaluation of judge with conclusion 'unsatisfactory'.

Slovenia	The criteria that the president and the Judicial Council consider when deciding on the appropriate candidates for election or for promotion that constitute the assessment of judicial service are the following (the criteria listed for promotion are used mutatis mutandis also for election) – (Article 29, Judicial Service Act): - specialist knowledge (general description, post-graduate studies, etc.); - working abilities (number of solved cases, structure of solved cases, respecting time schedules, etc.); - ability of solving legal questions (the success rate at the court of appeal – percentage of appeals dismissed, granted, etc.); - work accomplished on the field of judicial backlogs (the description of judge's activities about solving backlogs, i.e. amount of backlogs in the number of solved cases, solving cases by turns, number of settlements reached, etc.); - maintaining the reputation of the judge and the court (judge's behaviour in the courtroom, communication with parties and other participants in the trial, maintaining the independence, impartiality, dignity of the court, etc.); - ability of spoken and written communication (legal, logical and grammatical integrity and correctness of his/her written decisions); - additional accomplished work (i.e. tutorship to trainees and younger judges, participation in educational processes inside and outside of judiciary, participation in the preparation of legislation, etc.); - relationship with co-workers; - leadership abilities (only for judges who hold certain leading positions – heads of departments and their deputies, presidents, etc.). The same criteria are used in regular assessing of judicial work by Personnel Councils.	Yes	The Personnel Councils of Higher courts are composed of 4 higher judges and are responsible for the assessment of judicial service of local and district judges. The Personnel Council of The Supreme Court is composed of 4 Supreme court judges and is responsible for the assessment of judicial service of higher judges (Courts Act Article 30 and 33). The Judicial Service Act prescribes (Article 31) that the personnel council shall conduct an assessment of judicial service for judges every three years, or before such period has elapsed at the request of the Judicial Council, the president of the court, the president of a superior court or the judge himself/herself. An assessment of judicial service shall be conducted every year for judges in their first three years of judicial service. The Personnel Council shall use the assessment of judicial service to determine whether a judge: 1. is unsuitable for judicial service; 2. fails to fulfil the conditions for promotion; 3. fulfils the conditions for promotion; 4. fulfils the conditions for accelerated promotion; 5. fulfils the conditions for exceptional promotion to a higher judicial title.
Spain	There are three categories in a judge career: 'jueces', 'Magistrados' (higher court judges) and 'Magistrados del Tribunal Supremo' (judges of the Supreme Court). After the recruitment, the nomination is as a 'judge', to promote as a 'magistrado' is by seniority. Judges can be, as well, 'magistrados' after at least two years seniority and taking an examination for the specialised jurisdiction (commercial, labour and contentious administrative). Another way of access to the judicial career, to the category of ' magistrado', is ruled in the Organic Act of the Judiciary 1/1985, according to wich the access is	No	NA

	reserved to legal practitioners with at least 10 years of experience. One third of the places are reserved to be covered by Secretarios Judiciales. A third category is ' Magistrates of the Supreme Court', most of the posts are filed by magistrates with at least 15 years experience, including 10 as a magistrate, and one fifth is reserved for lawyers of recognized standing with at least 15 years experience.		
Sweden	Judges can normally only be promoted by applying for a position as a promoted judge, e.g. president of a district court, when such a position is vacant. Thus, the promotion is decided by the Government upon application. The Judicial Council gives a recommendation to the Government on who to promote.	Yes	NA

Comments – Indicator 7 Career and status of judges

Table 7.1. Modalities of recruitment of judges in 2012 (Q 110)

Bulgaria: Junior judges competition; competition for initial appointment in the bodies of the judiciary and competition for promotion and transfer.
Croatia: other: Until 31.12.2012, a person who - after passing the bar exam - has exercised specific legal professions enumerated by the law for a certain period of time, could, respectively, have been appointed as judge of a misdemeanour, commercial or administrative court, or as judge of a county court, the High Magistrates Court of the Republic of Croatia, the High Commercial Court of the Republic of Croatia and the Administrative Court of the Republic of Croatia, or as judge of the Supreme Court of the Republic of Croatia.
Candidates who were not judges but had submitted an application for a judge position, had to take an exam before the Council. For candidates who were judges and who submitted application, the Council requested an evaluation of the performance of judicial duties from a competent judicial council. According to the results, candidates were invited for an interview before the Council. After the interview, the Council voted in secret and the decision on the appointment of judges was made on the bases of the results.
Cyprus: other: First instance judges are appointed by the Supreme Council of Judicature. Judges of the Supreme Court are appointed by the President of the Republic.
Denmark: other: The Danish court system includes both deputy judges and judges. Deputy judges are recruited on a combination of competitive exam and working experience. Judges are also recruited on such grounds; however the internal evaluation from their position as deputy judge and 'acting judge' at the High Court also plays a significant role.
The Danish Court Administration employs all deputy judges. It reviews the qualifications of the applicants. There is no formal entrance test or examination.
Judges are appointed by the Queen (article 27 of the Constitution) who acts on a submission from the Minister of Justice (Civil Procedure Code). The Judicial Appointments Council makes recommendations to the Minister of Justice on the appointment of all judges. The recommendations are made public and will always be accepted by the Minister.
Estonia: other: According to the Estonian constitution - for first and second instance courts the judges are nominated by the President of the Republic on the proposal of the Supreme Court en banc (General Assembly); the justices of the Supreme Court are nominated by the Parliament on the proposal of the Chief Justice. The Chief Justice is elected by the Parliament, on the proposal of the President of the Republic.
Judges are appointed to office on the basis of a public competition before an examination committee
Successful candidates who want to become first instance court judges are obliged to undergo initial training called the "preparatory service" (2 years, but the law provides for exceptions) and after that an exam (there are exceptions).
Finland: other: In Finland, judicial training has traditionally been based on practical training in the courts and on the in-service training for judges that the Ministry of Justice provides.
At present, the typical career of a judge in Finland proceeds as follows: university degree in law – judicial traineeship at a District Court (general training, one year at a District Court or 6 months at a District Court and 6 months at Administrative Court/Court of Appeal) – work as an Assistant Junior Secretary at a Court of Appeal or Administrative Court – possible temporary service as a District Judge, Justice of a Court of Appeal or Administrative Judge – appointment to a tenured judgeship. Accordingly, the training towards a judicial office is obtained through learning by doing.
Hungary: The applicants will be ranked by the Judicial Councils of the Courts on the basis of the objective criteria specified in the Act. The president of the High Court and of the tribunal will submit the proposal for appointment to the president of National Office for the Judiciary in line with the ranking, or by deterring from the ranking –with an attached reasoning. The president of NOJ may select the person proposed for appointment from among the persons ranked first, second or third on the list (if it is not the first ranked person, a written notification to the NJC is necessary). He submits proposal to the President of the Republic who should be appointed as a judge
Ireland: Judges are appointed to office by the President of Ireland on the advice of the Government. The Judicial Appointments Advisory Board is enabled to identify persons and inform the Government of the suitability of those persons for appointment to judicial office. The Government shall firstly consider for appointment those persons whose names have been recommended to the Minister of Justice and Equality by the Judicial Appointments Advisory Board. Barristers and Solicitors of at least 10 or 12 years standing (as appropriate to the jurisdiction) may also be recommended directly by the Government for appointment by the President. Serving Judges may be elevated without applying to the JAAB.
Italy: In order to become judges or public prosecutors, candidates have to pass a competitive public examination. After the examination successful candidates still have to spend 18 months as "Magistrati ordinari in tirocinio". This is a mandatory training rather than a probation period. Moreover this is a period of not less than eighteen months – during which 'appointed magistrates' do not fulfil any judicial function. On completion of the traineeship the High Judicial Council (CSM) appraises whether the newly appointed

magistrates are suitable to take up judicial functions. If the outcome of the appraisal is negative they are admitted to a new traineeship of one year. If this new traineeship is followed by a second negative appraisal they are dismissed. If the outcome is positive the newly appointed magistrates take up judicial functions.
Luxembourg: Recruitment of judges and prosecutors has been reformed since the 2011 evaluation by the law of June 12th, 2012.
http://www.legilux.public.lu/leg/a/archives/2012/0125/index.html.
This law sets up a pool of "attachés de justice" common to the ordinary and the administrative jurisdictions as well as to the prosecution. The "attachés" are screened by a specific admission examination organized by the newly created "Commission du recruitment et de la formation des attachés de justice", to which they are administratively attached.
Malta: other: Judges are appointed by the Executive (by the Head of State, after having been proposed by the Government) and are chosen amongst the members of the legal profession by the Government. Judges are expected to have had 12 year experience as a lawyer whilst Magistrates are expected to have had 7 years of experience as a lawyer.
Portugal: Other: Via an open competition announced in the official gazette “Diário da República” and the process by which applicants are chosen involves various methods of selection.
“Admission based on academic qualifications” means that the requisites for admission essentially regard the applicants’ academic qualifications.
“Admission based on professional experience” means that the requisites for admission concern, especially, the applicants’ professional experience. In order to apply for “admission based on professional experience” the applicant must also have court experience or experience in related areas which are relevant to the performance of the duties of a judge or public prosecutor, and which took place for not less than five years.
http://www.cej.mj.pt/cej/conheca-cej/fich-pdf/legislacao/Lei_2_2008_14_jan_Versao_Atualizada.pdf
Slovenia: According to the Judicial Service Act a person can become judge after 3 years of practice at a legal position after passing the legal state exam. There are different periods of practice required for different levels of judges. However, there are no restrictions regarding the institutions – the law only states that the practice has to be done at a legal position.
Spain: The access to judicial and prosecutorial career is made through the same procedure, candidates (with law degree) must pass a competitive and public exam, composed of three phases, a written test, and two oral exams before the recruitment tribunal. Once candidates pass the theoretical exams and based on the qualification obtained and the number of posts available, they choose the career of judge or prosecutor. For both careers and after the theoretical exams, initial training is needed.
Sweden: other: Judges are appointed by the Government under an applications procedure, essentially on the basis of ability and suitability for the profession. In making its choices the Government is assisted by the Judicial Council formulating recommendations.
Judges are usually trained specifically for the profession. Thus, persons trained as judges make up the main base for recruitment of professional judges. Such training is however not an absolute condition. Anyone with a legal qualification, such as a prosecutor or a lawyer, may apply for a post as a judge.
A person accepted for training as a judge is employed as a reporting clerk at a court of appeal, general or administrative, on six months’ probation. If his or her performance over the probationary period is approved, the trainee is employed as a reporting clerk at the court of appeal on conditional tenure. After at least one year in that capacity, the trainee serves as an assistant judge at a district court or county administrative court for another two years.
In the final stage of training, the assistant judge returns to the general or administrative court of appeal to serve as a judge for at least a year. Once that period of service has been successfully completed, he or she is designated as an associated judge of the ordinary or administrative court of appeal, and the traineeship ends.
Associate judges who wish to be appointed as regular judges normally work outside the judiciary for a number of years after completing their training, in order to acquire varied experience and to improve their ability to compete for a post as a regular judge.

Table 7.2. Types of compulsory trainings for judges in 2012 (Q127)

Austria: The initial training of judges and prosecutors takes about four years and is compulsory. The general in-service training is not compulsory but it is taken up by more than 70% of the judges and prosecutor every year.
Belgium: see the web site of the *Institut de formation judiciaire*, established in 2007and functioning since 2009 (www.igo-ifj.be).
Bulgaria: The National Institute of Justice ensures a compulsory initial training of 9 months for candidate junior magistrates who have successfully passed the relevant competition (before the reform of 01/01/2012, the training was of 6 months). It procures also a compulsory initial qualification - courses meant to further the qualification of the judges, prosecutors and investigators who are first-time appointees at the bodies of the Judiciary.

Croatia: The competent body for professional trainings for magistrates is the Judicial Academy which is an independent and autonomous public institution since 2010.
Estonia: According to the Courts Act, a judge is required to develop knowledge and skills of his or her specialty on a regular basis and to participate in training. The Training Council determines annually a part of the training program, the completion of which is mandatory to judges.
Finland: In 2012 the President of the National Office for the Judiciary has decided to implement compulsory regular training for specialised judicial functions such as juvenile crimes, economic crimes, traffic crimes, drug abuse and trafficking cases (the trainings were organized in 2012 and carried out in 2013).
France: The initial and the in-service training are under the responsibility of the *Ecole Nationale de la Magistrature*. The initial compulsory training of magistrates is of 6 months since 2007. The initial training for *auditeurs de justice* is of 31 months.
Since 2007, the general in-service training is also compulsory (minimum 5 days per year) and there is a compulsory in-service training for specialised judicial functions (15/20 days during the first two months). A specific training is also compulsory for the new heads of courts.
Malta: No training is offered at all. Judges and Magistrates are not trained. They are chosen from the practicing lawyers and then no training is given to them, other than the occasional activity which they organise amongst themselves through the Judicial Studies Committee.
Romania: The initial training provided by the National Institute of Magistracy (NIM) is compulsory at the beginning of the carrier, in a differentiate way (2 years for the judges and prosecutors newly employed, without legal experience and 6 months for the magistrates recruited among the persons with legal experience).
As concerns the continuous training (organized at the centralized level, by the NIM and at the decentralized level, within courts and prosecutor's offices, with the participation of the NIM), judges and prosecutors are obliged to participate at training activities at least once every 3 years. For the judges and prosecutors with administrative duties there are organised courses of judicial management after their appointment.
Slovakia: The Judicial Academy of the Slovak republic provides training for all judges, prosecutors and court staff in the Slovak republic. There is no in-service compulsory training under the Act on judges every judge is obliged to train himself.
Spain: There is an initial training for judges comprised of four years traineeship including compulsory courses at the Academy. It is however possible to become a judge also without this initial training.

Table 7.3. Budget of training institution for 2012 (Q131)

Belgium: The budget of the Institute for the judicial training is 5 637 000 euros.
Bulgaria: For 2012 the budget of the National Institute of Justice is 1503273 €.
Croatia: 2012 budget of the institution, is €1.716.506,54.
Czech Republic: budget of the Judicial Academy in 2012 - 2 318 395 EUR
Denmark: One institution for judges: Budget approx. 2.106.500 euro. Prosecutors: After completion of the 3-year initial training programme, the majority of prosecutorial training (incl. managerial training) is voluntary and can be undertaken by the prosecutor as and when needed. The Director of Public Prosecutions offers a catalogue of some 25 different short-term courses covering a wide range of topics ranging from rhetorics and media-training to tax evasion and human rights in a criminal justice perspective. External training is also offered – mainly focusing on managerial training. On average the intent is that each prosecutor should engage in training activities for 5 days a year.
Estonia: One of the servicing departments of the Estonian Supreme Court Judicial Training Department of the Supreme Court is organizing the judges training. Therefore, there is no separate judicial training institution but the Department acts as an institutional whole. The budget is 314788 euros and it includes all the operational expenses of the department, including budget allocated to (gross) salaries.
Finland: In Finland, judicial training has traditionally been based on practical training in the courts and on the in-service training for judges that the Ministry of Justice provides.
There is also basic and advanced professional training to prosecutors that the Office of the Prosecutor General provides.
France: 28 915 000 euros.
Hungary: In 2012 was established in law the one institution for initial training for trainee judges and trainee prosecutors, but in fact the common initial training did not began yet in the Hungarian Judicial Academy, it was provided separately for judges and prosecutors in 2012. The budget of the Hungarian Training Centre for Prosecutors was in 2012: 400 335 EUR. The budget of the Hungarian Judicial Academy (for judges)was in 2012: 1 262 000 EUR. See Modification by Act CXVII of 2012 (9 of July 2012): Act CLXI of 2011 on the organization and management of the courts concerning the Hungarian Judicial Academy.
Ireland: €250000 for judicial training.
Italy: A short introduction to the Italian School for the Judiciary
http://www.giustizia.it/giustizia/it/contentview.wp?previsiousPage=mg_1_28&contentId=ART749202

In accordance with the principles of judicial independence, freedom of research and teaching, and good administration of justice - as set out in the Constitution of the Republic of Italy - the School for the Judiciary, established by Legislative Decree 30 January 2006, n. 26, ensures the implementation of the right to, and duty of, professional training of members of the judiciary; the Schools also performs other tasks in the areas of training and research, as provided for by the law and the School's own charter.

Latvia: The budget of the Judicial Training Center in 2012 is 136 570 EUR (including training for non judge staff).

Formally Judicial Training Center is responsible for training of judges, but in the last years Judicial Training Center also organizes several regular training programs for prosecutors approximately once in 2-3 months. In total for prosecutor training in 2012 has been spent 4757EUR.

Lithuania: There is no training institution for prosecutors who are invited to join judges at their training institution. The assignations of the State budget to the Training Center of the National Courts' Administration are 263 843,837 EUR.

Courts can also provide training of judges (as court employees) at their (courts') own expenses. In this case the topics of trainings and periodicity depend on financial capacities.

Luxembourg: Luxembourg has entered into a specific training agreement with thze French ENM (Ecole nationale de la Magistrature. A compulsory initial training program has been set up. Judges and prosecutors, once nominated, can attend to specific training programs offered by the ENM, but also to national training seminars at the INAP (Institut national de formations de l'administration publique) and to internal seminars (peer to peer formations). Luxembourg is also a member of the ELA (European Law Academy), and the seminars offered by the ERA are regularily attended by judges and prosecutors. In case of a justified professionnal need, any other, even private sector organized, training program can be attended to.

Malta: There exists the Judicial Studies Committee which is the body responsible for the on going training of the members of the judiciary. It assists judges and magistrates in skills training and continued professional development mainly through seminars conducted by both local and foreign experts and speakers. The JSC is composed of four (4) members, two appointed by the Chief Justice and two members appointed by the Minister responsible for justice, and acts under the general direction of the Chief Justice. It was officially launched on the 17th of October, 2003 and was set up following amendments to Article 9 of the Code of Organisation and Civil Procedure (Cap. 12) which specifically provides that a judge or magistrate may undertake the administration of activities within the Judicial Studies Committee.

Netherlands: SSR provides training for both judges and prosecutors. SSR 2012 budget total 32,800,000 Euro. Of which 15,600,000 Euro for salaries of and 17,200,000 for trainings/courses.

Portugal: 5076495 Euros.

Romania: 4761224 eur

Slovakia: The budget of the Judicial Academy in the year 2012 is 620000 €

Slovenia: The Judicial Training Centre is a body of the Ministry of Justice. According to the Courts Act the tasks of the Centre are: - to implement the training of judicial trainees; - to organize and supervise the execution of legal state exams, to organize and supervise the execution of other forms of exams required in the justice system; - to organize and supervise the execution of different types of permanent in-service training of judges, judicial advisers and court personnel; - to conduct the obligatory professional training for presidents and directors of courts; - to publish professional literature. The director of the Centre is a higher judge that is delegated to work at the Ministry of Justice in accordance with the provisions of the Judicial Service Act. He or she has a status of a full-time judge with all the rights derived therefrom. The Courts Act states that the Expert Council is set up for providing expert assistance to the Centre in the implementation of its tasks. The Judicial Training Centre spent 308.317 EUR in 2012.

Spain: The budget of the Judicial School (*Escuela Judicial*) and Center of Judical Studies (*Centro de Estudios Jurídicos*) include salaries and benefits of judges and prosecutors during the training period. The institution in charge of judges´ training is the Judicial School (Escuela Judicial) which depends on the Council General of the Judiciary, and has it´s own budget. Budget for 2012 for initial and continous training was 26 452 820 euros, budgetary does not separate initial and continous training. The Center of Judicial Studies´(Centro de Estudios Jurídicos) budget for 2012 was 17 665 900 euros. The institution is in charge of the initial and continous trainning of the Prosecutors, Secretarios Judiciales, Forensics, Non Judicial Staff of the Justice Administration and State Advocacy. The budget for Prosecutors´ trainning was 6 241 700 euros in 2012.

Sweden: 530 000 euro. In order to become a preosecutor you need to apply for a position. The competent candidates then undergo tests as part of the recruitment process.All newly employed prosecutors within the swedish prosecution service have to undergo basic training for a total of 15 weeks, divided into four parts, during their first three years in the service. This basic training is compulsory. All public prosecutors must go through the basic training to become a public prosecutor. After the first three years in the service, the public prosecutors are offered continuous training. The continuous training is compulsory for specialized senior public prosecutors. The training is offered by the Prosecution Authority and is not a public body.The total budget for the training of prosecutors was 3 317 967 euro in 2012.

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career in 2012 (Q132)

Austria: Net annual salary given by official gross/net-calculator at:
http://www.bmf.gv.at/service/anwend/steuerberech/bruttonetto/_start.htm
Belgium: professional judge of first instance at the beginning of the career (seniority – 3 years): gross annual salary indexed: 41.147,51 x 1,5769;
- Judge of the Supreme Court (seniority-maximum 24 years): gross annual salary indexed: 75.238,31 x 1,5769 ;
- Prosecutor at the beginning of the career (seniority-3 years): gross annual salary indexed: 41.147,51 x 1,5769;
- Prosecutor at the Supreme Court (seniority – maximum 24 years): gross annual salary indexed: 76.615,72 x 1,5769;
(1) 132-2-1 et 132-2-3: net annual salary of one judge or deputy judge at the beginning of the career (seniority – 3 years, married, with 2 children);
(2) 132-2-2: net annual salary of one judge of the *Cour de cassation* (seniority – maximum 24 years, married without children);
(3)132-2-4: net annual salary of a General Attorney at the *Cour de cassation* (seniority – maximum 24 years, married without children);
Relevant Index for the period 01/03/2012 to 31/12/2013: 1,5769.
The difference concerning the salary on the level of the Supreme Court with regard to data of 2010 has to be justified by the fact that the salary is this of one judge and not this of the President or the Prosecutor general.
Bulgaria: the differences between the current and the previous assessment cycle are due to the fact that in 2010 the basis for assessment were the data from Table 1 of SJC determining the maximum amount of the monthly salary of judges, prosecutors and investigators, and in 2012 basis for assessment were the data from the Information for the funds for salaries from the establishment plans and the average salary by positions, which is prepared by all the bodies of the judiciary and is summarized in the SJC. This information file reflects the actually received gross salaries, which include the basic salary and additional remuneration for grade and service.
Croatia: Due to the different calculation of tax rates and changes in the amounts of tax reliefs, there is a difference between calculation of salaries in 2010 and 2012.
Cyprus: The net is calculated individually.
Czech Republic: The salary of the public prosecutors was increased to bring it closer to the salary of judges.
France: - Professional judge of first instance at the beginning of the career (*1er échelon du 2nd grade, juge non spécialisé d'un tribunal de grande instance*).
- Judge of the Supreme Court or of the last instance (*conseiller à la Cour de cassation- échelon D3/E1*).
- Prosecutor at the beginning of the career (*substitut du procureur au 1er échelon du 2nd grade*).
- Prosecutor before the Supreme Court (*avocat général à la Cour de cassation – échelon D3/E1*).
The net salary encompasses the residence compensations (1% to 3% of the amount) and functional compensations (34% to 39% of the amount). The flexible bonuses are excluded.
Ireland: The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2012.
Salary for prosecutor reflects the salary of a new entrant solicitor and the salary of a principal Prosecution Solicitor.
In line with the Government's fiscal policy the salary or remuneration of public service staff and office holders has been reduced since the 2010 statistics provided for the 2012 report. This action was part of a suite of measures which were required to be introduced in view of Ireland's financial situation. Following a constitutional amendment, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.
Italy: Please consider that the salaries of judges and PMs do not depend on the position held but rather on experience (i.e. years of service). That means that the salary of a Judge working in the lowest courts can be the same as the salary of a Judge working in the Highest Appellate Court.
Latvia: the data provided for this exercise show an increase. During the economic crisis starting from 01.07.2009 the salaries for judges were reduced for 15% and starting from 01.01.2010 the salaries were reduced for 27 %. Starting from 01.01.2011 the determination of the salaries for judges and prosecutors are included within unified remuneration system for the officials and employees of the state and local government institution, as well as diminishing the consequences of the crisis, salaries for judges increased.
Luxembourg: No indications can be given on the net salary, as it varies considerably according to the family situation of the persons concerned, whether or not they live in marital conditions, whether or not, and how many children they have, *etc*.
Malta: In Malta, a distinction is made between a Magistrate and a Judge, wherein a Magistrate, as a rule, has competence to hear all civil cases up till a value of €11,650 and criminal cases up till a period of imprisonment of 10 years whilst Judges are competent to hear all the other cases. For the purpose of this

exercise, the figure mentioned able relates to the initial salary of Judge, though, in practice and as a rule, the beginning of one's career in the judicial field is as a Magistrate, whose salary is far less than that indicated above.
In terms of the Judges and Magistrates Salaries Act, the Chief Justice has a gross annual salary of €46,456, a judge has a gross annual salary of €40,221 whilst Magistrates have a gross annual salary of €34,188.
The Net Annual Salary varies according to the Income Tax Bands announced, from time to time, and therefore it is not possible to indicate the amounts, since the income may very due to some other permissible income the judge or magistrate may perceive. Nevertheless, for the purpose of this exercise, the figures provided for as net income were calculated on the salary above-indicated for a married person.
Netherlands: Public prosecutor at the beginning of his/her career:
- Gross annual salary in €, on 31 December 2010 12* 4 503
- Net annual salary in €, on 31 December 2010 12* 2 717.
Portugal: Directorate-General for the Administration of Justice.
Romania: Based on the Law regarding the unitary remuneration of personnel paid from public funds, no.284/2010, with subsequent amendments and additions.
Slovakia: The indicated sums represent the gross salary of the judge/prosecutor without the bonuses and supplements. All bonuses and supplements are stipulated by law. For example the annual supplement for the presiding judge of the appeal court panel is 796,68€. The functional supplement belongs to the president of the court depending on the number of judges of the court.
The value of net salary depends on several individual criteria, e. g. the number of children, the voluntary pension security scheme *etc*.
According to the Act on judges (No. 385/2000 Coll.) the average monthly salary of the judge is equal to the monthly salary of the deputy of the parliament. The salary of the judge at the beginning of the career is 90% of the average monthly salary of the judge. The salary of the judge of the Supreme Court is 130% of the monthly salary of the deputy of the parliament. The judge has the right to 2 additional salaries in May and in November under the conditions stipulated in law.
The similar rules are applicable for the salaries of the prosecutors (Act on prosecutors and trainee prosecutors No.154/2001 Coll.). The average salary of the prosecutor is equal to average salary of the judge. The salary of the beginning prosecutor is 85% of the average salary. Prosecutors have also right to 2 additional monthly salaries.
Slovenia: Sources: Supreme Court, Office for finance and accounting and Supreme State Prosecutor's Office.
Spain: The net annual salary is an a average as net salary is calculated deducting income taxes from gross salary depending on the salary and on individual's family situation. The Source for this question is the Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Director of Financial Resources of Justice Administration.
Sweden: The net annual salary is not stated as the level of income tax varies depending on the income and domicile.

Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appelate Court in 2012 (Q132)

Austria: Net annual salary given by official gross/net-calculator at:
http://www.bmf.gv.at/service/anwend/steuerberech/bruttonetto/_start.htm
Belgium: professional judge of first instance at the beginning of the career (seniority – 3 years): gross annual salary indexed: 41.147,51 x 1,5769;
- Judge of the Supreme Court (seniority-maximum 24 years): gross annual salary indexed: 75.238,31 x 1,5769 ;
- Prosecutor at the beginning of the career (seniority-3 years): gross annual salary indexed: 41.147,51 x 1,5769;
- Prosecutor at the Supreme Court (seniority – maximum 24 years): gross annual salary indexed: 76.615,72 x 1,5769;
(1) 132-2-1 et 132-2-3: net annual salary of one judge or deputy judge at the beginning of the career (seniority – 3 years, married, with 2 children);
(2) 132-2-2: net annual salary of one judge of the *Cour de cassation* (seniority – maximum 24 years, married without children);
(3)132-2-4: net annual salary of a General Attorney at the *Cour de cassation* (seniority – maximum 24 years, married without children);
Relevant Index for the period 01/03/2012 to 31/12/2013: 1,5769.
The difference concerning the salary on the level of the Supreme Court with regard to data of 2010 has to be justified by the fact that the salary is this of one judge and not this of the President or the Prosecutor general.
Bulgaria: the differences between the current and the previous assessment cycle are due to the fact that in 2010 the basis for assessment were the data from Table 1 of SJC determining the maximum amount of the

monthly salary of judges, prosecutors and investigators, and in 2012 basis for assessment were the data from the Information for the funds for salaries from the establishment plans and the average salary by positions, which is prepared by all the bodies of the judiciary and is summarized in the SJC. This information file reflects the actually received gross salaries, which include the basic salary and additional remuneration for grade and service.

Croatia: Due to the different calculation of tax rates and changes in the amounts of tax reliefs, there is a difference between calculation of salaries in 2010 and 2012.

Cyprus: The net is calculated individually.

Czech Republic: The salary of the public prosecutors was increased to bring it closer to the salary of judges.

France: - Professional judge of first instance at the beginning of the career (*1er échelon du 2nd grade, juge non spécialisé d'un tribunal de grande instance*).

- Judge of the Supreme Court or of the last instance (*conseiller à la Cour de cassation- échelon D3/E1*).
- Prosecutor at the beginning of the career (*substitut du procureur au 1er échelon du 2nd grade*).
- Prosecutor before the Supreme Court (*avocat général à la Cour de cassation – échelon D3/E1*).

The net salary encompasses the residence compensations (1% to 3% of the amount) and functional compensations (34% to 39% of the amount). The flexible bonuses are excluded.

Ireland: The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2012.

Salary for prosecutor reflects the salary of a new entrant solicitor and the salary of a principal Prosecution Solicitor.

In line with the Government's fiscal policy the salary or remuneration of public service staff and office holders has been reduced since the 2010 statistics provided for the 2012 report. This action was part of a suite of measures which were required to be introduced in view of Ireland's financial situation. Following a constitutional amendment, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.

Italy: As far as Q.132 is concerned, please consider that the salaries of judges and PMs do not depend on the position held but rather on experience (i.e. years of service). That means that the salary of a Judge working in the lowest courts can be the same as the salary of a Judge working in the Highest Appellate Court.

Latvia: the data provided for this exercise show an increase. During the economic crisis starting from 01.07.2009 the salaries for judges were reduced for 15% and starting from 01.01.2010 the salaries were reduced for 27 %. Starting from 01.01.2011 the determination of the salaries for judges and prosecutors are included within unified remuneration system for the officials and employees of the state and local government institution, as well as diminishing the consequences of the crisis, salaries for judges increased.

Luxembourg: No indications can be given on the net salary, as it varies considerably according to the family situation of the persons concerned, whether or not they live in marital conditions, whether or not, and how many children they have, *etc*.

Malta: In Malta, a distinction is made between a Magistrate and a Judge, wherein a Magistrate, as a rule, has competence to hear all civil cases up till a value of €11,650 and criminal cases up till a period of imprisonment of 10 years whilst Judges are competent to hear all the other cases. For the purpose of this exercise, the figure mentioned able relates to the initial salary of Judge, though, in practice and as a rule, the beginning of one's career in the judicial field is as a Magistrate, whose salary is far less than that indicated above.

In terms of the Judges and Magistrates Salaries Act, the Chief Justice has a gross annual salary of €46,456, a judge has a gross annual salary of €40,221 whilst Magistrates have a gross annual salary of €34,188.

The Net Annual Salary varies according to the Income Tax Bands announced, from time to time, and therefore it is not possible to indicate the amounts, since the income may very due to some other permissible income the judge or magistrate may perceive. Nevertheless, for the purpose of this exercise, the figures provided for as net income were calculated on the salary above-indicated for a married person.

Netherlands: Public prosecutor at the beginning of his/her career:

- Gross annual salary in €, on 31 December 2010 12* 4 503
- Net annual salary in €, on 31 December 2010 12* 2 717.

Portugal: Directorate-General for the Administration of Justice.

Romania: Based on the Law regarding the unitary remuneration of personnel paid from public funds, no.284/2010, with subsequent amendments and additions.

Slovakia: The indicated sums represent the gross salary of the judge/prosecutor without the bonuses and supplements. All bonuses and supplements are stipulated by law. For example the annual supplement for the presiding judge of the appeal court panel is 796,68€. The functional supplement belongs to the president of the court depending on the number of judges of the court.

The value of net salary depends on several individual criteria, e. g. the number of children, the voluntary pension security scheme *etc*.

According to the Act on judges (No. 385/2000 Coll.) the average monthly salary of the judge is equal to the monthly salary of the deputy of the parliament. The salary of the judge at the beginning of the career is 90%

of the average monthly salary of the judge. The salary of the judge of the Supreme Court is 130% of the monthly salary of the deputy of the parliament. The judge has the right to 2 additional salaries in May and in November under the conditions stipulated in law.
The similar rules are applicable for the salaries of the prosecutors (Act on prosecutors and trainee prosecutors No.154/2001 Coll.). The average salary of the prosecutor is equal to average salary of the judge. The salary of the beginning prosecutor is 85% of the average salary. Prosecutors have also right to 2 additional monthly salaries.
Slovenia: Sources: Supreme Court, Office for finance and accounting and Supreme State Prosecutor's Office.
Spain: The net annual salary is an a average as net salary is calculated deducting income taxes from gross salary depending on the salary and on individual's family situation. The Source for this question is the Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Director of Financial Resources of Justice Administration.
Sweden: The net annual salary is not stated as the level of income tax varies depending on the income and domicile.

Table 7.6. Additional benefits for judges in 2012 (Q 133)

Croatia: State Attorneys in the RoC are entitled to the following:
- a salary as determined for the State Attorney or Deputy State Attorney in the State Attorney's Office to which s/he has been appointed;
- a compensation instead of a salary when he/she is not able to perform his/her duties;
- a pension, disability and health insurance, with all rights pertaining thereto in accordance with special regulations;
- vacations and holidays pertaining to servants and employees in the State Attorney's Office and an annual vacation of 30 working days;
- right to material expenses under the conditions determined by law and other regulations;
- separation allowance, as well as reimbursement of travel expenses to a family place of residence during weekly breaks or public holidays, when the State Attorney or Deputy State Attorney is temporarily seconded to work in another State Attorney's Office or assigned to work in the ministry competent for judicial matters, or performs the duties of Deputy Attorney General;
- the reimbursement of travel expenses to and from work, if the State Attorney or Deputy State Attorney does not reside in the place where the seat of State Attorney's Office is located;
- compensation for business travel and expenses related to the performance of state attorney duties;
- professional training and specialization within the framework of resources provided for that purpose.

Judges in the RoC are entitled to:
- a salary established for the judge of the courts to which he/she has been appointed;
- bonus to the salary when a judge has been transferred to work at some other court,
- compensation, instead of a salary, when he/she is not able to perform his/her judicial function;
- a pension, disability and health insurance, with all rights pertaining thereto in accordance with general regulations;
- vacations and holidays pertaining to court employees and an annual vacation of 30 working days;
- reimbursement of material costs, under the conditions regulated by law and other regulations;
- separation allowance, as well as reimbursement of travel expenses to a family place of residence during weekly breaks or public holidays, when the judge is temporarily seconded to work at another court or assigned to work in the Ministry of Justice, or performs the duties of judge of the highest court of a particular type or a judge of the Supreme Court of the Republic of Croatia;
- reimbursement of travel expenses to and from work if the judge does not reside in the place where the seat of the court is located;
- compensation for business travel and expenses related to the performance of judicial duties;
- professional training and specialization within the framework of resources provided for that purpose.

Latvia: According to the Law On Judicial Power judges have following additional benefits: allowance in case a judge has been injured in a serious accident, allowance in case of death of judge's family member or a dependent person, allowance in case of the birth of a child, allowance in case a judge is removed from office due to a reduction in the number of judges, life and health insurance.
Malta: Apart from the salary, members of the judiciary are given various allowances, which are taxable yet non-pensionable. These amount to €27,380 in gross annual allowance, which would be equivalent to €17,797 in net annual allowances. Apart from this, every member of the judiciary is given an executive car and a driver, as well as an allowance of 1,500 litres of fuel annually. The service of an executive car and a driver is also given to the Attorney General as well as other allowances relating to communication whilst the service of an executive car and allowances relating to communication is also given to the Deputy Attorney General.

Portugal: For judges and prosecutors “other financial benefit” can include:- Remuneration Supplement for Performing Urgent Services - Residence Subsidy - Representation Expenses -Travel Expenses - Per diem/expense allowance.
Romania: medical expenses, travel expenses (limited).
Slovakia: Judges: - each month the contribution of 1/24 of its salary for the expenses related to the performance of the function of a judge - one week extra leave for judges over 45 years of age performing the function of judge more than 10 years - extra money to equal the sum of the regular salary during maternity leave or sick leave
Prosecutors: - extra money to equal the sum of the regular salary during maternity leave or sick leave

Table 7.7. Terms of office of judges in 2012 (Q121, 122, 125)

Austria: A judge has to be temporary retired if: he/she is away sick for more than one year; he/she does not fulfil the requirements anymore; he/she becomes a member of an Independent Administrative Tribunal (“Unabhängiger Verwaltungssenat” – UVS).
A judge has to be permanently retired if he/she has a negative review of his/her work for two years straight.
A judge loses his/her job automatically if: he/she loses the Austrian citizenship; he/she gets dismissed as a disciplinary sanction; he/she is convicted to imprisonment for more than one year, to imprisonment and the not suspended sentence exceeds half a year, because of abuse of authority (in a sexual context).
The compulsory retirement takes place at the end of the calendar year, in which the judge has his/her 65th birthday.
Belgium: All the magistrates are nominated for life. Nevertheless, functions of presidency are exercised for a determined term of office. There are also some specific mandates which are temporary as for example the office of *juge d’instruction*.
The compulsory retirement takes place at the end of the month in which the judge has reached the retirement age (77 years for the members of the *Cour de cassation* and 70 years for the members of the other tribunals).
Bulgaria: The judges have no mandate. The administrative heads have mandate of 5 years. The retirement age is 65 years – art. 165, paragraph 1, p. 1 of the Law on the Judiciary.
Croatia: Judges are appointed for an undetermined period, but when they turn 70 their judicial office ceases by operation of law and the State Judiciary Council relieves a judge of his judicial duties.
Judicial duties of a judge may finish even before he is 70 years old at a court in which he is appointed by operation of law when he/she assumes office at another court or judiciary or state body or by death – the decision is adopted by the Council. The judicial duties of a judge may finish if the Council relieves him/her of his/her duty in accordance with the Constitution of the Republic of Croatia and the Law, if he personally requests so, if he becomes incapacitated for performing judicial duties, if sentenced for a criminal offence which makes him/her unworthy of the judicial office, if, in conformity with the law, so decides the State Judicial Council due to the commitment of an act of serious infringement of discipline.
Denmark: Dismissal on the cause of gross misconduct or lasting physical or mental illness is decided by the Special Court of Indictment and Revision (Danish Administration of Justice Act, § 49a, § 49).
Estonia: As of 1 July 2012, the Supreme Court en banc may, upon the consent of the Council for Administration of Courts and the judge and on the proposal of the president of the court, in exceptional cases increase the maximum age of the judge of a court of the first instance and of a court of appeal up to two years at a time. The maximum age of the judge may be increased in case of substantial public interest for proper functioning of the court.
A person may be released from the office of judge due to unsuitability for office only within three years after appointment to office if the judge has been declared unsuitable for office by a decision of the General Assembly of the Supreme Court. A judge who is convicted for a criminal offence is removed from office. The judge can be removed from office also by a decision of the Disciplinary Chamber of Judges.
Finland: First appointment is 3 years renewable. After this probation period is appointed for a period undetermined. The official age of retirement was 70 years old until March of 2013.
France: The retirement age is 67 years but there could be some exceptions: the judge could continue to exercise the office in order to complete his/her career; he could be maintained for an year; for the first President and the Prosecutor general of the Supreme Court (*Cour de cassation*) the limit is of 68 years; the age limit could be reduced for family reasons. Another category of exceptions encompasses the disciplinary sanctions; appointments for a specific period of time: temporary magistrates with 7 year term of office which is not renewable (first instance courts); extraordinary advisers and extraordinary attorneys general nominated for an 8 year term of office nonrenewable (Supreme Court of cassation); seconded staff (high civil servants) appointed for particular cases for a 5 year term of office which is renewable.
Italy: Judges are appointed to office for life (Constitution). However, a judge may be removed from office as a result of a disciplinary proceeding, initiated by the Prosecutor-general of the Court of Cassation or requested by the Minister of Justice (art. 107 of the Constitution). Against the disciplinary decision, appeal is possible before the Joint Civil Chambers of the Court of Cassation.

Another case of dismissal is on the ground of professional evaluation. If the outcome of the periodical appraisal is negative, judges must undergo another evaluation after two years, if the appraisal is still negative they are dismissed.
Finally, demotion of judges or public prosecutors can be caused by sanitary reasons if they are not physically or mentally fit to fulfil the jurisdictional functions.
The retirement age for "magistrates" (*i.e.* both judges and public prosecutors) is 70 but it can be extended up to 75 years on request.
Latvia: Judges of a district (city) court are appointed to office by the Parliament, upon the recommendation of the Minister for Justice, for 3 years (Law on Judicial Power, Section 60). After this period, the Parliament, upon the recommendation of the Minister for Justice, and on the basis of an opinion of the Judicial Qualifications Board, can confirm him or her in office, for an unlimited term of office, or re-appoint him or her to office for a period of up to 2 years. After the expiration of the repeated term of office, the Parliament, on the recommendation of the Minister for Justice, confirms in office a judge of a district (city) court for an unlimited term of office.
If the work of a Judge is unsatisfactory, the Minister for Justice, in accordance with an opinion of the Judicial Qualification Board, shall not nominate a judge as a candidate for a repeated appointment to or confirmation in office.
Judge of regional court shall be confirmed by the Parliament, upon a recommendation of the Minister for Justice, for an unlimited term of office (Law on Judicial Power, Section 61).
Lithuania: The judge shall be dismissed in the following cases: upon his resignation; when his term of office expires or when he reaches the retirement age under law; by reason of health; when the judge has been elected to another post or when he has been transferred to another job subject to his consent; when he engages in conduct discrediting the office of judge; when a judgment of his conviction becomes effective.
Luxembourg: Dismissal as a disciplinary measure is possible.
Poland: If there are no health exceptions a judge can file a motion to perform his duties up to 70 year old.
Portugal: There are exceptions. According to Statute of Judicial Magistrates (art. 85 and 95), judges can be subject to penalties such mandatory retirement or dismissal: the penalty of mandatory retirement consists of the imposition of retirement and the penalty of dismissal consists of definitively removing the magistrate from office and the termination of all ties to magistracy.
Romania: Dismissal is one of the disciplinary sanctions. With the consent of the Superior Council of Magistracy, on annual basis, a judge may also remain in office from 65 to 75 years old.
Slovakia: The President of the Slovak republic upon a motion of the Judicial council of the Slovak republic is obliged to dismiss a judge if: the judge has been convicted upon the final verdict of an intentional criminal offence; the disciplinary sanction of dismissal has been pronounced by a final verdict of a disciplinary board upon the guilty verdict of a grave disciplinary offence of a judge; the judge lost the statutory conditions to be elected to the National Council of the Slovak republic (the parliament).
The president of the Slovak republic upon a motion of the Judicial council of the Slovak republic may dismiss a judge if: his/her health conditions do not allow him/her to perform duly the duties of a judge for a time period longer than one year; he/she has reached the age of 65 years.
There is no compulsory retirement age for judges stipulated by law. The judges are appointed to their office for undetermined period. If the judge reaches the age of 65 years the Judicial Council notifies the President of the Slovak republic. The president may upon its own consideration dismiss a judge if he/she has reached the age of 65 years.
Slovenia: According to the Judicial Service Act a judge shall have his judicial function terminated pursuant to law if: he accepts an office, begins to perform activities, concludes an employment relationship or despite a prohibition performs work that is incompatible with judicial office (Article 74, paragraph 1, point 6); it proceeds from the assessment of his service that he is unsuited to judicial service (Article 74, paragraph 1, point 7); a disciplinary sanction of termination of judicial office is pronounced upon him (Article 74, paragraph 1, point 8); he is dismissed by the General Assembly for committing a criminal act with abuse of his function or for being convicted of a willful criminal offence and is given a custodial sentence of more than six months (Article 77 and 78).
Spain: Judges can be removed from one court to another in cases of resignation, loss of the Spanish nationality, incapacity, dismissal or prison sentence for an intentional crime.
Sweden: A person who has been appointed a permanent judge may be removed from office only if he or she has shown himself or herself through a criminal act or through gross or repeated neglect of his or her official duties to be manifestly unfit to hold the office or he or she has reached the applicable retirement age or is otherwise obliged by law to resign on grounds of protracted loss of working capacity.
Latvia: Judges of a district (city) court are appointed to office by the Parliament, upon the recommendation of the Minister for Justice, for 3 years (Law on Judicial Power, Section 60). After this period, the Parliament, upon the recommendation of the Minister for Justice, and on the basis of an opinion of the Judicial Qualifications Board, can confirm him or her in office, for an unlimited term of office, or re-appoint him or her to office for a period of up to 2 years. After the expiration of the repeated term of office, the Parliament, on

the recommendation of the Minister for Justice, confirms in office a judge of a district (city) court for an unlimited term of office.
If the work of a Judge is unsatisfactory, the Minister for Justice, in accordance with an opinion of the Judicial Qualification Board, shall not nominate a judge as a candidate for a repeated appointment to or confirmation in office.
Judge of regional court shall be confirmed by the Parliament, upon a recommendation of the Minister for Justice, for an unlimited term of office (Law on Judicial Power, Section 61).

Table 7.8. Distribution of the disciplinary proceedings initiated against judges in 2012 (Q144)

Austria: source: Annual reports of the public prosecutor's office at the appellate court.
The reason for the difference between the data of disciplinary proceedings/sanctions against judges and prosecutors is that there are much more judges than prosecutors in Austria.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: source: Supreme Judicial Council - Registry of the Committee on disciplinary proceedings, protocols of sessions of the SJC, summary report of the Committee on disciplinary proceedings regarding the initiated disciplinary proceedings against magistrates and the imposed sanctions for the period 01 January 2012 – 31 January 2012 , monthly reports of the Committee on disciplinary proceedings.
Other: "consistent non-observance of the deadlines, provided for in the procedural laws", action or inaction, which unduly delays the proceedings", action or inaction, which undermines the prestige of the judiciary", "non-observance of the official duties".
Croatia: source: Official data of State Prosecutor Council.
Cyprus: source: court registry.
Czech Republic: source: Ministry of Justice.
Estonia: source: Supreme Court and Office of the Prosecutor General.
Finland: source: The Ministry of Justice, the Chancellor of Justice and the Parliamentary Ombudsman.
Judges (Courts) 642: the Chancellor of Justice: 372 complaints investigated; the Parliamentary Ombudsman: 270 complaints investigated.
Prosecutors: 173: the Chancellor of Justice: 87 complaints investigated; the Parliamentary Ombudsman: 86 complaints investigated.
France: source: Ministry of Justice; Superior Council of the Judiciary (*Conseil Supérieur de la Magistrature*).
Hungary: source: National Office for the Judiciary; Office of the Prosecutor General.
Other: misdemeanour proceeding.
1+2 and 3+4 are the total number of disciplinary proceedings, that means:1+2 and 3+4 are the same proceedings.
Ireland: source: Department of Justice and Equality; Office of the Director of Public Prosecutions.
Italy: source: High Judicial Council.
Latvia: source: The Supreme Court, the Judicial Disciplinary Statistics and the General Prosecutors Office.
In section judges "other" - reprimand; in section public prosecutors "other" - not intentionally breach of law, but negligence (breach of procedural terms, accidentally has not observed criminal procedure norms or substantive legal norms).
Lithuania: source: National Courts Administration; Annual Activity Report of the Prosecutor's Office of the Republic of Lithuania.
Judicial Ethics and Discipline Commission which instituted 9 disciplinary actions (4 for breach of professional ethics and 5 for professional inadequacy).
Malta: All the proceedings which are held before the Commission for the Administration of Justice are subject to secrecy, as a result of which, no data is made available.
Poland: source: Prosecutor General Office.
Portugal: source: The High Council of the Judiciary (Conselho Superior da Magistratura), the High Council of the Prosecutors (Conselho Superior do Ministério Público) and the High Council of Administrative and Fiscal Courts (Conselho Superior dos Tribunais Administrativos e Fiscais).
Romania: source: The Judicial Inspection and Superior Council of Magistracy.
Slovakia: Judges: Professional inadequacy - undue delays in proceedings (10), failure to elaborate the judgments within the statutory time period (3), failure to decide within the statutory time period (3), other breach of the professional duties (3). Other - misdemeanor against the public order.
Slovenia: source: Disciplinary tribunal at the Supreme Court of the Republic of Slovenia and Register of disciplinary proceedings in the Office of the State Prosecutor General.
In 2012 one disciplinary proceeding was initiated against a judge because of an action or behaviour on the part of the judge that conflicts with the judge's impartiality or that damages the reputation of the judicial profession (Article 81/2 – point 14 of the Judicial Service Act). A proposal of the disciplinary prosecutor for the pronouncement of disciplinary sanction has been refused.
Spain: source: National Statistic Plan; Council General of the Judiciary and the 2013 Annual Prosecutors' Memory.

Sweden: source: National Disciplinary Offence Board's report for 2012. For more information: www.statensansvarsnamnd.se.

Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges in 2012 (Q140)

Belgium: The Public Prosecutors' Office is also enabled to initiate disciplinary proceedings.
Bulgaria: Proposal for imposing disciplinary sanction can be made by: the relevant administrative head; any superior administrative head; the Minister of Justice. Others: Inspectorate to the SJC; not less than one fifth of the members of the SJC.
Croatia: Executive power - Minister of Justice.
Czech Republic: The President of the respective court or of higher court, the Minister of Justice and the President of the Republic are enabled to initiate disciplinary proceedings. The Ombudsman can initiate such proceedings only against presidents and vice-presidents of the courts.
Denmark: The Minister of Justice has an option to ask the Director of Public Prosecutions to present a case before the Special Court of Indictment and Revision. Citizens have an option to complain against a judge which can lead to disciplinary proceedings.
Estonia: The right to commence disciplinary proceedings belongs to the Chief Justice of the Supreme Court (against all judges); the Chancellor of Justice/ ombudsman (against all judges); the chairman of an Appellate court (against judges of courts of first instance in his territorial jurisdiction); the chairman of a first instance court (against the judges of the same court) and the Supreme Court en banc (against the Chief Justice of the Supreme Court).
Finland: According to the Constitution of Finland, the Chancellor of Justice is charged with supervising that the courts of law, the authorities, civil servants, employees of public corporations and other persons in public posts obey the law in the performance of their duties and fulfil their obligations. He investigates notices and recommendations from various authorities and undertakes further measures where necessary. He also investigates matters on his own initiative or on the ground of individual complaints.
France: The Minister of Justice; the First President of the respective Appellate Court according to the concerned magistrate; since the constitutional reform of July 2008, every citizen is enabled to apply to the disciplinary instance (procedure effective since January 2011).
Greece: Minister of Justice, Transparency and Human Rights.
Hungary: In the event of any allegation of professional misconduct, disciplinary proceedings shall be initiated by: the president of the National Office for the Judiciary in the case of executives who fall within the appointment authority of the National Office for the Judiciary; the Chief Justice of the Supreme Court (Curia) in the case of Supreme Court (Curia) judges; the president of the high court of appeal in the case of judges of the high court of appeal; by the president of the county court in the case of local court judges and county court judges.
Ireland: legal basis: Article 35.4 of the Constitution which refers to judges of the Supreme Court and the high Court but applies also to judges of the Circuit Court and District Court.
Italy: Disciplinary proceeding against judges and public prosecutors can only be initiated by the Prosecutor General of the *Corte Suprema di Cassazione* (Supreme Court) or by the Minister of Justice.
Latvia: The Chief Justice of Supreme Court; the Minister of Justice; Presidents of Regional Courts; Presidents of the district (city) courts; Presidents of the Land Registry office; the Judicial Ethics Committee; the Minister of Justice.
Other: Judicial Ethics Commission.
Netherlands: President of the court (judges) or head of the organizational unit (prosecutors).
Romania: The legislation was amended during 2012 in order to grant the right to initiate the disciplinary proceedings to: the Minister of Justice, the President of the High Court of Cassation and Justice and the General Prosecutor of the High Court of Cassation and Justice.
Slovakia: Executive power - the minister of justice; other - the president of the court, the Council of judges of the court, where the judge performs its function.
Slovenia: The president of the court, where the judge performs judicial service; the president of the immediately superior court; the Judicial Council or the Minister of Justice. However, the formal proposal for disciplinary sanctioning shall be lodged and presented by the disciplinary prosecutor, in whose absence the deputy thereto shall deputise for. They shall both be judges of the Supreme Court.
Sweden: Parliamentary Ombudsmen; the Office of the Chancellor of Justice.

Table 7.10. Authorities with disciplinary power against judges in 2012 (Q142)

Austria: Disciplinary courts (Disziplinargerichte) established at the Courts of Appeal (Oberlandesgerichte) are on duty for all judges below the rank of president and vice-president of a Court of Appeal and all prosecutors below the rank of the head of the senior public prosecution office and his deputy. For the latter as well as for all judges of the Supreme Court and the public prosecutors at the Supreme Court, the Supreme Court functions as disciplinary court.

Bulgaria: the Supreme Judicial Council and the relevant administrative head.
Estonia: The Supreme Court comprises the Disciplinary Chamber which is comprised of five justices of the Supreme Court, five circuit court judges and five judges of courts of the first instance.
Finland: The Chancellor of Justice.
Hungary: Regarding the disciplinary proceedings against judges and the related compensations, as well as the disputes arising from the evaluation of their work as judges or as court executives from 1 July 2011 the First Instance Service Court has started its work at the Budapest Regional Court of Appeal Court and the Second Instance Service Court at the Curia.
Italy: In particular the Disciplinary Section of the High Judicial Council, sitting as a judicial body. Against the disciplinary decision, appeal is possible before the Joint Civil Chambers of the Court of Cassation.
Lithuania: The Judicial Ethics and Discipline Commission shall be an institution of judicial self-governance deciding the issues of instituting disciplinary actions against judges. The Judicial Court of Honour shall be the body of judicial self-governance hearing disciplinary cases of judges and petitions of judges against defamation.
Malta: Whilst the Commission for the Administration of Justice has the power to admonish a Judge or a Magistrate after being investigated, it is only Parliament, on advice of the Commission for the Administration of Justice after its own investigations, which may impeach a Judge or Magistrate.
Romania: In Romania there is only one Judicial Council for judges and prosecutors – the Superior Council of Magistracy. The decisions in disciplinary matters concerning judges are taken by the Section for judges of the Council and the decisions in disciplinary matters concerning prosecutors are taken by the Section for prosecutors of the Council.
Slovakia: other - the president of the court is entitled to hear the administrative offence of a judge which can be cited by a fine up to 800 €.
The first instance disciplinary tribunal consists of 3 members - the president of the tribunal has to be a judge, 1 member is a judge and 1 member is experienced legal professional. The appeal disciplinary tribunal consists of 5 members - the president of the tribunal and 2 members has to be judges, 2 members are experienced legal professionals.
In the case of the president and the vice-president of the Supreme Court the role of the disciplinary court performs the Constitutional court of the Slovak republic.
Slovenia: The Disciplinary Court of First Instance and the Disciplinary Court of Second Instance rule in disciplinary proceedings. Besides disciplinary proceedings which are conducted upon a special initiative, a disciplinary control of judges is also performed through an assessment of judicial service, that is conducted by the Personnel Council every three years, or before such period has elapsed at the request of the Judicial Council, the president of the court, the president of a superior court or the judge himself/herself. If the Personnel Council in the assessment of judicial service determines that a judge is not suitable for performing judicial function, his/her judicial office shall be terminated upon the approval of the Judicial Council (Article 31 and 32 of Judicial Service Act).
Sweden: The National Disciplinary Offence Board.

Table 7.11. Number of sanctions pronounced against judges in 2012 (Q145)

Austria: source: Annual reports of the public prosecutor's office at the appellate court.
"Other" does apply to conviction and the order for costs of the proceedings. 16 disciplinary (judge) cases are pending, partly because of pending penal cases, partly because of other reasons; 3 disciplinary (public prosecutors) cases are pending mainly due to pending penal cases.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: source: Supreme Judicial Council - Registry of the Committee on disciplinary proceedings, protocols of sessions of the SJC, summary report of the Committee on disciplinary proceedings regarding the initiated disciplinary proceedings against magistrates and the imposed sanctions for the period 01 January 2012 – 31 January 2012 , monthly reports of the Committee on disciplinary proceedings.
Other: disciplinary sanctions "remark" and "reprimand". The temporary suspension from office (temporary suspension of functions) is not a disciplinary sanction, and for that reason their number was not included in the total number of imposed sanctions to prosecutors.
The difference between the number of the initiated disciplinary proceedings in 2012 and the number of the imposed disciplinary sanctions is due to the fact that part of the imposed sanctions are under proceedings, initiated during preceding reporting period or are imposed by order of the administrative head.
Croatia: source: Official data of State Prosecutor Council.
For judges the category "other" encompasses suspended sentence of dismissal.
Cyprus: source: court registry.
Czech Republic: source: Ministry of Justice.
Other: as to judges: 2x discharge from disciplinary punishment; 4x acquittal of disciplinary charges; 12x discontinuance of proceedings; as to public prosecutors: 5x acquittal of disciplinary; 7x discontinuance of proceedings.

Estonia: source: Supreme Court and Office of the Prosecutor General.
In 2012, one disciplinary proceeding against judges was initiated but the sanction has not been pronounced yet.
Finland: source: The Ministry of Justice, the Chancellor of Justice, the Parliamentary Ombudsman.
Other sanctions: opinion / recommendation.
Most of the complaints do not call for any action. In most of the cases no measure is taken, because there is not incorrect procedure found to have been followed or no grounds to suspect incorrect procedure.
France: source: Ministry of Justice; Superior Council of the Judiciary (*Conseil Supérieur de la Magistrature*).
Other: other sanction with regard to prosecutors is the refusal of the honorary title («refus d'honorariat »). This sanction is applicable to retired magistrates at the moment of the disciplinary decision. The important difference between the initiated disciplinary proceedings and the number of decided sanctions is justified by the absence of any obligation for the Superior Council of Judiciary to rule in the frame of one year. In 2012, the Ministry of Justice abandoned disciplinary proceedings against one judge.
Greece: Other sanctions: Repetition of disciplinary proceedings - one (1) case; declaration of a disciplinary action as unacceptable - one (1) case.
Hungary: source: National Office for the Judiciary; Office of the Prosecutor General.
Ireland: source: Department of Justice and Equality; Office of the Director of Public Prosecutions.
Italy: High Judicial Council.
Latvia: source: Supreme Court, Judicial Disciplinary Statistics, General Prosecutors Office.
Section judges "other" - 1 formal warning; 4 terminate the disciplinary proceedings; 1 disciplinary cases pending in 2013. Section public prosecutors "other" – annotation.
Lithuania: source: National Courts Administration; Annual Activity Report of the Prosecutor's Office of the Republic of Lithuania.
Disciplinary sanctions that may be imposed on prosecutor (starting from least severe): admonition (4 sanctions pronounced in 2012); reprimand (1 sanction pronounced in 2012); qualification rank downgrade (0 in 2012); position downgrade (2 in 2012); resignation (2 in 2012).
There were 8 decisions of the Judicial Court of Honour concerned with sanctions against judges in 2012: 3 decisions – to impose a disciplinary sanction (censure); 3 decisions – to limit itself to the review of a disciplinary action; 2 decisions – to dismiss a disciplinary action.
Malta: All the proceedings which are held before the Commission for the Administration of Justice are subject to secrecy, as a result of which, no data is made available.
Netherlands: sanctions 2 – 7: these sanctions are not made available in the law (yet); sanction 8: dismissal upon request -early retirement- on a combination of a work- and private related integrity issue. In 2012 there was decision imposing a disciplinary measure.
Poland: source: Prosecutor General Office.
Portugal: source: The High Council of the Judiciary (Conselho Superior da Magistratura),the High Council of the Prosecutors (Conselho Superior do Ministério Público) and the High Council of Administrative and Fiscal Courts (Conselho Superior dos Tribunais Administrativos e Fiscais).
Other: mandatory retirement - consists of the imposition of retirement. Sanctions indicated at number 2 and 4 imply salary reduction.
Romania: source: The Judicial Inspection and Superior Council of Magistracy.
In case of breach of the Deontological Code there is no disciplinary sanction. According to the law, disciplinary proceedings could imply: warning; diminution of the monthly gross employment allowance by at most 20% for a period of one month to 6 months; disciplinary move for a period up to 1 year at a court or prosecutor's office, located in the circumscription of the same court of appeal or in the circumscription of the same prosecutor's office under this one; suspension up to 6 months; exclusion from magistracy. Decisions are appealable before the High Court of Cassation and Justice.
Slovakia: source: The Supreme Court; the General prosecution.
Only 9 cases have been decided by the Disciplinary court in the reference year. The rest proceedings are pending. Other - in 3 cases the motion has been withdrawn, in 1 case the motion has been dismissed.
Slovenia: The disciplinary sanctions are: written warning; suspension of promotion; wage reduction; transfer to another court; termination of judicial office.
Slovenia: source: Disciplinary tribunal at the Supreme Court of the Republic of Slovenia and Register of disciplinary proceedings in the Office of the State Prosecutor General.
In 2012 the following sanctions have been pronounced: 1 reprimand because of an unconscious, late, inappropriate or negligent performance of judicial service (Article 81/2 – point 3 of the Judicial Service Act). In 2012 there has been no termination of judicial office for a judge on the grounds that he/she is not suitable for performing judicial service. Two proceedings are still in progress, one for commission of an act that has the statutory definition of a criminal offence while holding judicial office and one for breach of the case roster or priority handling of cases defined by law or the court rules.
Spain: source: National Statistic Plan; the Council General of the Judiciary and the 2013 Annual Prosecutors' Memory.
Are included in box 9: disciplinary proceedings resolved without a sanction for the judge.

Sweden: source: National Disciplinary Offence Board's report for 2012. For more information: www.statensansvarsnamnd.se.
The notification of the charges made by the the National Disciplinary Offence Board led to the prosecutor's office where an investigation started. The preliminary investigation was closed and notification thus led to no action or sanctions.

Table 7.12 Procedure to challenge a judge in 2012 (Q85)

Netherlands: This is the so-called 'wracking' procedure. In 2010 there were 21 successful challenges for the 19 District courts, the 5 courts of general appeal and the CBb and CRvB (excluding the Supreme Court).

Table 7.13. Number of court presidents (professional judges) in 2012 (Q 47)

Austria: The numbers differ from the last periods because this year we can more exactly assign the different tasks to the number of full time equivalents - dealing with first and second instance court proceedings on the one hand and the administrative tasks ("on behalf of the president") on the other hand. So the number of court presidents differ also from the number of the courts itself although we have one person being appointed as a court president or head of the court we have either less (usually at the level of district courts) or more (at the level of regional courts or courts of appeal) fte fulfilling tasks.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: source: Supreme Judicial Council.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Czech Republic: source: Ministry of Justice, individual courts.
Denmark: source: The Danish Court Administration.
Estonia: source: Ministry of Justice and Supreme Court.
Finland: source: The Ministry of Justice.
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court (*Conseil* d'Etat).
Greece: source: Ministry of Justice, Transparency and Human Rights.
Hungary: source: National Office for the Judiciary.
Ireland: source: Courts Service.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Latvia: source: Court Administration, Supreme Court.
Lithuania: source: National Courts Administration.
8 courts didn't have court presidents and judges of these courts temporary served as court presidents according to the Law on Courts. Among the number of the courts presidents, these judges (acting presidents) were not included.
Luxembourg: source: Figures are given by the HR department.
Malta: source: Registrar of Courts.
Netherlands: source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary. Raad van State and Supreme Court excluded.
There are less presidents than there are courts according to the answer to question 42. This is so because this number of presidents is already (more) in line with the organisational structure after the implementation of the so-called HGK ('Herziening Gerechtelijke Kaart').
Poland: source: Department of Courts, Organisation and Court Analysis.
Portugal: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Romania: source: Superior Council of Magistracy.
The statistics are valid as of 01.01.2013 and do not include the acting presidents. The data refer only to presidents of the courts appointed following an open competition. Moreover, the statics do not cover the positions of vice president and president of court' sections.
Slovakia: source: the Ministry of justice; the Department of the Human Resources Development.
Total number of the first instance courts is 55, on the 31 December 2012 the positions of the 3 district court presidents has been vacant.
Slovenia: source: Court statistics, 2012.
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Territorial Organization and Coordination of Justice Administration. Q.47. The answer to this question indicates the total number of posts filled at 31 of December 2012, first instance court is composed by a single judge, there are no presidents of first instance courts.

Table 7.14. Number of professional judges sitting in courts on an occasional basis in 2012 (Q48, Q 49)
Q48 :
Belgium: source: Service Public Fédéral Justice.
Bulgaria : source : Supreme Judicial Council.

Croatia: source: Ministry of Justice of the Republic of Croatia.
Czech Republic: source: Ministry of Justice, individual courts.
Denmark: source: The Danish Court Administration.
Estonia: source: Ministry of Justice.
Finland: source: The Ministry of Justice.
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court *(Conseil d'Etat*).
428 « *juges de proximité* » have been in office at the date of 31 December 2012.
Greece: source: Ministry of Justice, Transparency and Human Rights.
Hungary: source: National Office for the Judiciary.
Ireland: source: Courts Service.
All judges are full time and there are no judges sitting on an occasional basis in Ireland.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Lithuania: source: National Courts Administration.
Malta: source: Registrar of Courts.
There are no part time professional judges who sit in the Courts, as all the Courts are presided over by a Judge or a Magistrate, depending on the competency. Nevertheless, there is the Small Claims Tribunal, which is presided by a lawyer, not being a judge, acting on a part-time basis and who has a security of tenure for a period of five years, and which decides all money claims up till €3,494. Furthermore, Commissioners for Justice are acting on a part-time basis, who hear and decide upon depenalised contraventions. The figures indicated as professional judges on an occasional basis reflect these two Tribunals (9 Commissioners for Justice and 10 Small Claim Tribunal adjudicators).
Netherlands: source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary. Raad van State and Supreme Court excluded.
The figure includes judges in both first and second instance courts. Figure is for 2011, no newer data is available.
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Romania: source: Superior Council of Magistracy.
Slovakia: source: the Ministry of justice; the Department of the Human Resources Development.
Slovenia: source: Court statistics, 2012.
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Financial Resources of Justice Administration.

Q49:
Belgium: Service Public Fédéral Justice.
Bulgaria: source: Supreme Judicial Council.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Czech Republic: source: Ministry of Justice, individual courts.
Denmark: source: The Danish Court Administration.
The number of non-professional judges reported counts both lay judges and expert judges. However, it is important to note that it is not possible to give a number excluding jurors. In Denmark you are nominated to serve both as a lay judge and a juror - so the same person may be a lay judge in one case and a juror in the next.
The reason for the big discrepancy to the number reported in 2010 is that the 2010 number reflected the number of times a lay judge/juror appeared in court. However, a nominated lay judge/juror can appear in more than one case. The 2012 number reflects the actual number of lay judges/jurors nominated.
Estonia: Lay judges can participate in the administration of justice in criminal cases (only matters concerning criminal offences in the first degree) in the courts of first instance. They are appointed for four years. The regulation of the Minister of Justice determines their number for each court.
Finland: source: The Ministry of Justice.
The number of lay members in District Courts has decreased to 2202.
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court (*Conseil d'Etat*).
Consular justice (*justice consulaire*): 3.199 consular judges in the Labour courts (source: annexe 7-2 of the Labour Code); 117 *assesseurs des chambres commerciales des tribunaux de grande instance* (source: annexe 7-4 of the Labour Code); 44 elected judges in the mixed Labour courts of the Overseas territories (sources : annexe 7-4 as to the DOM et 9-1 as to the COM) ; 10 elected judges in the mixed labour court of Nouméa (source : annexe 9-1 of the Labour Code).
Assesseurs des tribunaux des baux ruraux: 1608 assesseurs (data provided by the Ministry of Agriculture in 2011).
Assesseurs des tribunaux des affaires de sécurité sociale: 3500 (source: National Association of the members of TASS).
Assesseurs des tribunaux pour enfants: 1942.

Conseillers prud'hommes :14 512.
Greece: source: Ministry of Justice, Transparency and Human Rights.
Hungary: source: National Office for the Judiciary.
The court of first instance usually consists of one professional judge, but the law may specify lawsuits where the court is made up of one professional judge and two lay judges. In the proceedings, the lay judges have the same rights and obligations as the professional judge. According to constitutional rules lay judges may also participate in judicial proceedings. They are elected for four year terms.
In criminal proceedings local courts comprise one professional judge and two associate judges in circumstances where the criminal offence under consideration is punishable by a term of imprisonment of eight or more years. The county court acting as a court of first instance may conduct its procedure by means of a panel consisting of one professional judge and two lay judges.
In civil proceedings a panel consisting of a professional judge and two associate judges may sit in cases defined by law.
Ireland: source: Courts Service.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Latvia: Since 1 July 2009, lay judges do not exist anymore – they participate only in cases that have been started before 1 July 2009. In 2012 no lay judges have been participated in the court hearings.
Lithuania: source: National Courts Administration.
Luxembourg: source: Figures are given by the HR department.
Lay judges can be found only at the first instance labour courts (3 judges, 1 professional judge as president, 1 representative from the labour unions and 1 representative from the employers' union).
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
In fact NAP is the correct answer because we don't have any non-professional judges.
Romania: source: Superior Council of Magistracy.
Slovakia: source: the Ministry of justice; the Department of the Human Resources Development.
The president of each district court determines the required number of the lay judges per district (term of 4 years). The lay judges perform their function only in the criminal proceedings as a members of the panel consisting of one professional judge and two lay judges.
These panels decide in the first instance the cases specified by the Code of the criminal procedure (the misdemeanours and the crimes where the law stipulates the maximum sentence over 8 years of imprisonment). The total number of the lay judges is not available.
Slovenia: source: Court statistics, 2012.
The number given in this answer represents a pool of lay-judges, but data on actual sitting days are not available. The number is taken from the Act on setting the number of lay judges at the district courts in the Republic of Slovenia, the number being 1969, together with the number from the Act on setting the number of lay judges at the labour and social courts, the number being 1476. Together, the pool of lay judges is thus that of 3445.
Lay judges can participate in criminal and labour cases. Since the change in law in 2008 they are not involved in civil trials anymore.
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Territorial Organization and Coordination of Justice Administration.
There are 7685 so called "Peace Judges", non-professional judges, placed in each village where there are neither professional courts nor professional judges. They are competent to know of civil matters under 90 euros, are in charge of birth and death registrations in the Civil Register and to judge several misdemeanours (4 year term). Occasionally, they can receive a compensation for certain activities.
Sweden: Lay judges participate in both general courts and general administrative courts in some of the cases. Lay judges do not participate in all cases. For the time being lay judges participate in both first and second instance but not in the supreme courts.

Table 7.15. Procedures and criteria used for promoting judges in 2012 (Q 113, 114)

Q113:
Austria: Public announcement and request for a proposal of qualified judges given by a senate composed of judges.
Belgium: The nomination procedure of Article 259ter of the Judicial Code applies to judges in superior courts. The appointment procedure to the offices of president of a tribunal, vice-president, president of a Chamber is regulated by Articles 259bis quarter and 259 quinquies of the Judicial Code.
Bulgaria: Articles 188-194 of the Law on Judiciary and in the Rules for conducting competitions for junior judges and junior prosecutors, for an initial appointment and promotion to an office and removal of judges, prosecutors and investigators.
Croatia: Q. 113: After the State Judicial Council publishes an announcement on vacant judge position, it will seek from the competent judicial council an assessment of the performance of judicial duties of judges who have submitted the applications, while if the application is submitted by a candidate who is a judicial official

but not a judge (state attorneys / deputy state attorneys) they will take a knowledge exam, while in the case of application for a judge of the Supreme Court, the Council will, for the judges who filed the application, also request from the competent judicial councils the evaluation of the performance of judicial duties; for candidates who are judicial officials but not it will request the evaluation of the performance of state attorney's duties of these candidates and for candidates for the Supreme Court who are not judicial officials will request to take a knowledge exam before the Council. After that, the Council conducts interviews evaluating skills necessary for decision-making, sense of justice, appropriate and responsible performance of duties, and motivation of candidates to work in the courts, and previous work and activities relevant to the successful performance of duties as judges for which the candidates applied. The Council takes a secret voting and draws up a ranking list of candidates and make a decision on the appointment of judges.

Q. 114: President of the court where the judge holds judicial office determines by a decision for the preceding calendar year if the judge has fulfilled his/her judicial duties. Furthermore, judges are evaluated both in the process of appointment to another court and when running for president of the court,and they are assessed by the competent judicial council.

Cyprus: promotion of judges is made by the Supreme Council of Judicature based on the quality and quantity of work.

Czech Republic: The judge can be promoted to a regional or a high court if he has at least 8 years of standing and if his expertise and experience may guarantee the proper exercise of the function. The judge can be promoted to the Supreme Court if he has at least 10 years of standing and if his expertise and experience may guarantee the proper exercise of the function.

Estonia: There is not special procedure for "promoting". If a position of judge is vacant, a public competition for a vacant position of judge is announced. The judges will apply on the same basis as other candidates, except - a person who worked as a judge directly before appointment is excused from the judge's exam for position of a judge of an appellate court (circuit court).

Finland: see details developed as to the recruitment procedure.

France: The special Commission established by Article 35 of the Regulation n° 58-1270 of 22 December 1958, *commission d'avancement*, is enabled to elaborate every year a table containing the names of magistrates likely to be promoted from the second degree to the first degree. Since 1993, only magistrates of second degree could be promoted to the first degree if they have 7 year seniority (5 years of active exercise) and provided that they are on the table of promotion constituted by the Commission. The latter will analyse the merits of every magistrate.

Greece: The criteria are qualitative and quantitative performance, as well as the ethos of the judge as these are portrayed in the relevant inspection reports. The High Judicial Council of the Supreme Court decides on the promotion when there is a vacant regular position, following a query of the Ministry of Justice.

Hungary: Individual tender notices specify the detailed requirements for the position to be filled.

Applications shall be submitted to the president of the court where the position is open; the president shall interview the applicants and consult the competent members of the judiciary. The following criteria are important: the term of office of the trainee judge period, the court clerk period, the result of the evaluation process; in case of application to the position of the county court, regional court, Supreme Court the opinion of the related Chamber of the court.

When first appointed, a judge shall be assigned by the National Office for the Judiciary. Subsequent assignments shall be made by the President of the Curia (Supreme Court) when appointed to the Curia, by the president of the court of appeal when appointed to the court of appeal, and by the president of the county court when appointed to a local court, employment tribunal or county court.

Ireland: No criteria are expressly prescribed by legislation for the appointment of a judge to a more senior judicial office.

Italy: Every four years, the High Judicial Council (CSM) conducts a professional appraisal based on the professional skills of the judge. The criteria applied are: independence, impartiality, balance, professional capacity, hard-workingness, diligence and commitment.

Latvia: After nomination of the candidate for the promotion, the Judicial Qualification Board makes the assessment of the candidate by generally using the method of evaluation of performance (the number of decisions taken, the number of confirmed, quashed or amended decisions, existence of complaints) and other data (continuous training, scientific work, pedagogical work etc.). One of the criteria used for promoting judges is references about his or her work. Decision of the Judicial Council has not to be appealed.

A judge may be granted a higher qualification class if he or she has been working with the previous qualification class not less than two-thirds of the time period specified in Paragraph 98 and has completed the examination for the next qualification class.

Lithuania: The career of the judges is regulated by the Law on Courts and the regulations of the Judicial Council on Entering the Candidates in the Register of Persons Seeking Judicial Promotion, Regulations of the Selection of Candidates for Judicial Appointments, the Assessment Criteria for Candidates for Judicial Office, the Regulations of Selection of the Persons Seeking Promotion in Judicial Office and the Assessment Criteria for Persons Seeking Promotion in Judicial Office.

Relevant provisions of the Law: articles 65; 66; 67; 68; 69(1); 55(1).

Malta: The law provides that Magistrates have to have seven year experience as a lawyer while Judges have to have twelve year experience. Apart from these criteria, there exist no other conditions. Nevertheless, the Government of the day, when choosing the lawyer who is to be appointed as a Magistrate or Judge, ensures that such person enjoys the respect of the legal community, has sufficient experience to carry out the function of a Magistrate or Judge, and has the capabilities of administering a Court.
Netherlands: Assessment, interview and selection.
Poland: At least 4 years practice as District Court judge in case of promotion to Circuit Court; at lest 6 years practice as Circuit Court judge in case of promotion to Court of Appeal; perfect outcome of performance evaluation.
Portugal: The professional merit of Magistrates is the prevalent criterion regarding career development; seniority comes across as a subsidiary criterion in such a way that, in case of equal classifications, seniority shall prevail for the tiebreaker and in the case of equal seniority, is the higher classification that is decisive. The procedure is carried out by the High Council of Judiciary. At the end of the procedure the inspector makes his report on his assessment and proposes a specific classification to the High Council. Classification must consider the way the judges fulfil their duties; the amount, difficulty and management of the work assigned; his capacity to simplify the procedures; the conditions how the work is done; his technical preparation; his intellectual ability; published legal works; and civic capacity. Recent developments have introduced an open discussion by jury composed by members of the Judicial Council, or indicated by the Council, but also by a prosecutor, an academic teacher and a lawyer.
(Law 21/85 de 30/07 (Statute of Judicial Magistrates and Inspection Services Regulation)
http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=5&tabela=leis
http://www.csm.org.pt/ficheiros/legislacao/regulamento-inspeccoesjudiciais2013.pdf
Romania: The judges are being promoted following a national exam or competition organised by the Superior Council of Magistracy. In order to participate to the exam/competition there should be met criteria of seniority, evaluation of the professional activity and no disciplinary breaches.
Slovakia: Promotion to the court of higher instance: The president of the court of higher instance announces the selection procedure to a vacant place of a judge of a higher court. The selection committee consist of 5 members - 1 member nominated by the National Council of the Slovak Republic (parliament), 1 by the Judicial Council of the Slovak Republic, 2 members appointed by the minister of justice and 1 nominated by the council of judges of the court where the vacant post is to be filled. The judge applying for the promotion has to be evaluated by an evaluation commission nominated by the council of judges. The commission examine the valid decisions of a judge, the conducting of the court proceeding from the perspective of its continuity and dignity. The opinion of the appellate panels is taken into account. The important condition for promoting is an activity of a judge in participation in the seminars and study visits, the professional publication activity and lecturing. The selection procedure consists in oral interview. The committee make up the placing list of successful candidates on the base of individual voting of the members of committee. The final decision on promoting of successful candidate is made by the Judicial Council of the Slovak republic.
Slovenia: The criteria that the president and the Judicial Council consider when deciding on the appropriate candidates for election or for promotion that constitute the assessment of judicial service are the following (Article 29, Judicial Service Act): specialist knowledge (general description, post-graduate studies, etc.); working abilities (number of solved cases, structure of solved cases, respecting time schedules, etc.); ability of solving legal questions (the success rate at the court of appeal – percentage of appeals dismissed, granted, etc.); work accomplished on the field of judicial backlogs (the description of judge's activities about solving backlogs, i.e. amount of backlogs in the number of solved cases, solving cases by turns, number of settlements reached, etc.); maintaining the reputation of the judge and the court (judge's behaviour in the courtroom, communication with parties and other participants in the trial, maintaining the independence, impartiality, dignity of the court, etc.); ability of spoken and written communication (legal, logical and grammatical integrity and correctness of his/her written decisions); additional accomplished work (i.e. tutorship to trainees and younger judges, participation in educational processes inside and outside of judiciary, participation in the preparation of legislation, etc.); relationship with co-workers; leadership abilities (only for judges who hold certain leading positions – heads of departments and their deputies, presidents, etc.).
Spain: There are three categories in a judge career: "jueces", "Magistrados" (higher court judges) and "Magistrados del Tribunal Supremo" (judges of the Supreme Court).
After the recruitment, the nomination is as a "judge", to promote as a "magistrado" is by seniority. Judges can be, as well, "magistrados" after at least two years seniority and taking an examination for the specialised jurisdiction (commercial, labour and contentious administrative). Another way of access to the judicial career, to the category of " magistrado", is ruled in the Organic Act of the Judiciary 1/1985, according to which the access is reserved to legal practitioners with at least 10 years of experience. One third of the places are reserved to be covered by Secretarios Judiciales.
A third category is " Magistrates of the Supreme Court", most of the posts are filed by magistrates with at least 15 year experience, including 10 as a magistrate, and one fifth is reserved for lawyers of recognized standing with at least 15 year experience.

Sweden: Judges can normally only be promoted by applying for a position as a promoted judge, e.g. president of a district court, when such a position is vacant. Thus, the promotion is decided by the Government upon application. The Judicial Council gives a recommendation to the Government on who to be promoted.

Q114:

Croatia: President of the court where the judge holds judicial office determines by a decision for the preceding calendar year if the judge has fulfilled his/her judicial duties. Furthermore, judges are evaluated both in the process of appointment to another court and when running for president of the court, and they are assessed by the competent judicial council.

Estonia: Regular qualitative individual assessment mainly concerns newly appointed judges (up to 3 years of tenure as a judge). Assessment consists of annual reports about the newly appointed judge composed by the president of the court, information about the judge's performance is collected from the second instance court, the Bar Association and State Prosecutor's Office (twice during first 3 years) as well as from Chancellor of Justice and Ministry of Justice (once during first 3 years). All reports are gathered and analysed by judge's examination committee.

Statistical data, including information about abolished judgments of first instance judges is gathered annually by the Ministry of Justice.

France: The evaluation of magistrates takes place every 2 years. Every time when a magistrate is included on the table of promotion, he is subjected to an assessment.

Greece: A qualitative individual assessment takes place once a year.

Hungary: The evaluation of individual judges' performance is carried out based on Act CLXII of 2011 on the Legal Status and Remuneration of Judges. The evaluation includes an inspection of the material, procedural and administrative aspects of the activities of judges.

Judges shall be appointed for three years for the first time, after 3 years he will be evaluated for the first time by the division head, or by a judge appointed by him. Judges are assessed every eight years thereafter, and may be evaluated for the last time in the sixth year preceding the completion of the old-age retirement age applicable to the judge. A judge's activities shall be evaluated on an extraordinary basis if the suspicion emerges for any reason that the judge is unable to perform his judicial activities for professional reasons, or if requested by the judge himself. The MoJ regulation 7/2011 of March 2011 has introduced objective criteria.

Italy: Every four years.

Malta: The qualitative assessment applicable to date is an "informal" one, as a result of which, it was best to indicate "no" in this report.

Netherlands: The functioning of the judge is evaluated by the judge and the managing judge (head of the sector) together. There is however not a system in which the functioning of judges is evaluated related to promotion. To make promotion (to a senior judge or managing judge promotion) a formal integral selection procedure is in order.

Poland: The assessment is mandatory and takes place every 4 years.

Portugal: Every 4 years.

Slovakia: 1.The president of the court draws up every year the Annual statistical report of a judge. The report has to be published at the internet site of the Ministry of justice at least at the April 30th of next year.

2. The evaluation of a judge is performed: after five years of the judge practice; the evaluated period is a period of five years preceding the evaluation; in connection with the selection procedure; at the request of the person authorised to initiate disciplinary proceedings against judge; the evaluated period is the five years preceding the evaluation, or period of the performance of the function, if the judge performs the function not longer than five years; if the judge asks for the evaluation; after one year immediately following the evaluation of judge with conclusion "unsatisfactory".

Slovenia: The Personnel Councils of Higher courts are composed of 4 higher judges and are responsible for the assessment of judicial service of local and district judges. The Personnel Council of The Supreme Court is composed of 4 Supreme Court judges and is responsible for the assessment of judicial service of higher judges (Courts Act Article 30 and 33). The Judicial Service Act prescribes (Article 31) that the personnel council shall conduct an assessment of judicial service for judges every three years, or before such period has elapsed at the request of the Judicial Council, the president of the court, the president of a superior court or the judge himself/herself. An assessment of judicial service shall be conducted every year for judges in their first three years of judicial service.

The Personnel Council shall use the assessment of judicial service to determine whether a judge: is unsuitable for judicial service; fails to fulfil the conditions for promotion; fulfils the conditions for promotion; fulfils the conditions for accelerated promotion; fulfils the conditions for exceptional promotion to a higher judicial title.

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution in 2012 (Q168)

States	Mediation (other than judicial mediation)	Arbitration	Conciliation	Other	Type(s) of ADR
Austria	Yes	Yes	No	No	2
Belgium	Yes	Yes	Yes	No	3
Bulgaria	Yes	Yes	No	No	2
Croatia	Yes	Yes	Yes	Yes	4
Cyprus	Yes	Yes	No	No	2
Czech Republic	No	No	No	No	0
Denmark	Yes	Yes	No	Yes	3
Estonia	Yes	Yes	Yes	No	2
Finland	Yes	Yes	Yes	Yes	4
France	Yes	Yes	Yes	Yes	4
Germany	Yes	Yes	Yes	Yes	4
Greece	Yes	Yes	Yes	Yes	4
Hungary	Yes	Yes	Yes	Yes	4
Ireland	Yes	Yes	Yes	Yes	4
Italy	Yes	Yes	Yes	Yes	4
Latvia	Yes	Yes	No	Yes	3
Lithuania	Yes	Yes	Yes	No	3
Luxembourg	Yes	Yes	Yes	No	3
Malta	Yes	Yes	Yes	No	3
Netherlands	Yes	Yes	No	Yes	3
Poland	Yes	Yes	Yes	No	3
Portugal	Yes	Yes	Yes	No	3
Romania	Yes	Yes	Yes	No	3
Slovakia	Yes	Yes	Yes	No	3
Slovenia	Yes	Yes	Yes	Yes	4
Spain	Yes	Yes	Yes	No	3
Sweden	Yes	Yes	Yes	No	3
					Average:
Yes	**26**	**26**	**20**	**12**	3 types
No	**1**	**1**	**7**	**15**	of ADR

Table 8.2. Judicial mediation procedure and legal aid in 2012 (Q163, 163.1, 165)

States	Judicial system provides for mediation procedures	Mandatory before going to court	Ordered by a judge in the course of a judicial proceeding	Possible to receive legal aid for judicial mediation procedure
Austria	Yes	No	Yes	No
Belgium	Yes	No	Yes	Yes
Bulgaria	Yes	No	No	
Croatia	Yes	Yes	No	Yes
Cyprus	Yes	No	No	No
Czech Republic	Yes	No	Yes	No
Denmark	Yes	No	No	Yes
Estonia	Yes	No	Yes	Yes
Finland	Yes	No	No	Yes
France	Yes	Yes	Yes	Yes
Germany	Yes	No	No	No
Greece	Yes	No	No	Yes
Hungary	Yes	Yes	No	Yes
Ireland	Yes	No	No	Yes
Italy	Yes	Yes	No	Yes
Latvia	No	No	No	No
Lithuania	Yes	No	No	No
Luxembourg	Yes	No	No	Yes
Malta	Yes	Yes	Yes	Yes
Netherlands	Yes	NAP	NAP	Yes
Poland	Yes	No	Yes	No
Portugal	Yes	No	No	Yes
Romania	Yes	No	No	Yes
Slovakia	Yes	No	No	Yes
Slovenia	Yes	No	Yes	Yes
Spain	Yes	Yes	Yes	Yes
Sweden	Yes	No	No	Yes
Yes	**26**	**6**	**9**	**19**
No	**1**	**20**	**17**	**7**

Table 8.3. Types of cases concerned by judicial mediation in 2012 (Q 164)

States	Civil and commercial cases	Family law cases	Administrative cases	Employment dismissals	Criminal cases
Austria	Yes	Yes	No	Yes	Yes
Belgium	Yes	Yes	No	Yes	Yes
Bulgaria	Yes	Yes	Yes	Yes	No
Croatia	Yes	Yes	Yes	Yes	Yes
Cyprus	Yes	No	No	No	No
Czech Republic	Yes	Yes	Yes	Yes	Yes
Denmark	Yes	Yes	No	No	No
Estonia	Yes	Yes	Yes	Yes	Yes
Finland	Yes	Yes	No	Yes	Yes
France	Yes	Yes	Yes	Yes	Yes
Greece	Yes	Yes	No	Yes	Yes
Hungary	Yes	Yes	No	Yes	Yes
Ireland	Yes	Yes	No	No	Yes
Italy	Yes	Yes	No	Yes	No
Latvia	No	No	No	No	No
Lithuania	Yes	Yes	No	Yes	No
Luxembourg	Yes	Yes	No	Yes	Yes
Malta	Yes	Yes	No	No	No
Netherlands	Yes	Yes	Yes	Yes	No
Poland	Yes	Yes	Yes	Yes	Yes
Portugal	Yes	Yes	Yes	Yes	Yes
Romania	Yes	Yes	No	Yes	Yes
Slovakia	Yes	Yes	No	Yes	No
Slovenia	Yes	Yes	No	Yes	Yes
Spain	Yes	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	No	Yes	Yes
Yes	25	24	9	21	17
No	1	2	17	5	9

Table 8.4. Number of judicial mediation procedures and number of accredited mediators in 2012 (Q 166, 167)

State	Total number of mediation procedures	of which:					Number of accredited mediator	Average number of cases per mediator
		Civil cases	Family cases	Administrative cases	Employment dismissal cases	Criminal cases		
Column1	Colum	Colum	Colum	Colum	Colum	Colum	Colum	Colum
Austria	6 007	NAP	NAP	NAP	NAP	6 007	2 400	3
Belgium	NA	NA	NA	NA	NA	6 352	1 134	NA
Bulgaria	NA	NA	NA	NA	NA	NAP	NA	NA
Croatia	NA	564	NA	NA	NA	NA	406	NA
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	1 200	NA	NA	NA	NA	1 200	388	3
Denmark	1 147	616	346	NAP	NAP	NAP	127	9
Estonia	NA	NA	NA	NA	NA	NA	NAP	NA
Finland	NA	NA	NA	NAP	NA	NA	NAP	NA
France	NA	2 954	2 740	NA	NA	15 231	NAP	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NAP	NA	6 410	1 606	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	35	NAP
Italy	154 879	NA	NA	NAP	NA	NAP	NA	NA
Latvia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Lithuania	NA	NA	NA	NAP	NA	NAP	45	NA
Luxembourg	NA	NA	NA	NA	NA	NA	110	NA
Malta	NA	NA	1 581	NAP	NAP	NAP	69	NA
Netherlands	2 531	330	2 016	185	NA	NAP	2 949	1
Poland	9 544	5 199	1 756	25	284	2 280	NA	NA
Portugal	3 391	3 270	72	NA	NA	49	255	13
Romania	NA	NA	NA	NAP	NA	NA	4 136	NA
Slovakia	NA	NA	NA	NAP	NA	NAP	633	NA
Slovenia	4 714	3 929	NA	NAP	785	NAP	347	14
Spain	NA	NA	3 608	NA	NA	1 166	NA	NA
Sweden	NA	NA	NA	NA	NA	NA	NAP	NA

Comments - Indicator 8 – The existence and use of alternative dispute resolution methods

Tables 8.1 Types of alternative dispute resolution in 2012 (Q168)

Austria : Law on Mediation in Civil Matters (Zivilrechts-Mediations-Gesetz); § 204 Criminal Procedure Code – victim-offender-mediation (Tatausgleich); § 107 Abs. 3 Non litigious Procedure Code (Außerstreitgesetz).
Belgium : Any dispute which has arisen or may arise from a particular legal relationship and on which it is allowed to compromise may be the object of an arbitration agreement. Anyone who has the ability or authority to compromise may enter into an arbitration agreement. In Belgium, you can also reconcile the parties. There are mandatory and optional attempts.
Bulgaria: The Bulgarian Law on mediation envisaged that a subject of mediation may be civil, commercial, labour, family and administrative disputes related to consumer rights, and other disputes between natural and/or legal persons. The Civil Procedure Code also includes provisions concerning mediation. Arbitration - Civil Procedure Code - The parties to a property dispute may agree that the said dispute be settled by an arbitration court, unless the said dispute has as its subject matter any rights in rem or possession of a corporeal immovable, maintenance obligations or rights under an employment relationship. The Law on International Commercial Arbitration applies to international commercial arbitration, based on an arbitration agreement, when the place of arbitration is on the territory of the Republic of Bulgaria.
Croatia: There is a possibility of extrajudicial settlement certified by a notary public. A notary public participates only formally, by verification of the existing settlement between parties. Therefore, we believe that this verification should not be considered as „other alternative dispute resolution".
Denmark: The State Administration offers mediation in cases regarding separation, divorce and parental responsibilities at no cost for the parties concerned. A consumer may choose to bring a case before the Consumer Complaints Board or another relevant complaints body approved by the Minister of Business and Growth instead of (or before) bringing it to the courts.
Estonia: All the answers given in this chapter regard the other than judicial mediation procedure, which is called "conciliation" according to the translations of Estonian procedural laws. However, the content of Estonian "conciliation" corresponds more to the definition of "judicial mediation" given in the explanatory note.
Finland: In normal civil proceedings a judge has to promote a settlement and in practice Finnish judges are active mediators during the preparation of a civil case. In civil cases initiated by the large application for summons (regular disputed civil cases) 32 % of cases were settled during the preparation in year 2012. The Act on Court Annexed Mediation in civil cases (663/2005) entered into force on 1 January 2006. According to the Act, disputes can also be mediated at court, as an alternative to civil proceedings. The judge serves as a facilitator of the process. From the beginning of the year 2011 an experiment in a new kind of mediation procedure in child custody cases has been carried out in few District Courts. In this experiment a psychologist or a social worker assists the judge in the mediation process. There is also a mediation service in criminal cases, called Conciliation in Criminal and Civil cases, governed by the Act on Conciliation in Criminal and Certain Civil Cases (1015/2005) which entered into force on 1 January 2006. According to the act, the general management, supervision and monitoring of conciliation services fall within the jurisdiction of the Ministry of Social Affairs and Health. Each State Provincial Office is obliged to arrange conciliation services and ensure that they are available in appropriately implemented form in all parts of the province. Services referred to the act must have been arranged of 1 June 2006. Within the timescale 1 June – 31 December 2006, the number of incoming cases was 3 848. Circa 80 per cent of cases were concluded with settlement. (Before the year 2006, there was a semi-official mediation service in criminal cases in Finland. There was no nationwide model for the organisation of this conciliation but the services were offered in 255 municipalities of all 448 municipalities in Finland.) Family conciliation in Finland is most often offered by the municipal social welfare authorities and the Family Counselling Centres of the Church. There are no regular statistics kept on family conciliation, but some snapshots are available, according to a study in 1991, 27 % of couples seeking divorce had availed themselves of conciliation. Data collected in 1997 indicates that more than 90 % of matters pertaining to the status of a child are dealt with in extra judicial conciliation services. In addition to mediation services mentioned above there are also many different advisory services which can act as an alternative dispute resolution. Some Finnish examples are municipal consumer advisory service, financial advice and debtors' advice.
Greece: other: Quasi-judicial administrative applications in tax disputes
Hungary: Council for the reconciliation of interests: a permanently operating macro-level, national forum for tripartite cooperation of representatives of workers, employers and the government. Its aim is the exploration of the interests of employers, employees and the government and efforts, reaching agreements, preventing and arranging national conflicts, exchanging information, monitoring the recommendations and alternatives. Conciliation board: the aim of its proceeding is to try to arrange the matter of dispute between the customer and the business organization with a settlement. If it is inefficient: to decide the case in order to guarantee the quick, efficient and simple enforcement of customer's rights. Hungary's legal system provides for the better known types of alternative dispute resolution (ADR), so parties can try to settle disputes via arbitration

or mediation instead of going to court. In the Hungarian legal system, legal regulations at different levels - mainly Parliamentary Acts - govern alternative dispute resolution. They are set out below. 1. Arbitration procedure; Act LXXI of 1994 on Arbitration defines in which cases the arbitration procedure can be used instead of court proceedings The law may exclude the resolution of legal disputes by means of arbitration, and in certain types of civil actions arbitration cannot be used. Arbitrators must be independent and impartial; they may not be representatives of the parties. Arbitrators may not accept orders in the course of the proceedings and must maintain complete confidentiality in respect of the facts that come to their knowledge, even after the proceedings have ended. In the case of the permanent court of arbitration, the arbitrators must declare all this in writing on being elected/appointed. Unless otherwise provided by the law, the permanent court of arbitration attached to the Hungarian Chamber of Commerce and Industry (based at 1055 Budapest, Kossuth tér 6-8) acts as the permanent court of arbitration in international cases. 2. Act I of 2004 on Sport establishing the Permanent Court of Arbitration for Sport. In certain sports-related cases and if the parties so request, the Permanent Court of Arbitration for Sport endeavours to bring about agreement. The cases concerned are primarily legal disputes between sport associations and their members, disputes between sport association members regarding their sports association-related activities, and disputes between sport associations/organisations or sportspeople and sports experts. The Permanent Court of Arbitration for Sport operates under the authority of the National Sports Association. The Presidium elects its President and at least 15 members for a term of four years from among lawyers with special legal qualifications and at least five years' legal practice in the field of sports. The Presidium elects two members of the Permanent Court of Arbitration for Sports upon the recommendation of the Hungarian Olympic Committee. With the exceptions provided for by the law, the provisions of Act LXXI of 1994 on Arbitration apply to the procedure followed by the Permanent Court of Arbitration for Sports. 3. Mediation Under Act LV of 2002 on Mediation, the parties (natural persons, legal persons, business entities without legal personality, other organisations) to a civil dispute connected with their personal and pecuniary rights may, if they so agree and if the law does not limit their right of disposition, use a mediation procedure to seek resolution. They may initiate such a procedure by calling on the services of a mediator. The Act specifies the range of civil legal actions in which mediation is not possible and where its provisions cannot apply to mediation and conciliation proceedings governed by other acts or to mediation in arbitration proceedings. The Ministry of Justice publishes the register of mediators on its website: www.im.hu. 4. Mediation in healthcare
Under Act CXVI of 2000 on Mediation in Healthcare, a mediation procedure may be used to achieve the out-of-court resolution of legal disputes concerning service provision by healthcare providers to patients and to ensure fast and effective enforcement of the parties' rights. The parties must submit their mediation request to the regional chamber of judicial experts located nearest to the patient's home or to the place where the healthcare services concerned are provided. The healthcare provider must make the register of regional chambers of judicial experts public in an accessible manner. The register of healthcare mediators is kept by the Hungarian Chamber of Judicial Experts (1027 Budapest, Bem rakpart 33-34., I. 122.). 5. Mediation in matters of child protection (defined by the 2003 amendment to Decree No. 149/1997 (IX. 10.) Korm). on child welfare agencies, child protection and child welfare administration, mediation in child protection matters was introduced from 1 January 2005 in cases where the parents or other persons authorised to maintain relations cannot agree on the manner or time of contact. Mediation in child protection matters can be initiated on the basis of a joint application by the parties to a child protection mediator. The register of child protection mediators is kept by the National Institute of Family and Social Policy. The register can be inspected in the official premises of the Court of Guardians and of the child welfare services.6. Conciliatory corporate proceedings, established by the Labour Mediation and Arbitration Service established under Act XXII of 1992 on the Labour Code and serves primarily to resolve collective labour-related disputes. To enforce consumer rights, Act CLV of 1997 on Consumer Protection established conciliation bodies attached to the regional economic chambers. Mediation Procedure in criminal procedure: Hungarian law recognizes and applies mediation procedures in certain crimes against property of a lesser value. The application of this legal institution – by encouraging active remorse and repayment of the damage – means real reparation for the victims, besides giving way to the state's criminal law interests [Criminal Code and Act XIX of 1998 (Code of Criminal Procedure)].
Italy: there are other kinds of alternative dispute resolution (e.g. "Conciliazione paritetica" and "conciliazione bandacia")
Latvia: In Criminal Procedure Law is a settlement institute, and in Administrative Procedure Law is an administrative contract institute.
Slovakia: Arbitration: The Act on Arbitration proceedings (No. 244/2002 Coll.) offers the possibility to solve the disputes arisen from internal and international civil and commercial legal relations. The contractual parties should conclude written arbitration clause, pursuant to which their disputes should be decided by chosen arbitrator or by permanent arbitration court. The Ministry of Justice keeps the list of permanent arbitration courts. The parties may agree on procedural rules, otherwise the standard rules determined by the Act should apply. The decision of an arbitrator can be challenged by an action before the court on the grounds stipulated in the Act and within the period of 30 days counted from the day of service of the decision. Conciliation: Any person can file to a court a motion for the conciliation proceedings, which is a type

of pretrial settlement. The proceeding is conducted by a single judge. The purpose of the conciliation is to settle a dispute by the pretrial settlement which has to be approved by a judge.
Slovenia: According to the Act on Alternative Dispute Resolution in Judicial Matters, courts shall be obliged to provide mediation to the parties and they may also provide other forms of alternative dispute settlement. The Act determines in the Article 3: "According to this Act, an alternative dispute settlement shall be a procedure that does not entail trial and in which one or more neutral third parties co-operate in the dispute settlement as described in Article 2 of this Act using the procedures of mediation, arbitration, preliminary neutral evaluation or other similar procedures."

Table 8.2. Judicial mediation procedure and legal aid in 2012 (Q163, 163.1, 165)

Austria: Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. In criminal law cases see sec. 204, § 206, § 207, § 29a of the Probation Service Act. The family court can order mediation, if it is in the child best interest. In criminal cases there are no such mandatory provisions for mediation proceedings. Though there is no possibility to receive legal aid for mediation procedures, the Federal Ministry of Economics, Familiy and Youth grants benefit for mediation in family matters, depending on the family's income.
Belgium: Legal aid also covers the costs and fees of the mediator in the context of a judicial or voluntary mediation. However, the mediation must be conducted by a mediator certified by the Federal Mediation Commission (Law of 21 February 2005).
Croatia : According to Croatian law, mediation is mandatory in three cases: mandatory mediation must be carried out when a natural or legal person wishes to file a lawsuit against the Republic of Croatia. Labour Act governs the possibility of a voluntary and mandatory mediation on collective labour agreements. Mediation is mandatory in case of a dispute related to concluding, amending or renewing a collective agreement or other similar dispute which could result in a strike or other form of industrial action, and non-payment of salary or salary compensation, if the parties do not agree on other way of dispute settlement. The third case is stipulated in the Family Act, which lays down mandatory mediation in case when a divorce procedure is initiated either by a lawsuit or consensual application, and spouses have their own minor or adopted children or children in parental care which extends after they have reached majority. The possibility to receive legal aid according to the provisions of Free Legal Aid Act shall be allowed for procedures at courts and at public authorities when these procedures deal with the rights of beneficiaries for which, in line with the provisions of the aforementioned Act, legal aid can be granted. Secondary legal aid includes giving of legal advice, drafting of applications in court procedures, representation in court procedures and legal aid provided in peaceful settlement of disputes.
Czech Republic: Participation in mediation is voluntary for its participants. Judge/state prosecutor in criminal law cases can refer the case to the Probation and Mediation Service for providing V/O mediation - if victim and offender agree with mediation, probation officer/mediator provides it (free of charge). In civil law case judge can refer the case to accredited mediator and can order 3h meeting with mediator. The basic legal aid for mediation in criminal cases can provide the probation officer - mediator.
Denmark: Mediation procedures offered by the courts are free of charge.
Estonia: All the answers given in this chapter regarding the mediation procedure is called “conciliation” according to the translations of Estonian procedural laws. However, the content of Estonian "conciliation" corresponds more to the definition of “judicial mediation” given in the explanatory note. Mandatory mediation procedure is possible in civil proceeding. The court may order the parties to participate in the mediation proceeding if, in the opinion of the court, it is necessary in the interests of adjudication of the matter, considering the circumstances of the case and the process of the proceedings. In civil proceedings, the court can order procedural assistance (assistance by the state for covering procedural expenses) for the costs of mediation proceedings on account of the Republic of Estonia when the court orders the parties to participate in the mediation proceeding. In civil proceedings, the court can order procedural assistance (assistance by the state for covering procedural expenses) for the costs of mediation proceedings on account of the Republic of Estonia when the court orders the parties to participate in the mediation proceeding.
Finland: There are not mandatory mediation procedures in Finland. Legal aid covers court annexed mediation in full when other requirements are fulfilled. In criminal conciliation cases legal aid concerns legal advice but usually not the representation in conciliation proceedings.
France: In family matters, there are two experimental devices mandatory mediation in two first instance tribunals. These devices will eventually be extended to all courts, based on the results drawn at the end of this experiment. The first of these devices concerns the litigation of the exercise of parental authority. In these cases, the family court may decide to require the parties to meet with a family mediator before the hearing. The second device is for couples, married or not, for which a court decision on the modalities of exercise of parental authority has already been made. If the parties wish to amend that previous court decision, they must prove (otherwise their application will be inadmissible) that they have previously tried family mediation. The parties are exempted from this mandatory prior attempt to mediation if they agree on

changes to the previous court ruling, if there is a legitimate reason, or if the mandatory mediation attempt is likely to infringe their right of access to justice within a reasonable time. When mediation is ordered by a judge, the costs of this measure may be supported by the state if one party receives legal aid. Criminal cases: an aid to the intervention of a lawyer is possible within the framework of criminal mediation (Article 64-2 of the law of July 1991).

Greece: Under the provisions of Law 4055/2012

Hungary: In legal disputes between business entities with legal personality, the parties shall make an attempt before lodging the claim to settle the case out of court. This procedure is not required if the parties make out a joint statement on their disagreement. The court - if there is any possibility to make it successful, particularly if requested by either of the parties - shall inform the parties as to the essence of mediation proceedings, on the availability of such proceedings, and in that context, on the rules for the stay of proceedings. If the parties reach a settlement in the mediation proceedings, it may be submitted to the court for approval. As a result of efforts that will materialize in the future, the Act V of 2013 on the Civil Code disposes that the court, in justified cases, shall order the parents to resort to mediation proceedings in order to guarantee the adequate exercise of parental discretion and the necessary cooperation to it including the relation between the separately living parents and child. The legislator's aim is to broaden the scope of cases belonging to the mediation proceedings. The law as it stands does not make it compulsory for parties to use alternative dispute resolution mechanisms to settle disputes. However, in case of disputes between business companies, the mediation is mandatory before going to court. In the cases of court annexed mediation only judicial secretaries can work on mediation procedures, the system is closed. The rules governing the different types of proceedings set out clearly the system of payment of the costs to be borne by the parties. In certain cases the parties are free to agree on the fees and costs incurred in the proceedings, while in other cases the amounts are specified in legal regulations. In arbitration proceedings the court judgment sets the amount of costs and who is to bear them. In mediation proceedings the parties and the mediator are free to agree on the amounts of the fees and costs and who is to pay what; if the parties cannot agree on the latter, they pay them in equal proportions. In healthcare mediation proceedings the fees and costs involved are laid down by the law, but the parties are free to agree on how they are to be borne. Since the entry into force on 1 April 2004 of Act LXXXX of 2003 on legal assistance, persons eligible for legal assistance under the Act can receive information from the legal assistance provider on the possibilities of settling a legal dispute out of court, or a document is drawn up that could help resolve the dispute. The legal adviser's fee is paid or advanced by the state according to the assisted person’s income and property. In healthcare mediation proceedings the parties are free to agree on who bears the costs. Where the parties cannot agree, the law specifies who should bear the costs in particular cases. As a general rule it provides that the general costs of the proceedings are to be split equally between the parties. A separate regulation sets out the amount of general and ancillary costs of the proceedings. Recourse to mediation is voluntary, but has certain advantages in relation to the Act on Duties (az illetékekről szóló törvény) and the Code of Civil Procedure (polgári perrendtartás). If the parties participate in mediation after the first hearing and the agreement reached is ratified by the presiding judge only half of the applicable duties are payable. Even the fee payable to the mediator + VAT (HÉA) (but not more than 50.000 forints) may be deducted from this already reduced amount. The only restriction is that the final amount of duty may not be less than 30% of the original amount. The reduction does not apply if in a certain case mediation is not permitted by the law. Q163: Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).Mediation on courts: On the basis of the decision of the National Office for the Juditiary a National Mediation Pilot Program had been taken place with the contribution of the National Mediation Association from 1 of March 2009 till 28 of February 2010, in order to examine the application, and/or efficiency of mediation in the course of civil procedures. The program justified − among others −, that the intention of the parties, that is, the settlement of dispute has been increased by the mere recommendation of the mediation. In the case of judicial mediation the procedure is initiated on the basis of the mutual agreement of the parties, the mediator proceeds − distinct from the judge − under the effect of the obligations of secrecy, the judge controls the mediation procedure and controls it from that aspect, which is, namely, that the content of the mutual agreement is to be suitable for the approval of the court. It is guaranteed that during the time period of mediation, he/she does not adopt a decision on the merits of the case, and simultaneously, there is no double procedure (procedure at the court and the mediator). Such legal instruments of the judicial shepherd, referring to the judicial mediation, appear in the legislation, which encourage the parties to choose the mediation procedure in compliance with the voluntary principle. Among these, the most significant are the modifications of the Civil Procedure Code, the Act on Charges, and the Act on the Service of the Judicial Employees. The detailed rules in relation to the judicial mediation are provided by the Order 14/2002 (VIII.1.) of the Minister of Justice, the Rules on Judicial Case Management, and the Rules issued by the President of the National Office for the Judiciary. In October 2012 the judicial

mediators have been appointed at six general court, who contribute in line with the fulfillment of their tasks in mediation in a way, that the judicial procedures are to be resolved in the shortest time possible in a satisfactory way for the parties. In the cases of court annexed mediation only judicial secretaries can work on mediation procedures, the system is closed. ;Act LV of 2002 on mediation covers civil litigation, but excludes mediation in libel proceedings, administrative proceedings, guardianship proceedings, proceedings on the termination of parental responsibility, enforcement proceedings, procedures establishing paternity or ancestry, and constitutional appeals. If the parties participate in mediation before civil proceedings, then the amount of court duty payable is reduced by the mediator's fee + VAT, but by not more than HUF 50 000, provided that the court duty paid is not less than 50% of the original amount. The reduction does not apply if mediation is not permitted by law in the particular case or if the parties go to court in spite of the settlement reached through mediation (except to give effect to the settlement in the absence of voluntary compliance). Certain courts make mediation available to parties free of charge for on-going proceedings. Detailed rules and a list of courts is available on the central website of the Hungarian courts. (http://birosag.hu/engine.aspx?page=Birosag_showcontent&content=Birosagi_kozvetites)

Ireland: Family Law proceedings

Italy: In March 2011 mandatory mediation was introduced, but in 2012 it was declared unconstitutional. Since then the number of mediations has significantly decreased. However in 2013 a new piece of legislation has re-introduced mandatory mediation. Mediation is now mandatory for some specific matters in both civil and commercial procedures. Legal aid is provided for those people who declare an income below certain thresholds. These people are excluded from the payment of the mediation fee.

Latvia: Concerning the judicial mediation in the field "other than criminal", no changes have been made between 2010 and 2012. The positive answer given in 2010 to the questions 163 and 164 in respect of criminal cases, referred exclusively to the existence of the settlement institute in the Criminal proceedings law. However, it was later specified, "The settlement institute is another kind of ADR mechanisms, [and] it differs from the mediation institute (also judicial mediation) sharply, most by the procedure used in mediation or in gaining the settlement".

Regardless of fact that pure mediation institute without special legal framework, market conditions, and mediation service united quality standards, has been developed in Latvia itself, Latvia is at the beginning of its development of legislative background of mediation institute. The first step in developing mediation institute was already taken in 2009 when the concept on mediation in civil disputes resolution was adopted by the government. The concept states the implementation of 4 mediation modules gradually from pure mediation to court – annexed mediation, from court – annexed mediation to court – internal mediation, from court – internal mediation to – integrated mediation. The recognition of pure mediation institute in Latvia shows the best practice of alternative dispute resolution main idea – free choice between parties to choose the way of their dispute resolution in finding other ways in solving disputes without going to the court. In choosing the way of drafting mediation legal basis, actually it has been the choice and challenge at the same time for Latvia to choose – shall mediation be governed by the laws, regulations at all or shall it be regulated by Mediation law or indirectly regulated by other laws such as the Civil Procedure Law. At the moment Latvia is in this early stage of establishing legal basis of mediation institute. The draft law on Mediation has been elaborated by specially established experts working group forming of judges, practicing mediators and other experts. Right now the draft law on mediation has been approved by the Parliament in the first reading. The draft law states:

1. The main principles of mediation such as confidentiality, neutrality, voluntarism, equality and collaboration between the parties.

2.That mediation institute can be used in the different legal relations – not only in civil cases, but also in criminal and administrative cases.

Actually in Latvia the use of mediation is not forbidden in the mentioned fields of legal relations also right now. For example, in civil proceedings the parties can conclude a settlement. The same between the defendant and victim in criminal proceedings – a settlement can be concluded. The administrative procedure law states that the authority and the natural person can conclude an administrative contract.

3.Mediation can be used in pre–trial or in the court proceedings on the recommendation from one of the parties or the judge. It is important that judge can offer the parties to use mediation. In the mentioned situation and when the parties will resolve their dispute by using mediation, the 50 % of paid state tax to the party which has been submitted a claim will be reverted.

4.The procedure how the parties enter into a mediation agreement. Mediation agreement between the parties can be concluded orally or in writing.

5.The mediation process is being leaded by the mediator (a person chosen by the parties themselves or from the list of certified mediators). If the mediation is recommended by the judge during the court proceedings, judge also will recommend the parties to select a mediator from the list of certified mediators. Similarly, where the parties cannot agree on a mediator, the Mediation Board will help to select parties the mediator from the list of certified mediators.

6.Mediator is obliged to conduct the mediation process in accordance with the provisions of law, the fundamental principles of mediation and an agreement with the parties.

7.A positive outcome of the mediation is an agreement reached by the parties in resolving their dispute.
Lithuania: The Law amending the Law on State-Guaranteed Legal Aid shall enter into force on the 1st of January, 2014, which establishes that the lawyer, who delivers the secondary legal aid, considering the concrete circumstances of the case, shall have the possibility to initiate the resolution of the conflict by conciliation (mediation) and to propose the service to adopt the decision on conciliation. The lawyer has to deliver the consents of both conflict parties to solve their conflict using the conciliation (mediation). The rules on mediation, using the free legal aid, will come into force from the 1 July, 2014.
Malta: In cases relating to family issues, before a case is filed before the Family Court, proceedings have to take place before a mediator, whether a Court appointed mediator, or one agreed to by the parties, and no judicial proceedings may commence before the mediation proceedings are closed. In Civil cases, whilst mediation prior to the judicial proceedings is not mandatory, the Judge or Magistrate, at any given moment in time, may order the parties to go to mediation. Since persons entitled to receive legal aid may be assisted in all proceedings, they may also be assisted by a legal aid lawyer in Court related mediation proceedings but not in ADR proceedings.
Netherlands: Citizens of limited means qualify for a contribution towards the costs of mediation, referred to as a mediation legal aid permit. It is part of the Legal Aid Act. In 2012 citizens had to pay 52 euro's for four hours of Mediation, and 103 euro's for more than four hours.
Portugal: Whenever a party doesn´t have sufficient financial means (Law 47/2007, 28 August).it is possible to benefit from legal assistance by making use of legal aid.
Romania: According to the provisions of Art. 68 of Law no. 192/2006 on mediation and organization of the profession of mediator „in the criminal cases mediations must take place in order to guarantee the right of each party at legal aid and, where applicable, at the services of an interpreter. In the same way, in the case of minors, the guarantees stipulated by law for the development of the criminal trial must be also adequately ensured within the mediation procedure. GEO no. 51/2008 on public legal aid in the civil matter– Art. 20: If a person who meets the requirements in Art. 8 para. (1) or (2) is able to prove that, before the commencement of the proceedings, he has gone through the procedure of mediation of the dispute, he shall receive the amount that he paid as fee to the mediator. The same right belongs also to any person who meets the requirements in Art. 8 para. (1) or (2), if they request mediation after the commencement of the proceedings, but before the first court hearing date. If the dispute for the processing of which public legal aid is being requested belongs to the category of disputes that may be subject to mediation or other alternative dispute resolution methods, the application for public legal aid may be dismissed if it is proven that the applicant for public legal aid refused, before the commencement of the trial, to engage in such a procedure. The Romanian civil procedural legislation regulates, as alternative methods for the settlement of disputes, mediation, arbitration and conciliation. In the Romanian legislation, mediation is regulated by Law no. 192/2006 on mediation and organization of the profession of mediator. The provisions of Law no. 192/2006 also apply in the conflicts of the consumers' protection field. The natural or legal persons are entitled to settle the disputes through mediation outside as well as within the compulsory procedures for amiable settlement of the conflicts stipulated by law. In the divorce disputes and the trials and applications between professionals ratable in money and derived from the contractual relations, if the judge recommends mediation, and the parties accept it, they shall go to the mediator, for their information about the advantages of mediation (Art. 614 ind. 1 par. 2 I thesis and Art. 720 ind. 7 par. 2 I thesis I of the former Civil Procedure Code). The arbitration procedure (arbitral convention, arbitrators, establishment of the arbitral court, notification of the arbitral court, arbitral procedure, arbitral judgment and its dissolution, enforcement of the arbitral judgment, international arbitration, recognition and enforcement of foreign arbitral judgments) is governed by the provisions of Art. 340-370 ind. 3 of the former Civil Procedure Code. According to the Romanian civil procedural law, there may be the object of arbitration the patrimonial disputes, except those concerning rights upon which law does not allow to make transaction (Art. 340 of the former Civil Procedure Code). The Romanian Civil Procedure Code (Art. 720 ind. 1-720 ind. 10) stipulates the parties' duty to try the settlement of trials and applications between professionals ratable in money and derived from contractual relations by mediation or direct conciliation (Art. 720 ind. 1 par. 1 of the former Civil Procedure Code). In the matter of labour law, the collective labour conflicts may be settled by alternative means for the disputes settlement: conciliation, mediation and arbitration (Art. 166-180 of the Law of social dialogue no. 62/2011). As for the trials and applications in which the parties in the conflict are professionals, relevant are the provisions of Art. I. point 42 of Law no. 202/2010, according to which „in the trials and applications in commercial matter rateable in money, before the introduction of the application for suing at law, the plaintiff shall try to settle the dispute rather by mediation, either by direct conciliation." According to the provisions of Art. 161 of the Criminal Procedure Code, as completed by law of small reform „during the criminal trial, regarding the civil claims, the defendant, civil party and the party responsible in civil law may conclude a mediation transaction or agreement, according to law". Also, the New Civil Procedure Code (Law no. 134/2010), entered into force on the 15th of February 2013, law which has replaced the old Civil Procedure Code contains similar provisions regarding mediation procedure. Thus, the new Civil Procedure Code stipulates the obligation of the court to recommend to the parties the settlement of the conflict through mediation. According to provisions of art. 21 para. (1) of the new Civil Procedure Code „the judge shall

recommend to the parties the amiable settlement of the dispute through mediation, according to the special law". The New Criminal Procedure Code (Law 135/2010) which is to enter into force on 1 February 2014 regulates the possibility to renounce at the civil claims, of the recognition by the defendant of the civil party claims, as well as of the conclusion of a mediation transaction or agreement.
Slovakia: There is no mandatory mediation. If the person is awarded the legal aid by the means of the Legal Aid Center the legal aid covers also the possibility to solve the dispute in the mediation procedure
Slovenia: The Court may, where the circumstances of the case mandate it and on the basis of consultations with the parties, decide that the proceedings shall be suspended for a period not longer than three months, and refer the parties to mediation. The latter is provided by the court (so called Court annexed mediation) on the basis of a program – Article 4 and 19 of Act on Alternative Dispute Resolution in Judicial Matters. A special mandatory referral to mediation is regulated by the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act in the field of insolvency proceedings. According to Article 7 of the Free Legal Aid Act, free legal aid may also be granted for legal consultation, legal representation and other legal services in ADR proceedings.
Spain: Law 5/79 creates the Institute of Mediation, Arbitration and Conciliation. This institute depends on the Labour Ministry, is focused on labour procedures, the aim is to grant agreements between employers and employees as a previous and mandatory step before the case goes to court. Other jurisdictions, civil and commercial allow mediation but it is not mandatory. Legal aid covers all stages of legal proceedings, as ruled in the Act on Legal Aid.
Sweden: If a party is entitled to legal aid, the remuneration to the mediator is covered by the legal aid. In civil cases amenable to out-of-court settlements the court is obliged to work for a settlement, unless it is inappropriate in that specific case. Most often this is done through negotiations between the parties led by the judge. The judge can however also decide, if the parties agree to it, that they will try to resolve the dispute with the help of a private mediator. This is called special mediation. An important difference between special mediation and settlement negotiations in court is the cost. The parties do not need to pay for the time the judge spends on the settlement negotiations, but normally the parties have to pay for the work of the private mediator. Only if one of the parties has been granted legal aid does the state bear the cost for the mediator. A mediator can also be appointed in cases concerning children (custody of, residence and visitation). The state then bears the costs. Before a mediator is appointed the judge would normally, with the parties, lead a conversation aimed at reaching an agreement. She state and the municipalities can also arrange mediation between an offender and a victim concerning a crime that has been committed. The aim is to reduce the negative consequences of the crime. The offender and the victim do not pay anything for mediation.

Table 8.3. Types of cases concerned by judicial mediation in 2012 (Q 164)

Croatia: In civil and commercial cases, a private mediators, meaning lawyers who are accredited mediators, can be appointed as mediators, therefore the answer is YES. Where a person intends to sue the Republic of Croatia, he/she shall first, before lodging a complaint, address the state attorney's office, with a request to settle the dispute amicably. If the request is not accepted, or no decision is made on it within three months of its filing, the applicant may file a complaint with the competent court. This is a mandatory provision. These provisions apply mutatis mutandis in cases where the Republic of Croatia intends to sue a person with legal residence or habitual residence in the Republic of Croatia. Since this is an exemption from the rule, the answer is NO. In family law cases a judge can be appointed as an arbitrator. Therefore, the answer is NO, since this is not a mediation, but „ other form of alternative disputes resolution". In the administrative cases, during the court procedure, the parties may reach a settlement on the case matter. The court shall warn the parties of the possibility of reaching a settlement and help them negotiate. Therefore, according to Croatian law, a judge can participate in a court settlement (This is not a typical mediation meaning that a judge refers parties to a mediator, but a case of a court settlement where a judge facilitates, advises on, decides on or/and approves the procedure). Therefore, if this is to be considered as a „judicial mediation", then the answer is YES. Regarding the possibility of the court annexed mediation, or Public authority mediation, the answer is NO. In cases of employment dismissals court annexed mediation can be held, private mediator and public authority can be appointed as mediators, as well as public prosecutor Therefore, the answer is YES.
Czech Republic: Mediation in non-criminal matters was introduced in 2012 and that why court annexed mediation in civil cases was added in comparison with the previous exercise (Act No. 202/2012 Sb. of Mediation in non-criminal matters is effective from September 2012. Up to now there are 88 accredited mediators for civil law cases (data as of 20 December 2013)
France: Question 164, concerning the nature of family mediation, it is stated that this specific category of mediation can only be exercised by individuals holding a state diploma. Family mediation is supported by public funding of family allowance, especially when implemented directly by the parties. Furthermore, and although it is not systematic, family mediation is often held in the court premises. Mediation in civil matters may be ordered by a judge or freely chosen by the parties. The mediator activity is free and run by the

players in the profession except in family matters. In addition to mediation, strictly speaking, there is in France a particular category of mediation: conciliation. This activity is provided by justice conciliators who are officers of the public justice service, attached to the Courts, and exercising their activity voluntarily. In administrative matters, different alternative dispute resolution (mediation, conciliation, transaction) are open, subject to certain restrictions (for example, the judge cannot approve a transaction if it encounters reasons of public order or constitutes a public person liberality). The mediation and conciliation that have been modified by Order No. 2011-1540 of 16 November 2011 which allows the organization of mediation for resolving cross-border disputes in administrative matters, but excludes disputes where the public entity has implemented public powers. The Act of 13 December 2011 amended Article L. 211-4 of the Code of Administrative Justice, on reconciliation, to open this right to administrative courts of appeal, previously excluded , and to allow the court to appoint leaders to lead this mission, people outside the jurisdiction. In Criminal Matters: Alternative procedures including prosecution and criminal composition allow judicial intervention in the near of the commission of the offense and a diverse penal treatment and particularly well suited to small and medium delinquency period. In the criminal field, the law of 5 March 2007 on the prevention of delinquency, on the one hand, created two new courses as may be decided as a punishment or as a measure alternative to prosecution (awareness of the dangers of the use of narcotic drugs and parental responsibility) , on the other hand, extended composition criminal minors over thirteen years.
Greece: There is in fact a change [in the organisation of the judicial mediation] as Greece has enacted judicial mediation even in the courts of appeal.
Spain: Q 164, a few changes in organization since the previous cycle may be explained by the new Royal Decree-Law 5/2012 which provides rules for mediation in civil and commercial matters and is the explanation of the civil, commercial and family cases.

Table 8.4 Number of judicial mediation procedures and number of accredited mediators in 2012 (Q 166, 167)

Bulgaria: Number of registered mediators is 1198 up to 2013 but there is no differentiation between mediators who practice judicial mediation and others.
Denmark: Additional comments: In the district courts there were 962 mediation cases divided on civil cases and family cases. In addition – included in the total number of cases, the two high courts had 185 mediation cases, but these cases are not divided on category.
France: Statistics from the Ministry of Justice: mediations ordered by first instance courts in 2012: 2954 in civil matters including family law 2740.
Hungary: Criminal cases: 5953 by prosecutors, 457 by judges (source: Office of Public Administration and Justice). Mediation in Hungary was initially regulated only for specific kinds of mediation (consumer protection, health care). Directive 2008/52/EC was implemented in Hungary in 2009. Since then, binding rules for the professional education of mediators have to be observed. The enforceability of settlements has been facilitated by allowing for subsequent approval by the court. Cost incentives have been extended. The law as it stands does not make it compulsory for parties to use alternative dispute resolution mechanisms to settle disputes. Mediation is not free of charge; payment is subject to agreement between the mediator and the parties. Under the Mediation Act, on termination of the mediation proceedings the parties may bring their dispute to court, since agreements made in mediation proceedings are not officially enforceable. If the parties participate in mediation after the first hearing and the agreement reached is ratified by the presiding judge only half of the applicable duties are payable. If the parties participate in mediation prior to the civil proceedings only an amount of duty - reduced by the mediator's fee+ VAT, but by no more than 50.000 HUF - must be paid, which cannot be less than 50% of the original amount of duty. According to Act 2002 LV. on Mediation the Ministry of Public Administration and Justice is responsible for the registration of mediators and of legal persons employing mediators. A registered mediator can be any natural or legal person, who fulfils the requirements (concerning university degree, mediation training etc.) set up by the law. There are around 1.500 - 2.000 civil mediation cases each year. Mediation in healthcare: The healthcare provider must make the register of regional chambers of judicial experts public in an accessible manner. The register of healthcare mediators is kept by the Hungarian Chamber of Judicial Experts; Mediation in matters of child protection: The register of child protection mediators is kept by the National Institute of Family and Social Policy. http://www.kapcsolatugyeletek.egalnet.hu/object.2E8DB85C; and Conciliatory corporate proceedings.
Ireland: Court procedures facilitate the referring of pending proceedings to various types of ADR (in particular conciliation, mediation and arbitration). One developing area within ADR is collaborative law, involving lawyers for the respective parties seeking to collaborate on reaching a resolution. In this method, the collaborating lawyers do not act for their respective clients should the dispute proceed to litigation. The Arbitration Act 2010 came into effect on 8 June 2010 and it applies to all arbitrations beginning on or after that date. The Act replaces the Arbitration Acts 1954 to 1998 and adopts the United Nations Commission on International Trade Law (UNCITRAL) Model Law on International Commercial Arbitration. The UNCITRAL Model Law represents a global consensus on principles to be applied in respect of international arbitration.

Lithuania: There is no possibility to deliver precise statistical data about cases in courts, in which the mediation was applied in 2012 as the courts were asked to deliver information on the question, but the answers to questions have sent 44 courts out of 67. According to the data, presented by the courts, in 17 cases the mediation procedure has been started in 2012. It should be noted that some of the courts have actively reconciled the parties in the civil cases during the hearing: according to the data of the survey, there were signed 397 peace treaties in 2012 (not during the mediation procedure).
Malta: In Malta, mediation is mandatory in all family law related proceedings. Mediation in family cases may take place either before one of the 10 mediators employed by the Court or else, privately, by any other mediator from the list of mediators. As to proceedings in Civil law cases, these are not mandatory and no record is kept of such cases.
Netherlands: The numbers only pertain to mediations that were referred by the court in 2012. Civil cases included employment dismissals cases. It is not possible anymore to provide this number. Only the total number of civil cases is known. The number of mediations may have decreased because in January 2011 the so called 'mediation incentive contribution' of €200 stopped. Source: Council for the Judiciary; Number of mediations by NMI mediators according to NMI: 51.690. In 2012 the Legal Counter referred 2.845 cases to mediation. Binding advice in consumer cases: Consumer complaints board. In 2012, 5070 incoming cases. Binding advice in insurance cases: KIFID. In 2012: 6461 cases. Binding advice in health cases: SKGZ. In 2012: 1975 cases. Binding advice in rental cases: Huurcommissie. In 2012: 7867 incoming cases. Arbitration: Raad van Arbitrage voor de bouw. In 2012 940 incoming cases Arbitration: NAI. (Dutch Arbitration Institute) In 2012: 109 incoming cases. National ombudsperson: 15040 cases in 2012.
Portugal: Directorate General for Justice Policy, Ministry of Justice
Slovenia: The figures in 2012 show rising trends of readiness of parties to use judicial meditation and capacities of the courts to supply it. The area of judicial mediation and alternative resolution procedures in general has been the focus of legislative changes in 2009 as explained in the comment under Q 167. According to these changes courts of first and second instance had to adopt mediation procedures. Consequently, the figures of judicial mediation procedures have risen in 2012. Regarding question 167: The number of family cases is included in the number of civil cases. The situation on criminal cases is explained below. Civil and commercial matters: The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to this Act, all courts of first and second instance have to adopt ADR programmes. On the basis of these programmes, mediation is offered in disputes arising from commercial, labour, family and other civil relationships, with regard to claims that are at parties' disposal and that parties can agree upon. Courts may also introduce other forms of ADR. The Act refers to local, district and labour courts, as well as to high courts and the Higher labour and social disputes court. The courts of first instance had to adopt programmes before June 15th 2010; the courts of second instance will adopt them before June 15th 2012. The court may adopt and implement the programme as an activity organised directly in court (court-annexed programme) or on the basis of a contract with a suitable provider of ADR (court-connected programme). Courts can also cooperate when implementing the programme. Mediators in these programmes have to fulfil conditions, determined by the Act. The courts' budget shall provide the funds for the programmes that are offered by courts. Mediation in disputes in relations between parents and children and in labour disputes due to termination of an employment contract is free of costs for parties. In other disputes, the first three hours of mediation are free of costs for parties. The only exception is mediation in commercial disputes; parties pay the costs of such mediation. Parties may be referred to mediation in two different ways: on the basis of parties' agreement or on the basis of the information session (in this case they may oppose to referral and in such case, mediation does not start). In case mediation starts, the court proceedings are suspended for 3 months. The Act expressly refers to cases in which the state is a party. In all judicial disputes where this Act is applied and where the Republic of Slovenia is a party, the State Attorney shall give consent for mediation when such a decision is appropriate, given the circumstances of the case. If the State Attorney deems mediation to be unsuitable, he shall submit an explanation and a proposal to the Government of the Republic of Slovenia and ask for a decision. Criminal matters: The possibility of a settlement proceeding has been introduced in 1998, with the changes of Criminal Procedure Act. The proceeding is not called "mediation" but "settlement in criminal matters". It may be introduced before filing a request for investigation or before filing a charge sheet without the investigation; it may be applied in case of minor criminal offences. The aim of such proceedings is to reach a settlement, which contains a certain moral or material satisfaction for the victim. It is up to the public prosecutor to transfer the case into the settlement proceedings. In doing so, the public prosecutor shall take account of the type and nature of the offence, the circumstances in which it was committed, the personality of the perpetrator and his prior convictions for the same type of / or for other criminal offences, as well as his degree of criminal liability. The settlement proceedings shall be run by the settlement agent. The settlement proceedings may only be implemented with the consent of the suspect and the victim. The suspect and the victim bear the costs of the proceedings. The control over these proceedings is exercised by a board, established by the Supreme Public Prosecutor's Office. The above mentioned statistical data refers (only) to mediation in civil and commercial matters under the Act on Alternative Dispute Resolution in Judicial Matters. It does not refer to settlement proceedings in criminal matters.

Spain: The data provided is based on cases diverted by courts to mediation; however data is not available regarding cases diverted to mediation previous to court. Regarding labour cases, 12 725 cases have been diverted to mediation, 3 464 granted an agreement, but there is no data available on employment dismissals cases. About criminal cases, 1 166 cases were diverted to mediation in the instruction phase (Juzgado de Instruccion) and 169,53 cases were diverted to mediation in the Criminal Court (Juzgado de lo Penal).

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non-judge staff per 100,000 inhabitants in 2012 (Q1, Q46, Q52, Q146, Q170)

States	Judges per	Lawyers pe	Enforcemer	Non-judge	Rechtspflege
Austria	18	93	4	55	9
Belgium	14	155	5	49	
Bulgaria	31	165	5	83	
Croatia	45	103	2	163	14
Cyprus	12	295	13	49	
Czech Republic	29	104	4	87	19
Denmark	6	107			4
Estonia	18	66	4	74	5
Finland	18	36	13	41	
France	11	86	5	33	
Germany	25	201	7	67	11
Greece	23	381	19	48	
Hungary	28	131		82	8
Ireland	3	241	1	21	1
Italy	11	379	5	40	
Latvia	21	66	5	79	
Lithuania	26	60	4	87	0
Luxembourg	40	385	4	68	
Malta	9	332	5	85	
Netherlands	14	101	6	37	
Poland	26	114	3	106	5
Portugal	19	270	10	58	
Romania	20	98	4	44	
Slovakia	24	104	6	83	19
Slovenia	47	69	2	162	17
Spain	11	285	8		8
Sweden	12	55	22		
Average	21	166	7	71	9
Median	19	107	5	67	8
Maximum	47	385	22	163	19
Minimum	3	36	1	21	0

Cyprus : the data provided include two categories: lawyers and legal advisors

Table 9.1. bis Number of judges per 100,000 inhabitants in 2010 (Q1, Q46)	
States	Number of judges per 100,000 inhabitants
Austria	18
Belgium	15
Bulgaria	30
Croatia	43
Cyprus	13
Czech Republic	29
Denmark	9
Estonia	17
Finland	18
France	11
Germany	24
Greece	29
Hungary	29
Ireland	3
Italy	11
Latvia	21
Lithuania	24
Luxembourg	37
Malta	9
Netherlands	15
Poland	28
Portugal	18
Romania	19
Slovakia	25
Slovenia	50
Spain	10
Sweden	11

Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)

States	Professional judges sitting in courts in 2010	Professional judges sitting in courts in 2012	Relative change in number of judges between 2012 and 2010
Austria	1 491	1 547	4%
Belgium	1 607	1 598	-1%
Bulgaria	2 212	2 239	1%
Croatia	1 887	1 932	2%
Cyprus	104	103	-1%
Czech Republic	3 063	3 055	0%
Denmark	501	348	-31%
Estonia	224	228	2%
Finland	967	981	1%
France	6 945	7 021	1%
Germany	19 832	19 832	0%
Greece	3 313	2 574	-22%
Hungary	2 891	2 767	-4%
Ireland	147	144	-2%
Italy	6 654	6 347	-5%
Latvia	472	439	-7%
Lithuania	767	768	0%
Luxembourg	188	212	13%
Malta	39	40	3%
Netherlands	2 530	2 410	-5%
Poland	10 625	10 114	-5%
Portugal	1 956	2 009	3%
Romania	4 081	4 310	6%
Slovakia	1 351	1 307	-3%
Slovenia	1 024	970	-5%
Spain	4 689	5 155	10%
Sweden	1 081	1 123	4%

Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges in 2012 (Q1, 46, 146, 147, 148)

States	Total number of practicing lawyers (without legal advisors)	Number of legal advisors	Number of lawyers and legal advisors	Number of practicing lawyers (without legal advisors) per 100 000 inhabitants	Number of lawyers and legal advisors per 100 000 inhabitants	Number of practicing lawyers (without legal advisors) per professional judge	Number of lawyers and legal advisors per professional judge
Austria	7 861	NAP		93		5,1	
Belgium	17 336	NAP		155		10,8	
Bulgaria	12 010	NAP		165		5,4	
Croatia	4 392	NAP		103		2,3	
Cyprus	NA	NA	2 558		295		24,8
Czech Republic	10 944	NAP		104		3,6	
Denmark	6 021	NA		107		17,3	
Estonia	846	NA		66		3,7	
Finland	1 935	NAP		36		2,0	
France	56 176	NAP		86		8,0	
Germany	160 880	NA		201		8,1	
Greece	42 113	NA		381		16,4	
Hungary	13 000	NAP		131		4,7	
Ireland	11 055	NA		241		76,8	
Italy	226 202	NAP		379		35,6	
Latvia	1 343	NAP		66		3,1	
Lithuania	1 796	NA		60		2,3	
Luxembourg	2 020	NA		385		9,5	
Malta	1 400	NAP		332		35,0	
Netherlands	17 000	NA		101		7,1	
Poland	44 082	NAP		114		4,4	
Portugal	28 341	NAP		270		14,1	
Romania	20 919	NA		98		4,9	
Slovakia	5 636	NAP		104		4,3	
Slovenia	1 417	NA		69		1,5	
Spain	131 337	58 260	189 597	285	412	25,5	36,8
Sweden	5 246	NA		55		4,7	
Average				161	354	12	31
Median				106	354	5	31
Maximum				385	412	77	37
Minimum				36	295	1	25

The data concerning median of lawyers per 100 000 inhabitants differs from the data contains in table 9.1. In this table, Cyprus was not taken into account for the evaluation.

Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)

States	Total number of practising lawyers in 2010	Total number of practising lawyers in 2012	Relative change in number of lawyers between 2012 and 2010
Austria	7 510	7 861	5%
Belgium	16 517	17 336	5%
Bulgaria	11 825	12 010	2%
Croatia	4 133	4 392	6%
Cyprus	2 400	2 558	7%
Czech Republic	10 158	10 944	8%
Denmark	5 814	6 021	4%
Estonia	788	846	7%
Finland	1 893	1 935	2%
France	51 758	56 176	9%
Germany	155 679	160 880	3%
Greece	41 794	42 113	1%
Hungary	12 099	13 000	7%
Ireland	10 933	11 055	1%
Italy	211 962	226 202	7%
Latvia	1 360	1 343	-1%
Lithuania	1 660	1 796	8%
Luxembourg	1 903	2 020	6%
Malta	1 600	1 400	-13%
Netherlands	16 728	17 000	2%
Poland	29 469	44 082	50%
Portugal	27 591	28 341	3%
Romania	20 620	20 919	1%
Slovakia	4 546	5 636	24%
Slovenia	1 294	1 417	10%
Spain	125 208	131 337	5%
Sweden	5 000	5 246	5%

* The total number of practising lawyers does not include the "legal advisors" except for Cyprus

Table 9.5. Monopoly of legal representation in 2012 (Q 149)

States	Monopoly of representation by lawyers in legal proceedings			
	Civil cases	Criminal cases		Administrative cases
		Defendant	Victim	
Austria	No	No	No	No
Belgium	Yes	Yes	Yes	Yes
Bulgaria	No	No	No	No
Croatia	No	Yes	Yes	No
Cyprus	Yes	Yes	Yes	Yes
Czech Republic	No	Yes	No	No
Denmark	Yes	Yes	Yes	No
Estonia	No	No	No	No
Finland	No	No	No	No
France	Yes	Yes	Yes	Yes
Greece	Yes	Yes	Yes	Yes
Hungary	No	Yes	No	No
Ireland	No	No	No	No
Italy	Yes	Yes	Yes	Yes
Latvia	No	Yes	No	No
Lithuania	No	Yes	No	No
Luxembourg	Yes	Yes	Yes	Yes
Malta	Yes	Yes	Yes	Yes
Netherlands	Yes	Yes	No	No
Poland	No	Yes	No	No
Portugal	No	Yes	Yes	No
Romania	No	No	No	No
Slovakia	No	Yes	No	Yes
Slovenia	Yes	Yes	No	No
Spain	No	No	No	No
Sweden	No	No	No	No
Yes	10	18	10	8
No	16	8	16	18

Table 9.6. Lawyers' fees in 2012 (Q 154, 155, 156)

country	Transparency and easy access to prior information on the foreseeable amount of lawyer's fees	The lawyers' fees are freely negotiated	Rules on lawyer's fees provided by law	Rules on lawyer's fees provided by Bar associations' standards
Austria	Yes	Yes	Yes	No
Belgium	Yes	Yes	Yes	No
Bulgaria	Yes	Yes	No	Yes
Croatia	Yes	Yes	Yes	Yes
Cyprus	Yes	No	No	Yes
Czech Republic	Yes	Yes	Yes	No
Denmark	Yes	Yes	Yes	No
Estonia	Yes	Yes	No	No
Finland	Yes	Yes	No	Yes
France	Yes	Yes	Yes	Yes
Greece	Yes	Yes	Yes	No
Hungary	Yes	Yes	Yes	No
Ireland	Yes	Yes	Yes	No
Italy	Yes	Yes	Yes	No
Latvia	Yes	Yes	Yes	No
Lithuania	No	Yes	Yes	No
Luxembourg	Yes	Yes	Yes	Yes
Malta	Yes	Yes	Yes	Yes
Netherlands	Yes	Yes	No	Yes
Poland	No	Yes	Yes	No
Portugal	Yes	Yes	Yes	Yes
Romania	No	Yes	No	No
Slovakia	Yes	Yes	Yes	No
Slovenia	Yes	No	Yes	No
Spain	No	Yes	No	No
Sweden	No	Yes	No	Yes

Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2010 and 2012 (Q 170)

States	Number of enforcement agents in 2010	Number of enforcement agents in 2012	Change in absolute values between 2012 and 2010
Austria	358	340	-5%
Belgium	530	553	4%
Bulgaria	379	374	-1%
Croatia	71	106	49%
Cyprus	169	116	-31%
Czech Republic	484	398	-18%
Denmark	NA	NA	
Estonia	48	49	2%
Finland	736	719	-2%
France	3 237	3 209	-1%
Greece	2 110	2 110	0%
Hungary	183	198*	8%
Ireland	40	35	-13%
Italy	3 365	3 177	-6%
Latvia	116	102	-12%
Lithuania	118	117	-1%
Luxembourg	19	19	0%
Malta	20	21	5%
Netherlands	949	950	0%
Poland	845	1 066	26%
Portugal	706	1 097	55%
Romania	504	876	74%
Slovakia	305	345	13%
Slovenia	46	45	-2%
Spain	4 456	3 559	-20%
Sweden	2 098	2 127	1%

* Hungary: 198 included 9 permanent substitutes

Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities responsible in each state or entity in 2012 (Q 178)

States	Professional body	Judge	Ministry of Justice	Public Prosecutor	Other
Austria	Yes	No	No	No	No
Belgium	Yes	Yes	No	Yes	No
Bulgaria	Yes	Yes	Yes	No	No
Croatia	No	Yes	No	No	No
Cyprus	No	No	No	No	Yes
Czech Republic	Yes	Yes	Yes	No	No
Denmark	No	No	No	No	Yes
Estonia	Yes	No	Yes	No	No
Finland	No	No	No	No	Yes
France	Yes	Yes	Yes	Yes	No
Greece	No	Yes	Yes	Yes	No
Hungary	Yes	Yes	Yes	No	No
Ireland	No	Yes	No	No	No
Italy	No	No	Yes	No	No
Latvia	Yes	Yes	Yes	No	No
Lithuania	Yes	Yes	Yes	No	No
Luxembourg	Yes	Yes	No	Yes	No
Malta	No	No	No	No	Yes
Netherlands	Yes	No	Yes	No	Yes
Poland	Yes	Yes	Yes	No	No
Portugal	No	No	Yes	No	Yes
Romania	Yes	Yes	Yes	No	No
Slovakia	No	No	Yes	No	No
Slovenia	Yes	No	Yes	No	Yes
Spain	No	No	Yes	No	No
Sweden	No	No	No	No	Yes
Yes	14	13	16	4	8
No	12	13	10	22	18

Table 9.9. Number of disciplinary proceedings initiated against enforcement agents in 2012 (Q187)

States	Total number	For breach of professional ethics	For professional inadequancy	For criminal offence	Other
Austria	0	0	0	0	0
Belgium	64	NA	NA	0	0
Bulgaria	19	NA	NA	NA	19
Croatia	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA
Czech Republic	33	3	30	NAP	NAP
Denmark	NAP	NAP	NAP	NAP	NAP
Estonia	3	2	1	0	0
Finland	251	NAP	NAP	NAP	251
France	NA	NA	NA	NA	NA
Greece	20	0	15	5	0
Hungary	12	NAP	10	2	NAP
Ireland	NA	NA	NA	NA	NA
Italy	33	11	0	22	0
Latvia	4	NA	4	NA	NA
Lithuania	11	1	10	0	0
Luxembourg	1	1	NA	NA	NA
Malta	NA	NA	NA	NA	NA
Netherlands	1 049	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA
Portugal	255	NA	NA	22	35
Romania	3	1	1	1	0
Slovakia	41	0	41	NAP	0
Slovenia	17	2	15	0	0
Spain	13	10	3	NA	NA
Sweden	5	4	0	1	0

Table 9.10. Number of sanction pronounced against enforcement agents in 2012 (Q 188)

States	Total number	Reprimand	Suspension	Dismissal	Fine	Other
Austria	1	0	0	0	0	1
Belgium	1	1	0	0	0	NAP
Bulgaria	14	NA	2	NA	8	4
Croatia	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	25	4	0	0	12	9
Denmark	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	2	1	0	0	1	0
Finland	33	1	0	0	0	32
France	NA	NA	NA	NA	NA	NA
Greece	20	0	0	5	15	0
Hungary	12	3	3	1	5	0
Ireland	NA	NA	NA	NA	NA	NA
Italy	37	13	16	3	5	0
Latvia	4	2	NA	NA	NA	2
Lithuania	7	3	0	0	0	4
Luxembourg	1	0	1	0	0	0
Malta	NA	NA	NA	NA	NA	NA
Netherlands	30	28	0	2	0	0
Poland	NA	NA	NA	NA	NA	NA
Portugal	18	3	2	6	3	4
Romania	3	0	1	2	0	0
Slovakia	25	10	0	3	12	0
Slovenia	16	12	0	0	4	0
Spain	10	2	7	NA	NA	1
Sweden	5	4	0	0	0	1

Table 9.11. Enforcement fees in 2012 (Q 174, 175, 178)

country	Transparency and easy access to enforcement fees for the court users	Enforcement fees are freely negotiated	A professionnal body is responsible for supervising and monitoring enforcement agents	The judge is responsible for supervising and monitoring enforcement agents	The Ministry of Justice is responsible for supervising and monitoring enforcement agents	The public Prosecutor is responsible for supervising and monitoring enforcement agents	Another authority is responsible for supervising and monitoring enforcement agents
Austria	Yes	No	Yes	No	No	No	No
Belgium	Yes	No	Yes	Yes	No	Yes	No
Bulgaria	Yes	No	Yes	Yes	Yes	No	No
Croatia	Yes	No	No	Yes	No	No	No
Cyprus	Yes	No	No	No	No	No	Yes
Czech Republic	Yes	No	Yes	Yes	Yes	No	No
Denmark	Yes	No	No	No	No	No	Yes
Estonia	Yes	No	Yes	No	Yes	No	No
Finland	Yes	No	No	No	No	No	Yes
France	Yes	No	Yes	Yes	Yes	Yes	No
Greece	Yes	No	No	Yes	Yes	Yes	No
Hungary	Yes	No	Yes	Yes	Yes	No	No
Ireland	Yes	No	No	Yes	No	No	No
Italy	Yes	No	No	No	Yes	No	No
Latvia	Yes	No	Yes	Yes	Yes	No	No
Lithuania	Yes	No	Yes	Yes	Yes	No	No
Luxembourg	Yes	No	Yes	Yes	No	Yes	No
Malta	Yes	No	No	No	No	No	Yes
Netherlands	Yes	No	Yes	No	Yes	No	Yes
Poland	Yes	No	Yes	Yes	Yes	No	No
Portugal	Yes	No	No	No	Yes	No	Yes
Romania	Yes	No	Yes	Yes	Yes	No	No
Slovakia	Yes	No	No	No	Yes	No	No
Slovenia	Yes	No	Yes	No	Yes	No	Yes
Spain	Yes	No	No	No	Yes	No	No
Sweden	Yes	No	No	No	No	No	Yes

Table 9.11 bis Authorities possibly responsible for establishing quality standards for enforcement agents in 2012 (Q 180)

Country	Authorities possibly responsible for establishing quality standards for enforcement agents (Q 180)
Austria	A professional body
Belgium	A professional body; Other
Bulgaria	A professional body
Croatia	The Ministry of Justice; Other
Cyprus	
Czech Republic	A professional body
Denmark	
Estonia	A professional body; Other
Finland	Other
France	
Greece	
Hungary	A professional body
Ireland	Other
Italy	
Latvia	Other
Lithuania	A professional body; Other
Luxembourg	A professional body
Malta	
Netherlands	A professional body
Poland	A professional body; Other
Portugal	Other
Romania	A professional body; The Ministry of Justice; Other
Slovakia	
Slovenia	The Ministry of Justice; Other
Spain	The Ministry of Justice
Sweden	Other

Table 9.11 ter Main complaints made by users concerning the enforcement procedure in 2012 (Q 183)

Country	by users concerning the enforc
Belgium	Lack of information; Excessive length; Excessive cost
Bulgaria	Excessive length; Unlawful practises; Excessive cost
Croatia	Excessive length; Excessive cost
Cyprus	No execution at all; Excessive length; Unlawful practises; Excessive cost
Czech Republic	Excessive length; Unlawful practises; Excessive cost
Denmark	Excessive length
Estonia	Lack of information; Excessive length; Unlawful practises
Finland	Excessive length; Unlawful practises; Excessive cost
France	NA
Greece	Non execution of court decisions against public authorities; Excessive length; Excessive cost
Hungary	No execution at all; Lack of information; Excessive length
Ireland	No execution at all; Excessive length
Italy	Excessive length
Latvia	Excessive length; Unlawful practises
Lithuania	Lack of information; Unlawful practises; Excessive cost
Luxembourg	Other
Malta	No execution at all; Lack of information; Excessive length; Insufficient supervision; Excessive cost
Netherlands	
Poland	No execution at all; Excessive length; Excessive cost
Portugal	No execution at all; Lack of information; Other
Romania	Excessive length; Unlawful practises
Slovakia	Lack of information; Excessive length; Excessive cost
Slovenia	Excessive length; Unlawful practises; Excessive cost
Spain	Excessive length; Other
Sweden	Lack of information; Other

Table 9.12 Non-judge staff who are working in courts, in 2010 (Q52)

States	Total number of non-judge staff who are working in courts	Rechtspfleger s	Non-judge staff assisting the judges	Staff in charge of administrative tasks	Technical staf	Other non-judge staff
Austria	**4 642**	757	26	3 816	43	0
Belgium	**5 632**		1 768	2 921	943	
Bulgaria	**5 866**		1 679	1 884	2 183	120
Croatia	**6 944**	600	5 209	355	780	
Cyprus	**463**		141	141	133	48
Czech Republic	**9 498**	2 105	4 564	1 952	833	44
Denmark		275				
Estonia	**976**	67	468	339	91	11
Finland	**2 285**					
France	**21 105**		18 189	1 500	927	489
Germany	**53 649**	8 460	29 143	7 477	1 280	7 285
Greece	**6 760**					
Hungary	**7 713**	590	3 413		3 710	
Ireland	**1 028**	29	891	108		
Italy	**24 661**		9 699	107	702	14 153
Latvia	**1 601**		1 082	354	160	5
Lithuania	**2 656**		1 211	704	426	315
Luxembourg	**303**		150	108	5	40
Malta	**374**		274	100		
Netherlands	**6 674**					
Poland	**35 946**	1 865	20 283	7 058	3 536	3 204
Portugal	**6 631**		6 010	339	273	9
Romania	**8 481**		5 325	1 427	1 729	
Slovakia	**4 468**	813	2 086	1 569		
Slovenia	**3 274**	436				
Spain		4 456				
Sweden			2 800	1 179		
Average	**9 235**	1 704	5 448	1 672	1 044	1 979
Median	**5 749**	679	2 086	942	780	48
Maximum	**53 649**	8 460	29 143	7 477	3 710	14 153
Minimum	**303**	29	26	100	5	0

Table 9.13 Non-judge staff who are working in courts, in 2012 (Q52)

States	Total number of non-judge staff who are working in courts	Rechtspfleger s	Non-judge staff assisting the judges	Staff in charge of administrative tasks	Technical sta	Other non-judge staff
Austria	**4 631**	760	20	3 818	33	
Belgium	**5 458**		1 708	2 766	984	
Bulgaria	**6 014**		4 479	1 480		55
Croatia	**6 932**	590	5 089	395	753	
Cyprus	**424**		133	124	129	38
Czech Republic	**9 135**	1 950	4 463	2 038	636	48
Denmark		221				
Estonia	**957**	63	220	489	138	47
Finland	**2 214**					
France	**21 758**		17 663	1 352	964	1 779
Germany	**53 649**	8 461	29 144	7 478	1 281	7 286
Greece	**5 327**					
Hungary	**8 142**	767	2 406			4 969
Ireland	**945**	31	787	125	2	-
Italy	**24 163**		8 843	132	676	14 512
Latvia	**1 608**		1 090	351	160	7
Lithuania	**2 619**	-	1 348	776	425	70
Luxembourg	**355**		191	117	7	40
Malta	**360**		213	111	8	28
Netherlands	**6 252**		4 847			1 405
Poland	**40 844**	1 810	23 110	7 239	3 487	5 198
Portugal	**6 110**		5 601	256	251	2
Romania	**9 283**		5 489	1 486	1 762	546
Slovakia	**4 482**	1 046	2 079	1 357		
Slovenia	**3 330**	346	481			
Spain		3 559				
Sweden			3 500	1 054	119	500

Table 9.13 bis. Rechtspfleger (or similar bodies): status and duties in 2012 (Q 53)

country	Rechtspfleger (or similar bodies) : status and duties
Austria	'Rechtspfleger' are judicial officers with a special training and special qualifications, who are assigned the handling of certain first-instance transactions under civil law. They are bound to the instructions of the judge responsible for the case according to the distribution of court business, who may also reserve the handling of the legal case to themselves at any time and at any stage. 'Rechtspfleger' may only issue court orders. The judges themselves may grant appeals against these orders, but there is also the legal remedy of requiring submission of the case to a judge. The scope of competences of 'Rechtspfleger' comprises, inter alia, default actions, confirming the legal effect and enforceability of rulings by judges in their field of work, decisions on applications for legal aid in court-clerk proceedings and performing official acts on the basis of a request for judicial assistance by a domestic court or a domestic authority. 'Rechtspfleger' have a particularly comprehensive workload in forced-collection proceedings and in personal bankruptcy cases. In addition, they maintain the land register and the trade register. Other areas of responsibility are probate and custody proceedings (non-litigious matters). Only court officers are admitted to the training as 'Rechtspfleger'. They must have passed the secondary-school leaving examination (Matura), or the career examination for civil servants. They must also have worked in a court office for two years and passed the court-office examination and the special-service examination. The training lasts three years.
Belgium	
Bulgaria	NAP
Croatia	Authorised land registry officers. Such officers are authorised to independently decide in land registry cases.
Cyprus	NAP
Czech Republic	Senior Judicial Officer (Law No. 189/1994 Coll., as amended). The Senior Judicial Officer is appropriate for simple matters where no court hearing and decision is needed, both in civil and criminal proceedings. The SJO can be also responsible for the record.
Denmark	The position of 'Rechtspfleger as described above appears similar to the position of deputy judge at the Danish courts.
Estonia	Rechtspfleger in Estonia are called assistant judges. An assistant judge is a court official who performs the duties specified by law. Upon performance of his or her duties, an assistant judge is independent but complies with the instructions of a judge to the extent prescribed by law. Assistant judges are competent to make entries in a register and enter rulings concerning the maintenance of a register therein, including rulings which impose a fine. These registers involve land register, marital property register, succession register, commercial register, non-profit associations and foundations register, commercial pledge register and ship register. Assistant judges are also competent in civil cases to assist judges in preparing the case for hearing and in some non-litigious cases when prescribed by law.
Finland	There are not Rechtspfleger in our judicial system.
France	NAP

Hungary	Court clerks Court clerks are officials with a higher education degree who, acting within the field of the judge's remit – under their control and supervision – perform the tasks conferred on them by law on an independent basis. Court clerks complete college training. Court clerks perform all tasks in civil cases falling within the remit of the court that are referred to them by judges; however, they are not entitled to pass judgements, make provisional measures, security measures, orders of discontinuance or reject any statement of claim without issuing an order and may not act in those cases that are referred to the executive clerk's duties by law. In criminal procedures, legal provisions clearly stipulate those tasks that can be performed by court clerks in the course of proceedings, which include, for example, performing court reporter's tasks and stenotyping, taking measures to deliver official documents via announcement, preparing and issuing copies of documents, and taking measures to state the domicile or residence of the accused or witness. Court clerks are judicial employees; their appointment is subject to the following criteria: 18 years of age; no criminal record; right to vote; Hungarian citizenship; qualification as judicial clerk; submission of a financial disclosure statement. Court clerks may not engage in any activity that is incompatible with their position or endangers their ability to do their work impartially and free of influence. Court clerks may not take up any position in parties or undertake public appearances on behalf of or for the interests of parties. Court clerks may take up paid empoyment only with the prior approval of their employer, except in the case of activities in the areas of science, education, art, editing, sports and intellectual activities falling under legal protection. It is a disciplinary offence for court clerks to grossly violate their obligations associated with their service position. Within their emoluments court clerks are entitled to receive fees, special benefits, other remuneration, allowances and reimbursement of expenses. The emoluments of court clerks consist of basic remuneration and different bonuses. The basic remuneration is defined basedon judicial service time by ranking in salary classes and grades.
Ireland	County registrars – senior professional legal officer in Circuit Court. Duties: adjudication on claims against immoveable property in proceedings for sale of such property; granting of orders for judgment in default; granting of pre-trial orders (e.g. discovery, joining of parties) and various types of order on consent; Master of the High Court. Duties: granting of orders for judgment in default; granting of pre-trial orders (e.g. discovery, joining of parties) and various types of order on consent; Taxing Masters. Duties: assessment of legal costs due by one party to civil proceedings to another party; Examiner of the High Court. Duties - adjudication on claims against immoveable property in proceedings for sale of such property; adjudication on claims against company assets court proceedings to liquidate company; conduct of inquiries into next of kin of deceased persons ; Official Assignee in Bankruptcy. Duties: adjudication on unsecured claims in personal insolvency proceedings; adjudication on secured claims against immoveable property in personal insolvency proceedings.
Italy	
Latvia	
Lithuania	
Luxembourg	
Malta	In Malta there exists no concept of Rechtspfleger. All executive actions which may be taken in pursual of an Executive Title obtained by courts or through any other legal instrument has to be executed by the Officials of the Courts, namely the Court Marshals, who are the assigned particular duties in the Enforcement of Executive and Precautionary Warrants
Netherlands	

Poland	'Referendarz' represents -quasi judicial functions in the court. He/she has a right to decide in a specific issues concerning handling court registers: land registry, company registry etc. There is a possibility of appealing their decisions to a judge
Portugal	NAP
Romania	There is a draft law approved by the Government and trasmitted to the Parliament in October 2011 by the Ministry of Justice concerning the statute of the speciality staff within the legal courts and prosecutor's offices under these ones. This draft law aims at following up the rethinking of the role of the auxiliary specialty staff within legal courts and prosecutor's offices under these ones, the empowerment of this category of staff and the efficient use of human resources existing at the level of the judicial system, by the transfer of some administrative and jurisdiction tasks in the non-contentious matter from magistrates to court clerks. According to the provisions of this regulatory act there is established a new position in the judicial system, the function of judicial court clerk, on the European model of the court clerk with increased attributions (Rechtspfleger), in order to reduce the charges of the magistrates and to simplify certain procedures, thus being realized the transfer of some administrative and jurisdictional attributions in the non-contentious matter from judges to judicial court clerks. The judicial court clerks shall settle independently and under their own responsibility, in administrative procedure, the requests attributed in their competence. For example, the judicial court clerk shall be competent in establishing the quantum of the stamp fee and court fee, shall coordinate the activity of the office of Archive and Registration of the court and shall sign the documents from these departments, shall settle the requests concerning the enforcement of judgments or the requests to apply the apostil; The solutions of the judicial court clerk shall be submitted to the judicial control, in the legal conditions.
Slovakia	The status of the 'higher judicial officers' is defined in the Act on judicial officers (No. 549/2003 Coll.). The 'higher judicial officers' are civil servants who must comply with the legal requirements posts in the civil service and they have to hold the university degree in law. A 'higher judicial officer', by virtue of a written authorization from a judge, has the power to execute judicial acts in civil and criminal proceedings and autonomously take decisions on the scale laid down by law. For example, he/she takes decisions regarding petitions for the issue of a payment order, in probate proceedings, in enforcement proceedings, and in proceedings on the custody and redemption of instruments. He/she also rules on procedural decisions having a bearing, in particular, on evidence and the conduct of proceedings, e.g. on fines, the costs of evidence, legal costs, and the staying of proceedings. A higher judicial officer is also authorized to carry out actions independently which are connected with the preparation of hearings, the determination of conditions for the issue of in absentia judgments, judgement based on the recognition or waiving of an entitlement and the preparation of written copy of the judgments. Under the Code of the Civil Procedure, an appeal may be lodged against a decision issued by a judicial officer under the same conditions as against a decision of a judge. An appeal lodged against such a decision may be upheld in full by a judge. If a judge does not intend to uphold an appeal in full, the matter is presented to an appeal court for a ruling. In criminal proceedings the higher judicial officer can decide on the costs of the proceedings, an appointment of the counsel, he/she can issue some of the decisions with regard to the execution of judgements etc.

Slovenia	Court clerks are similar to the Rechtspfleger, since they have autonomous competences and their decisions can be subject to appeal. Generally, they are without law degree, and they work at local courts (land register and enforcement cases) and at district courts (commercial register). Their previous title was 'judicial clerk', now they are one of 'independent judicial assistants' or 'higher judicial assistants'. The Courts Act states their duties and responsibilities: Independent judicial assistants and higher judicial assistants lead the proceedings and decide in matters of the commercial court register, they lead enforcement proceedings and issue decisions on enforcement for the recovery of monetary debts, on enforcement on the basis of authentic documents as well as decisions about advance payments, security deposits, costs of the proceedings and court fees. At first instance they decide upon land registration in cases where the registration is not in the competence of the judge of the land register court and decide in inheritance cases of intestate succession, when the object of succession is only movable property. The decision of the independent judicial assistant or the higher judicial assistant can always be subject to an appeal. It is the judge of the same court who decides upon the appeal. On 31. 12. 2012 there have been 346 court clerks (posts filled): local courts – land register court clerks: 151 local courts – enforcement court clerks: 161 district courts – business register court clerks: 34
Spain	In Spain, the 'Secretario Judicial' (Judicial Secretary) is a judicial authority as judges and prosecutors. Therefore, the post is not entirely traslatable to the German Rechtsfleger, English clerk o French greffier. Secretarios Judiciales form a hierarchical body of national scope, highly skilled, dependant on the Ministry of Justice and on the Goverment Secretaries of each of the Higher Courts of Justice. The Organic Law of the Judiciary 6/85 and their own Organic regulation 1608/2005 of 30 of December, rule their status and functions. To qualify as Secretario Judicial, candidates must hold law degree and pass a public and competitive examination followed by a trainning course at the 'Centro de Estudios Jurídicos' (Centre of Legal Studies). Secretarios judiciales´ competences and duties, among others, are the following: - To exercise the exclusive power of authenticate and certify judicial actions and resolutions -To evaluate the adequacy of lawsuits, issue judicial orders and carry on the proceedings -The control of proceedings, documents, records and files and to draw up the judicial satistics - To carry out judicial resolutions, orders and rulings. This includes the orders assesing in relation to lawsuits and other parties claims. Final decisions on voluntary jurisdiction are also of his competence. -To develop judicial control and decisions during the judgement enforcement. This includes inquiries and seizures of bank accounts and goods, and public auction of these when necessary.
Sweden	NAP

Table 9.14. System for monitoring the enforcement procedure in 2012 (Q179, Q182)

States	Quality standards for enforcement agents	System for monitoring the execution
Austria	Yes	Yes
Belgium	Yes	Yes
Bulgaria	Yes	Yes
Croatia	Yes	Yes
Cyprus	No	No
Czech Republic	Yes	Yes
Denmark	No	No
Estonia	Yes	No
Finland	Yes	Yes
France	No	Yes
Greece	No	No
Hungary	Yes	Yes
Ireland	Yes	No
Italy	No	No
Latvia	Yes	Yes
Lithuania	Yes	Yes
Luxembourg	Yes	Yes
Malta	No	No
Netherlands	Yes	No
Poland	Yes	Yes
Portugal	Yes	Yes
Romania	Yes	No
Slovakia	No	Yes
Slovenia	Yes	Yes
Spain	Yes	Yes
Sweden	Yes	Yes
Yes	19	17
No	7	9

Comments - Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants in 2012 (Q1, Q46, Q146, Q170)

Q1:
Austria: source: Statistik Austria: Bevölkerung zum Jahresanfang 2013.
http.//statcube.at/superwebguest/login.do?guest=guest&db=debevjahresanf
Belgium: source: Eurostat.
Bulgaria: Population as of 31.12.2012. Source: National Statistical Institute.
There are 374 enforcement agents: 218 state enforcement agents and 156 private enforcement agents.
Croatia: source: Croatian Bureau of Statistics.
Cyprus: source: statistical service of the republic, treasury department and ministry of finance.
Czech Republic: source: Czech Statistical Office, Czech National Bank.
Denmark: source: Statistics Denmark.
Estonia: source: Statistics Estonia.
Finland: source: Statistics Finland, www.stat.fi (on 31 December 2012).
France: Insee, population as of 1/1/2013.
Hungary: source: Hungarian Central Statistic Office (Központi Statisztikai Hivatal, http://www.ksh.hu/?lang=en); Act CLXXXVIII of 2011 on State's budget of the year 2012; http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do; Hungarian Central Statistic Office (Központi Statisztikai Hivatal, http://www.ksh.hu/docs/hun/xftp/gyor/let/let21212.pdf, http://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_qli029.html); Central Bank of Hungary (Magyar Nemzeti Bank).
Ireland: source: Central Statistics Office.
Italy: source: Italian National Statistical Institute (ISTAT).
Latvia: source: data of Central Statistical Bureu, www.csb.gov.lv.
Lithuania: source:
http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcode=tps00001&tableSelection=1&footnotes=yes&labeling=labels&plugin=1/;
http://www.lb.lt/exchange/default.asp;
Malta: source: National Statistics Office and Eurostat.
Netherlands: source: Statistics Netherlands
http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=37296NED&D1=0&D2=l&HD=130923-0744&HDR=G1&STB=T)
Poland: source: CONCISE Statistical Yearbook of the Republic of Poland 2013; National Bank of Poland.
Portugal: National Statistics Institute (*Instituto Nacional de Estatistica*).
Romania: source: National Institute of Statistics.
The population has been established on 1 January 2013 by the method of components using sources of administrative data for the external migration. These sources do not cover the entire migration phenomenon, especially at the level of emigration. As such, there is a severe under-evaluation of the population of Romania. The presented data have a temporary character, the number of population following to be recalculated in the next period, taking into account the final results of the Census of Population and Dwellings 2011, for the time series until the previous census.
Slovakia: source: http://portal.statistics.sk/showdoc.do?docid=63171.
Slovenia: source: Statistical Office of the Republic of Slovenia.
Spain: source: Source Eurostat (population on 1 January 2013).
Sweden: source: Statistics Sweden.

Q46:
Austria: Data is in full time equivalent. The numbers differ from the last periods because this year we can more exactly assign the different tasks to the number of full time equivalents - dealing with first and second instance court proceedings on the one hand and the administrative tasks ("on behalf of the president")on the other hand.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: Supreme Judicial Council.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Cyprus: Cyprus has a two tier system. The Supreme Court is the second and final instance court.
Czech Republic: source: Ministry of Justice and individual courts.
Denmark: source: The Danish Court Administration.
Only permanent appointed judges are taken into consideration, not deputy judges. In 2010, the reported number included 'legal assessors' who carry out some of the same tasks that judges do but who are not

appointed judges. And since we do not include deputy judges (neither in 2010 nor in 2012), it was deemed best to leave out legal assessors, too.
Estonia: source: The Ministry of Justice and the Supreme Court.
Finland: source: The Ministry of Justice.
Greece: source: The Ministry of Justice, Transparency and Human Rights.
The total number given refers to the judicial officials of the civil-penal and administrative courts (688 Magistrates and Court of Auditors'' Judges are not included).
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court (*Conseil d'Etat*).
Data provided above are calculated in in full-time equivalent and concern offices effectively occupied in the administrative and judicial courts as of 31.12.2012.
With regard to administrative courts, data related to the distribution men/women in full-time equivalent are not available. The total number of magistrates in first and second instances considered together is 1377: 816 are men and 561 are women.
As concerns the Supreme Courts, data related to the distribution men/women in full-time equivalent within the *Conseil d'Etat* are not available. As of 31.12.2012, there were 105 men and 47 women.
As concerns the judicial courts, data as of 31.12.2012 in full-time equivalent:
1. 1326 men // 2804 women
2. 622 men // 795 women
3. 118 men // 106 women
The total number of professional judges in full-time equivalent is: 5771, (2066 men // 3705 women).
Hungary: source: National Office for the Judiciary; Hungarian Judicial System: http://www.birosag.hu/en/information/hungarian-judicial-system; background and the aims of changing the model of court management in Hungary: http://www.birosag.hu/sites/default/files/allomanyok/english/f_alod-b17.pdf.
Ireland: source: Courts Service.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Latvia: source: Court Administration and the Supreme Court.
Lithuania: source: National Courts Administration.
The regional courts of Lithuania have both the functions of first instance courts as well as of courts of appeal. Therefore the number of judges in these courts (159) was put in the 1st section. The number of the judges of the Supreme Administrative Court (18) was included in the number of the judges of the court of appeals.
Luxembourg: The total number of judges is correct – 212. However, some of them exercise a double function. For example, the Constitutional Court is composed of judges of the Administrative Court and The Supreme Court. Source: The Law on judiciary organisation of March 7th, 1980; figures given by the HR department.
Malta: source: The Registrar of Courts.
There is no Supreme Court, the Court of Appeal is the Court of Second Instance. The Constitutional Court, then, is presided over by the 3 Judges who compose the Court of second Instance also knows as the Court of Appeal in its Superior Jurisdiction.
Netherlands: source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary.
The Trade and Industry Appeals Tribunal (CBb), the Supreme Court (Hoge Raad) and the council of state (Raad van State) are excluded; are included – the Trade and Industry Appeals Tribunal (CBb) and The Administrative High Court (CRvB), exclusive the Supreme Court (Hoge Raad) and the council of state (Raad van State); all numbers include court presidents; all numbers are persons. Fte is not available, except for the total (1+2+3, and men+women): 2194.
Poland: source: Department of Courts, Organisation and Court Analyses.
Polish court structure contains three levels of courts but only two instances. Therefore some judges are working both in first and second instance. The difference is a result of aggregating district and regional courts judges in one group and appellate courts judges in the other.
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Includes total number of 1st, 2nd and 3rd instance courts, except Constitutional Court.
Romania: source: Superior Council of Magistracy.
The statistics are valid as of 01.01.2013. It has to be mentioned that, as valid in 2012, in the Romanian judicial system there were the following categories of courts: Courts of first instance, called "judecătorii", judging in first instance; Tribunals, which are generally courts of appeal on the merits (judge in appeal), but are also ruling in some cases in first instance and in second appeal (appeal on the law/"recurs"); Courts of appeal, which are second appeal courts (appeal on the law /"recurs"), but are also ruling in some cases in first instance and in appeal on the merits; High Court of Cassation and Justice, unique and supreme court, mainly ruling the appeals declared against the judgments of the courts of appeal and of other judgments, in the cases stipulated by law.

In these conditions, at question 46.1 there have been mentioned the judges within the courts of first instance (having full competence for judging in first instance), and at 46.2 there have been mentioned the judges within tribunals and courts of appeal.
Slovakia: source: The Ministry of justice of the Slovak republic, The Department of the Human Resources Development.
The number 1307 represents the judges actually performing its function on 31 December 2012. The total number of the judges in the records of the Ministry of justice is 1344 (497 males, 847 females). This total number includes also all of the judges not performing the function of a judge *e.g*. the judges temporary assigned to the other institution (Ministry of justice, Judicial Academy, other judicial institutions including international), the judges at the maternity leave *etc*.
Slovenia: source: Court statistics, 2012.
On the 31.12.2012 there were 983 judicial posts formally occupied, although some posts are de facto vacant (according to some estimations of the Ministry of Justice this kind of posts represent around 15 - 20% of all judicial posts). The number of actual presence of the judges (907) excludes the ones that were on maternity leave or sick leave, but includes the annual leave.
From the number of all the judicial posts (983) 13 judges are subtracted, since they do not perform judicial functions (they do not sit in courts), but they are assigned to other duties.
In the previous evaluation cycle we counted the judges of Administrative Court in the number of second instance judges, since they have the position of higher judges. Regarding the fact they try administrative cases on first instance and to ensure compatibility with the answer for question number 42 where Administrative Court is classified as first instance court, we counted them as first instance judges.
This is the structure of judges according to different levels and jurisdictions of the courts on the 31.12.2012, including assigned judges:
First instance courts: Local courts (44): 458 judges (78 male, 380 female); District courts (11): 265 judges (62 male, 203 female); Labour and social disputes courts (4): 41 judges (10 male, 31 female); Administrative court (1): 33 judges (6 male, 27 female).
Second instance courts: Higher courts (4): 139 judges (38 male, 101 female); Higher labour and social disputes court (1): 13 judges (5 male, 8 female); Supreme court: 34 judges (21 male, 13 female).
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Territorial Organization and Coordination of Justice Administration.

Q146:
Austria: source: Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31 December 2012 (available at www.rechtsanwaelte.at).This figure only includes lawyers registered in the list of Austrian lawyers (5756), lawyers registered in the list of established European lawyers (89) and trainee lawyers (2016) registered by December 2012. It does not include solicitors or legal advisors as such professions/types of service providers do not exist in Austria.
Belgium: source: Ordre des barreaux flamands (Orde van Vlaamse balies) et Ordre des barreaux francophone et germanophone (OBFG).
Bulgaria: source: Supreme Bar Council and Bulgaria State gazette.
Croatia: source: the database of Croatian Bar Association.
Cyprus: source: Cyprus bar Association.
Czech Republic: source: The Registry administrated by the Czech Bar Association (The Registry office).
Denmark: source: The Danish Bar and Law Society (it upholds a register of lawyers admitted to the bar). The statistics do not include assistant attorneys.
Estonia: source: Bar Association.
Finland: source: The Finnish Bar Association and the Ministry of Justice.
The number of lawyers above (1935) means members of the Finnish Bar Association who are entitled to use the professional titles "asianajaja" or "advokat" ("advocate").
France: source: *Observatoire du Conseil national des barreaux*.
This data has been provided on the 1 of January 2012.
Greece: source: Athens Association Bar.
Hungary: source: Database of the Hungarian Bar Association (Magyar Ügyvédi Kamara).
The figures are the yearly average in year 2012. Including approx. 100 employed lawyers and 20 European counsels registered in Hungary, but not including approx. 2,000 articling lawyers, not yet admitted to the bar.
Ireland: source: Law Society of Ireland, Bar Council of Ireland.
Italy: source: Lawyers National Bar Association (Consiglio Nazionale Forense).
Latvia: source: Criminal Procedure Law, Civil Procedure Law, Administrative Procedure Law, Advocacy Law of the Republic of Latvia and information from the Latvian Council of Sworn advocates.
Lithuania: source: Lithuanian Bar Association.
Luxembourg: source: Bar Association
Malta: source: The Chamber of Advocates of Malta (the sole Bar Association in Malta representing all lawyers).

Poland: source: Bar Association, Legal Advisors Association.
Since 2010 the part-deregulation (made in 2007/2008) of lawyer profession has been implemented and came into force. It resulted in major change in the number of lawyers.
Portugal: source: The Portuguese Bar Association is a national Bar.
Romania: source: UNBR (National Union of Bar Associations of Romania).
Slovakia: source: The Slovak Bar Association, www.sak.sk.
The number of practising lawyers is increasing constantly. The Slovak Bar Association registers the lawyers who fulfilled the statutory conditions for being the practising lawyer (advocate).
Slovenia: source: The Slovenian Bar Association.
Spain: source: General Council of Bar Association.
Sweden: source: The Registry of the Swedish Bar Association.

Q170:
Austria: **source**: Management Information System MIS January 1st 2013.
Belgium: source: The Belgian National Chamber of Bailiffs (all the bailiffs of Belgium are members of the Chamber; the latter maintains a list of all these bailiffs which is daily up-dated).
Bulgaria: source: Inspectorate of the Minister of Justice under the Law on the Judiciary.
There are 374 enforcement agents: 218 state enforcement agents and 156 private enforcement agents.
Croatia: source: Ministry of Justice. The number of enforcement agents increased in order to reduce the number of unresolved enforcement cases.
Cyprus: source: Registry Department.
Czech Republic: source: The Chamber of Executors; Ministry of Justice.
Denmark: source:
Estonia: source: Ministry of Justice.
Finland: source: The National Administrative Office for Enforcement. There are altogether 84 bailiffs and 635 associate bailiffs in 22 district enforcement offices.
France: source: The National Chamber of Bailiffs (Chambre nationale des huissiers de justice).
Hungary: source: Hungarian Chamber of Judicial Officers.
Ireland: source: Department of Justice and Equality.
Italy: source: Ministry of Justice – HR Department (Direzione Generale del Personale e della Formazione).
Latvia: source: http://www.lzti.lv/lv/zti/saraksts/.
Lithuania: source: list of bailiffs, published officially by the Bailiffs Chamber of Lithuania http://www.antstoliurumai.lt/index.php/pageid/992/bailiffs/1.
Malta: source: The Director General of Courts.
Netherlands: source: KBvG annual report (the national body of bailiffs).
Answers are limited to bailiffs ('Gerechtsdeurwaarders'). Of course, other professionals may be involved in enforcing judicial decisions. For tax matters there are special tax bailiffs. The latter have not been included in this report.
Poland: MoJ is making constant efforts to increase the number of enforcement agents since this was diagnosed as one of the weaknesses of the Polish law system. The increase is a result of these efforts.
Portugal: source: Commission for the Efficiency of Enforcement Procedures (CPEE).
Romania: source: Ministry of Justice.
Slovakia: source: The Slovak Chamber of distrainers, www.ske.sk.
Slovenia: source: Ministry of Justice; data for the year 2012.
Spain: source: Ministry of Justice; General Secretary of Justice Administration.
Sweden: source: Swedish Enforcement Authority Annual report 2012.

Table 9.1.bis. Number of judges per 100,000 inhab (without greffiers) for 2010 (Q46)
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q46)

Q46:
Austria: Data is in full time equivalent. The numbers differ from the last periods because this year we can more exactly assign the different tasks to the number of full time equivalents - dealing with first and second instance court proceedings on the one hand and the administrative tasks ("on behalf of the president")on the other hand.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: Supreme Judicial Council.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Cyprus: Cyprus has a two tier system. The Supreme Court is the second and final instance court.
Czech Republic: source: Ministry of Justice, individual courts.
Denmark: source: The Danish Court Administration. Only permanent appointed judges are taken into consideration, not deputy judges. In 2010, the reported number included 'legal assessors' who carry out some of the same tasks that judges do but who are not appointed judges. And since we do not include

deputy judges (neither in 2010 nor in 2012), it was deemed best to leave out legal assessors, too (Mail CN 23/01/14).
Estonia: source: Ministry of Justice and Supreme Court.
Finland: source: The Ministry of Justice.
Greece: source: Ministry of Justice, Transparency and Human Rights. The total number given refers to the judicial officials of the civil-penal and administrative courts (688 Magistrates and Court of Auditors'' Judges are not included).
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court (*Conseil d'Etat*).
Data provided above are calculated in full-time equivalent and concern offices effectively occupied in the administrative and judicial courts as of 31.12.2012.
With regard to administrative courts, data related to the distribution men/women in full-time equivalent are not available. The total number of magistrates in first and second instances considered together is 1377: 816 are men and 561 are women.
As concerns the Supreme Courts, data related to the distribution men/women in full-time equivalent within the *Conseil d'Etat* are not available. As of 31.12.2012, there were 105 men and 47 women.
As concerns the judicial courts, data as of 31.12.2012 in full-time equivalent implies:
1. 1326 men // 2804 women
2. 622 men // 795 women
3. 118 men // 106 women
The total number of professional judges in full-time equivalent is: 5771, (2066 men // 3705 women).
Hungary: source: National Office for the Judiciary. Hungarian Judicial System: http://www.birosag.hu/en/information/hungarian-judicial-system.
background and the aims of changing the model of court management in Hungary: http://www.birosag.hu/sites/default/files/allomanyok/english/f_alod-b17.pdf.
Ireland: source: Courts Service.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Latvia: source: Court Administration, Supreme Court.
Lithuania: source: National Courts Administration. The regional courts of Lithuania have both the functions of first instance courts as well as of court of appeal. Therefore the number of judges in these courts (159) was put in the 1st section. The number of the judges of the Supreme Administrative Court (18) was included in the number of the judges of the court of appeals.
Luxembourg: source: The total number of judges is correct – 212. However, some of them exercise a double function. For example, the Constitutional Court is composed of judges of the Administrative Court and The Supreme Court.
Malta: source: The Registrar of Courts.
There is no Supreme Court, the Court of Appeal is the Court of Second Instance. The Constitutional Court, then, is presided over by the 3 Judges who compose the Court of second Instance also knows as the Court of Appeal in its Superior Jurisdiction.
Netherlands: source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary.
The Trade and Industry Appeals Tribunal (CBb), the Supreme Court (Hoge Raad) and the council of state (Raad van State) are excluded; are included – the Trade and Industry Appeals Tribunal (CBb) and The Administrative High Court (CRvB), exclusive the Supreme Court (Hoge Raad) and the council of state (Raad van State); all numbers include court presidents; all numbers are persons. Fte is not available, except for the total (1+2+3, and men+women): 2194.
Poland: source: Department of Courts, Organisation and Court Analyses.
Polish court structure contains three levels of courts but only two instances. Therefore some judges are working both in first and second instance. The difference is a result of aggregating district and regional courts judges in one group and appellate courts judges in the other.
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Includes total number of 1st, 2nd and 3rd instance courts, except Constitutional Court.
Romania: source: Superior Council of Magistracy.
The statistics are valid as of 01.01.2013. It has to be mentioned that, as valid in 2012, in the Romanian judicial system there were the following categories of courts: Courts of first instance, called "judecătorii", judging in first instance; Tribunals, which are generally courts of appeal on the merits (judge in appeal), but are also ruling in some cases in first instance and in second appeal (appeal on the law/"recurs"); Courts of appeal, which are second appeal courts (appeal on the law /"recurs"), but are also ruling in some cases in first instance and in appeal on the merits; High Court of Cassation and Justice, unique and supreme court, mainly ruling the appeals declared against the judgments of the courts of appeal and of other judgments, in the cases stipulated by law.
In these conditions, at question 46.1 there have been mentioned the judges within the courts of first instance (having full competence for judging in first instance), and at 46.2 there have been mentioned the judges within tribunals and courts of appeal.

Slovakia: source: The Ministry of justice of the Slovak republic, The Department of the Human Resources Development.
The number 1307 represents the judges actually performing its function on 31 December 2012. The total number of the judges in the records of the Ministry of justice is 1344 (497 males, 847 females). This total number includes also all of the judges not performing the function of a judge *e.g*. the judges temporary assigned to the other institution (Ministry of justice, Judicial Academy, other judicial institutions including international), the judges at the maternity leave *etc*.
Slovenia: source: Court statistics, 2012.
On the 31.12.2012 there were 983 judicial posts formally occupied, although some posts are de facto vacant (according to some estimations of the Ministry of Justice this kind of posts represent around 15 - 20% of all judicial posts). The number of actual presence of the judges (907) excludes the ones that were on maternity leave or sick leave, but includes the annual leave.
From the number of all the judicial posts (983) 13 judges are subtracted, since they do not perform judicial functions (they do not sit in courts), but they are assigned to other duties.
In the previous evaluation cycle we counted the judges of Administrative Court in the number of second instance judges, since they have the position of higher judges. Regarding the fact they try administrative cases on first instance and to ensure compatibility with the answer for question number 42 where Administrative Court is classified as first instance court, we counted them as first instance judges.
This is the structure of judges according to different levels and jurisdictions of the courts on the 31.12.2012, including assigned judges:
First instance courts: Local courts (44): 458 judges (78 male, 380 female); District courts (11): 265 judges (62 male, 203 female); Labour and social disputes courts (4): 41 judges (10 male, 31 female); Administrative court (1): 33 judges (6 male, 27 female).
Second instance courts: Higher courts (4): 139 judges (38 male, 101 female); Higher labour and social disputes court (1): 13 judges (5 male, 8 female); Supreme court: 34 judges (21 male, 13 female).
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Territorial Organization and Coordination of Justice Administration.

Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges in 2012 (Q1, 46, 146, 147, 148)

Q1:
Austria: source: Statistik Austria: Bevölkerung zum Jahresanfang 2013.
http.//statcube.at/superwebguest/login.do?guest=guest&db=debevjahresanf
Belgium: source: Eurostat.
Bulgaria: Population as of 31.12.2012. Source: National Statistical Institute.
Croatia: source: Croatian Bureau of Statistics.
Cyprus: source: statistical service of the republic, treasury department and ministry of finance.
Czech Republic: source: Czech Statistical Office, Czech National Bank.
Denmark: source: Statistics Denmark.
Estonia: source: Statistics Estonia.
Finland: source: Statistics Finland, www.stat.fi (on 31 December 2012).
France: Insee, population as of 1/1/2013.
Hungary: source: Hungarian Central Statistic Office (Központi Statisztikai Hivatal, http://www.ksh.hu/?lang=en); Act CLXXXVIII of 2011 on State's budget of the year 2012; http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do; Hungarian Central Statistic Office (Központi Statisztikai Hivatal, http://www.ksh.hu/docs/hun/xftp/gyor/let/let21212.pdf, http://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_qli029.html); Central Bank of Hungary (Magyar Nemzeti Bank).
Ireland: source: Central Statistics Office.
Italy: source: Italian National Statistical Institute (ISTAT).
Latvia: source: data of Central Statistical Bureu, www.csb.gov.lv.
Lithuania: source:
http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcode=tps00001&tableSelection=1&footnotes=yes&labeling=labels&plugin=1/;
http://www.lb.lt/exchange/default.asp;
Malta: source: National Statistics Office and Eurostat.
Netherlands: source: Statistics Netherlands
http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=37296NED&D1=0&D2=l&HD=130923-0744&HDR=G1&STB=T)
Poland: source: CONCISE Statistical Yearbook of the Republic of Poland 2013; National Bank of Poland.
Portugal: National Statistics Institute (*Instituto Nacional de Estatistica*).
Romania: source: National Institute of Statistics.

The population has been established on 1 January 2013 by the method of components using sources of administrative data for the external migration. These sources do not cover the entire migration phenomenon, especially at the level of emigration. As such, there is a severe under-evaluation of the population of Romania. The presented data have a temporary character, the number of population following to be recalculated in the in the next period, taking into account the final results of the Census of Population and Dwellings 2011, for the time series until the previous census.
Slovakia: source: http://portal.statistics.sk/showdoc.do?docid=63171.
Slovenia: source: Statistical Office of the Republic of Slovenia.
Spain: source: Source Eurostat (population on 1 January 2013).
Sweden: source: Statistics Sweden.

Q46:
Austria: Data is in full time equivalent. The numbers differ from the last periods because this year we can more exactly assign the different tasks to the number of full time equivalents - dealing with first and second instance court proceedings on the one hand and the administrative tasks ("on behalf of the president")on the other hand.
Belgium: source: Service Public Fédéral Justice.
Bulgaria: Supreme Judicial Council.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Cyprus: Cyprus has a two tier system. The Supreme Court is the second and final instance court.
Czech Republic: source: Ministry of Justice, individual courts.
Denmark: source: The Danish Court Administration.
Only permanent appointed judges are taken into consideration, not deputy judges. In 2010, the reported number included 'legal assessors' who carry out some of the same tasks that judges do but who are not appointed judges. And since we do not include deputy judges (neither in 2010 nor in 2012), it was deemed best to leave out legal assessors, too (Mail CN 23/01/14).
Estonia: source: Ministry of Justice and Supreme Court.
Finland: source: The Ministry of Justice.
France: source: The Ministry of Justice; the General Secretary of the High Administrative Court (*Conseil d'Etat*).
Data provided above are calculated in full-time equivalent and concern offices effectively occupied in the administrative and judicial courts as of 31.12.2012.
With regard to administrative courts, data related to the distribution men/women in full-time equivalent are not available. The total number of magistrates in first and second instances considered together is 1377: 816 are men and 561 are women.
As concerns the Supreme Courts, data related to the distribution men/women in full-time equivalent within the *Conseil d'Etat* are not available. As of 31.12.2012, there were 105 men and 47 women.
As concerns the judicial courts, data as of 31.12.2012 in full-time equivalent implies:
1. 1326 men // 2804 women
2. 622 men // 795 women
3. 118 men // 106 women
The total number of professional judges in full-time equivalent is: 5771, (2066 men // 3705 women).
Greece: source: Ministry of Justice, Transparency and Human Rights. The total number given refers to the judicial officials of the civil-penal and administrative courts (688 Magistrates and Court of Auditors'' Judges are not included).
Hungary: source: National Office for the Judiciary. Hungarian Judicial System: http://www.birosag.hu/en/information/hungarian-judicial-system.
background and the aims of changing the model of court management in Hungary: http://www.birosag.hu/sites/default/files/allomanyok/english/f_alod-b17.pdf.
Ireland: source: Courts Service.
Italy: source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati).
Latvia: source: Court Administration, Supreme Court.
Lithuania: source: National Courts Administration.
The regional courts of Lithuania have both the functions of first instance courts as well as of courts of appeal. Therefore the number of judges in these courts (159) was put in the 1st section. The number of the judges of the Supreme Administrative Court (18) was included in the number of the judges of the court of appeals.
Luxembourg: The total number of judges is correct – 212. However, some of them exercise a double function. For example, the Constitutional Court is composed of judges of the Administrative Court and The Supreme Court.
Malta: source: The Registrar of Courts.
There is no Supreme Court, the Court of Appeal is the Court of Second Instance. The Constitutional Court, then, is presided over by the 3 Judges who compose the Court of second Instance also knows as the Court of Appeal in its Superior Jurisdiction.

Netherlands: source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary.
The Trade and Industry Appeals Tribunal (CBb), the Supreme Court (Hoge Raad) and the council of state (Raad van State) are excluded; are included – the Trade and Industry Appeals Tribunal (CBb) and The Administrative High Court (CRvB), exclusive the Supreme Court (Hoge Raad) and the council of state (Raad van State); all numbers include court presidents; all numbers are persons. Fte is not available, except for the total (1+2+3, and men+women): 2194.
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Polish court structure contains three levels of courts but only two instances. Therefore some judges are working both in first and second instance. The difference is a result of aggregating district and regional courts judges in one group and appellate courts judges in the other.
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Includes total number of 1st, 2nd and 3rd instance courts, except Constitutional Court.
Romania: source: Superior Council of Magistracy.
The statistics are valid as of 01.01.2013. It has to be mentioned that, as valid in 2012, in the Romanian judicial system there were the following categories of courts: Courts of first instance, called "judecătorii", judging in first instance; Tribunals, which are generally courts of appeal on the merits (judge in appeal), but are also ruling in some cases in first instance and in second appeal (appeal on the law/"recurs"); Courts of appeal, which are second appeal courts (appeal on the law /"recurs"), but are also ruling in some cases in first instance and in appeal on the merits; High Court of Cassation and Justice, unique and supreme court, mainly ruling the appeals declared against the judgments of the courts of appeal and of other judgments, in the cases stipulated by law.
In these conditions, at question 46.1 there have been mentioned the judges within the courts of first instance (having full competence for judging in first instance), and at 46.2 there have been mentioned the judges within tribunals and courts of appeal.
Slovakia: source: The Ministry of justice of the Slovak republic, The Department of the Human Resources Development.
The number 1307 represents the judges actually performing its function on 31. December 2012. The total number of the judges in the records of the Ministry of justice is 1344 (497 males, 847 females). This total number includes also all of the judges not performing the function of a judge *e.g*. the judges temporary assigned to the other institution (Ministry of justice, Judicial Academy, other judicial institutions including international), the judges at the maternity leave *etc*.
Slovenia: source: Court statistics, 2012.
On the 31.12.2012 there were 983 judicial posts formally occupied, although some posts are de facto vacant (according to some estimations of the Ministry of Justice this kind of posts represent around 15 - 20% of all judicial posts). The number of actual presence of the judges (907) excludes the ones that were on maternity leave or sick leave, but includes the annual leave.
From the number of all the judicial posts (983) 13 judges are subtracted, since they do not perform judicial functions (they do not sit in courts), but they are assigned to other duties.
In the previous evaluation cycle we counted the judges of Administrative Court in the number of second instance judges, since they have the position of higher judges. Regarding the fact they try administrative cases on first instance and to ensure compatibility with the answer for question number 42 where Administrative Court is classified as first instance court, we counted them as first instance judges.
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Second instance courts: Higher courts (4): 139 judges (38 male, 101 female); Higher labour and social disputes court (1): 13 judges (5 male, 8 female); Supreme court: 34 judges (21 male, 13 female).
Spain: source: Ministry of Justice; General Directorate of Relations with Justice Administration; Deputy Directorate of Territorial Organization and Coordination of Justice Administration.

Q146:
Austria: source: Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31 December 2012 (available at www.rechtsanwaelte.at).This figure only includes lawyers registered in the list of Austrian lawyers (5756), lawyers registered in the list of established European lawyers (89) and trainee lawyers (2016) registered by December 2012. It does not include solicitors or legal advisors as such professions/types of service providers do not exist in Austria.
Belgium: source: Ordre des barreaux flamands (Orde van Vlaamse balies) et Ordre des barreaux francophone et germanophone (OBFG).
Bulgaria: source: Supreme Bar Council and Bulgaria State gazette.
Croatia: source: the database of Croatian Bar Association.
Cyprus: source: Cyprus bar Association.

Czech Republic: source: The Registry administrated by the Czech Bar Association (The Registry office).
Denmark: source: The Danish Bar and Law Society (it upholds a register of lawyers admitted to the bar). The statistics do not include assistant attorneys.
Estonia: source: Bar Association.
Finland: source: The Finnish Bar Association and the Ministry of Justice. The number of lawyers above (1935) means members of the Finnish Bar Association who are entitled to use the professional titles "asianajaja" or "advokat" ("advocate").
France: source: *Observatoire du Conseil national des barreaux*.
This data has been provided on the 1 of January 2012.
Greece: source: Athens Association Bar.
Hungary: source: Database of the Hungarian Bar Association (Magyar Ügyvédi Kamara).
The figures are the yearly average in year 2012. Including approx. 100 employed lawyers and 20 European counsels registered in Hungary, but not including approx. 2,000 articling lawyers, not yet admitted to the bar.
Ireland: source: Law Society of Ireland, Bar Council of Ireland.
Italy: source: Lawyers National Bar Association (Consiglio Nazionale Forense).
Latvia: source: Criminal Procedure Law, Civil Procedure Law, Administrative Procedure Law, Advocacy Law of the Republic of Latvia and information from the Latvian Council of Sworn advocates.
Lithuania: source: Lithuanian Bar Association.
Luxembourg: source: The Law on judiciary organisation of March 7th, 1980; figures given by the HR department.
Malta: source: The Chamber of Advocates of Malta (the sole Bar Association in Malta representing all lawyers).
Poland: source: Bar Association, Legal Advisors Association.
Since 2010 the part-deregulation (made in 2007/2008) of lawyer profession has been implemented and came into force. It resulted in major change in the number of lawyers.
Portugal: source: The Portuguese Bar Association is a national Bar.
Romania: source: UNBR (National Union of Bar Associations of Romania).
Slovakia: source: The Slovak Bar Association, www.sak.sk.
The number of practising lawyers is increasing constantly. The Slovak Bar Association registers the lawyers who fulfilled the statutory conditions for being the practising lawyer (advocate).
Slovenia: source: The Slovenian Bar Association.
Spain: source: General Council of Bar Association.
Sweden: source: The Registry of the Swedish Bar Association.

Q147:
Hungary: Solicitors: the fundamental task of solicitors is to facilitate the operation of the organisation by which they are employed. Solicitors conduct legal representation within the organisation employing them, provide legal advice and information; prepare applications, contracts and other documents; and participate in organising legal work. As a general rule, solicitors – in contrast to attorneys – discharge their duties (which are not as extensive as those of attorneys) as employees. Solicitors' compensation is based on the regulations concerning employment. Any person entered in the register maintained by the county court – in Budapest (that is, the Metropolitan Court of Budapest) – can become a solicitor. Applicants must: hold citizenship in one of the member states participating in the Agreement on the European Economic Area; have no criminal record; hold a university degree; have passed the Hungarian professional examination in law; and be entered in the register. In certain cases the Minister for Justice can grant exemption from the citizenship condition.

Q148:
Estonia: Ministry of Justice.
Spain: source: General Council of Bar Association.

Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)

Q146:
Austria: source: Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31 December 2012 (available at www.rechtsanwaelte.at).This figure only includes lawyers registered in the list of Austrian lawyers (5756), lawyers registered in the list of established European lawyers (89) and trainee lawyers (2016) registered by December 2012. It does not include solicitors or legal advisors as such professions/types of service providers do not exist in Austria.
Belgium: source: Ordre des barreaux flamands (Orde van Vlaamse balies) et Ordre des barreaux francophone et germanophone (OBFG).
Bulgaria: source: Supreme Bar Council and Bulgaria State gazette.
Croatia: source: the database of Croatian Bar Association.

Cyprus: source: Cyprus bar Association.
Czech Republic: source: The Registry administrated by the Czech Bar Association (The Registry office).
Denmark: source: The Danish Bar and Law Society (it upholds a register of lawyers admitted to the bar). The statistics do not include assistant attorneys.
Estonia: source: Bar Association.
Finland: source: The Finnish Bar Association and the Ministry of Justice. The number of lawyers above (1935) means members of the Finnish Bar Association who are entitled to use the professional titles "asianajaja" or "advokat" ("advocate").
France: source: *Observatoire du Conseil national des barreaux*.
This data has been provided on the 1 of January 2012.
Greece: source: Athens Association Bar.
Hungary: source: Database of the Hungarian Bar Association (Magyar Ügyvédi Kamara). The figures are the yearly average in year 2012. Including approx. 100 employed lawyers and 20 European counsels registered in Hungary, but not including approx. 2,000 articling lawyers, not yet admitted to the bar.
Ireland: source: Law Society of Ireland, Bar Council of Ireland.
Italy: source: Lawyers National Bar Association (Consiglio Nazionale Forense).
Latvia: source: Criminal Procedure Law, Civil Procedure Law, Administrative Procedure Law, Advocacy Law of the Republic of Latvia and information from the Latvian Council of Sworn advocates.
Lithuania: source: Lithuanian Bar Association.
Luxembourg: source: Law on judiciary organisation of March 7th, 1980; figures given by the HR department.
Malta: source: The Chamber of Advocates of Malta (the sole Bar Association in Malta representing all lawyers).
Poland: source: Bar Association, Legal Advisors Association.
Since 2010 the part-deregulation (made in 2007/2008) of lawyer profession has been implemented and came into force. It resulted in major change in the number of lawyers.
Portugal: source: The Portuguese Bar Association is a national Bar.
Romania: source: UNBR (National Union of Bar Associations of Romania).
Slovakia: source: The Slovak Bar Association, www.sak.sk.
The number of practising lawyers is increasing constantly. The Slovak Bar Association registers the lawyers who fulfilled the statutory conditions for being the practising lawyer (advocate).
Slovenia: source: The Slovenian Bar Association.
Spain: source: General Council of Bar Association.
Sweden: source: The Registry of the Swedish Bar Association.

Table 9.5. Monopoly of legal representation in 2012 (Q149) - *NB: Only civil and administrative cases will be taken into consideration*

Q149:
Austria: Civil cases: No general monopoly; only in proceedings before district courts (Bezirksgerichte) when the litigation value exceeds € 5000 or before the higher courts, in appeal cases and before the Civil Supreme Courts representation by a lawyer is mandatory; Possible representation by Member of family, Trade Union, NGO, e.g. the party itself, each person able to represent him-/herself, the Economic Chamber, the Labour Chamber, Consumer Protection Association (Verein für Konsumenteninformation).
Administrative Cases: No monopoly; only for appeals against decisions of the last instance and for applications and complaints lodged before the constitutional court and the higher administrative court representation by a lawyer is mandatory; Possible representation by Member of family, NGO, e.g. the party itself, each person able to represent him-/herself.
In general: The extent to which persons/entities may represent in such matters is governed by the respective procedural law and other relevant laws.
Belgium: Possible representation by: the party itself (art. 728 §1 of the Judicial Code); a member of the family before the Trade Court, Labour tribunals and judges of the peace (art. 728 §2 of the Judicial Code); a member of a representative organization of employees or workers or of an independent representative organization before Labour tribunals (art. 728 §3 of the Judicial Code); a member of a social organization defending the interests of a group of persons targeted by the contested legislation (art. 728 §3 of the Judicial Code) ; by the Public Prosecutor's Office in the field of cross-border visits (art. 728 §5 Judicial Code). The State could be represented by civil servants of the tax administration in the area of the tax law (art. 379 of the Tax Code); the procedures before the Supreme Administrative Court and the Constitutional Court are peculiar.
Bulgaria: Parents, children, spouse - in any litigation; syndicates - in cases on labour matters; legal advisers (appointed by labour contracts or under business relationships) – an opportunity for representation of all legal entities having such employees.

Croatia: In civil cases, according to Article 89 of the Civil procedure act, parties can undertake procedural actions either personally or through agents in civil cases. Provision in Article 89 A of the same act lays down that only a lawyer may represent a party as an agent, if not otherwise prescribed by the law. The same Article stipulates that a party may be represented by: a person as an agent who is in an employment relationship with him/her if he/she has full disposing capacity; a blood relative in a legal line, a brother, sister or marriage partner – if he/she has full disposing capacity and if he/she is not illegally practicing law. Article 91 of Civil Procedure Act lays down that in litigations involving property claims, if the amount in dispute exceeds HRK 50,000 (EUR 6,500), agents for legal persons may only be persons who have passed the bar exam.
In administrative cases, lawyer's representation is not compulsory.
Czech Republic: Proceedings before the Supreme Court: According to § 241 of the Civil Procedure Code, within proceedings on appellate review of a decision, an appellant has to be represented by a lawyer or a notary, except for the case when an appellant is a physical person with education in law, or where an appellant is a legal entity, the state, a municipality, or a higher self-administrative unit on behalf of which a person with education in law is acting.
Proceedings before the Supreme Administrative Court: According to § 35(2) of the Judicial Administrative Procedure Code, a party in the proceedings may be represented by a lawyer or possibly by another person practicing special legal consultancy according to special Acts, if the petition concerns activities stated herein, (patent representatives, tax advisors, notaries). A party may be further represented by a trade union organization, by a legal entity established on the basis of the Act on Association of Citizens or by a physical person.
According to § 105(2), a petitioner in the proceedings on cassation complaint has to be represented by a lawyer, except for the case when a petitioner, his employee or a member acting on his behalf or representing him has a university-level education in law required for becoming a lawyer.
Proceedings before the Constitutional Court: According to §§ 29 to 31 of the Act on the Constitutional Court, only a lawyer may represent a party or an enjoined party in proceedings before the Constitutional Court. In such proceedings, a representative is not entitled to be represented by another representative (prohibition on substitution).
Denmark: Civil cases: Family members and others can under certain circumstances represent (cf. Section 260 of the Danish Administration of Justice Act. From 1st 2008 anyone can represent in cases under app. 7 000 euro).
Administrative cases: There is no special court for administrative cases in Denmark. Anyone can represent a client *vis à vis* the authorities.
Estonia: In civil proceedings of the first and second instance court and in all administrative court proceedings, a participant in the proceeding may participate in person or through a representative. The representative may be: a lawyer; a person who has acquired Master's Degree in law (in civil proceedings) or who possesses a higher legal education (in administrative court proceedings); procurists in all court proceedings related to the economic activities of a participant in a proceeding; one plaintiff on the authorization of the co-plaintiffs or one defendant on the authorization of the co-defendants; ascendants, descendants and spouses of participants in proceedings; a public servant or employee of a participant in the proceeding if the court considers him or her to have sufficient expertise and experience to represent the participant in the proceeding; other persons whose right to act as a contractual representative is provided by law.
When the state legal aid is granted for the representation in the civil or administrative court proceeding, the representative is always a lawyer (appointed by the Estonian Bar Association).
In civil proceedings in the Supreme Court, the representation of a sworn lawyer is mandatory. However, it is possible to participate personally or through a lawyer in non-litigious civil proceedings in the Supreme Court.
Finland: An advocate, a public legal aid attorney or counsel who has obtained the license referred to in the Licensed Counsel Act is allowed to represent a client in the court, subject to some exceptions. According to the subsection 4 of the section 1 of the chapter 15 of the Code of Judicial Procedure, an applicant other than a public authority have to employ the services of an attorney or counsel in a case before the Supreme Court that concerns procedural fault or the annulment of a final judgment. (see Chapter 15, Section 2 of the Code of Judicial Procedure Chapter; Chapter 2, Sections 1 and 2 of the Criminal Procedure Act).
In administrative courts anyone that is not bankrupt and whose legal competence has not been restricted may act as a counsel.
France: The law provides for exceptions to the rule of monopoly of lawyers on legal representations: for example syndicates or their representatives before the labour tribunals.
Hungary: Lawyers have a monopoly of representation in civil cases before the appeal courts and the Curia (Supreme Court), but not before local and county courts. The regulation of civil procedures prescribes legal representation in the following cases (Section 73/A of Act III of 1952 on the Code of Civil Procedure):
* for the parties submitting an appeal against a judgment in proceedings before the Court of Appeal as well as rulings made on the merits of the case or an appeal or petition for review specified by law in proceedings before the Supreme Court,

* in other cases defined by law (e.g. company law).
Source: http://ec.europa.eu/civiljustice/legal_prof/legal_prof_hun_en.htm
There is of course the possibility of submitting the application by another authorized representative (a lawyer, for example) appointed by the party or its legal representative. If, however, the law provides otherwise and for example for the law makes personal participation obligatory in the relevant action, it is not possible to proceed via an authorized representative. The rules concerning the authorized representative, are laid down in the Act on the Code of Civil Procedure.
Source: http://ec.europa.eu/civiljustice/case_to_court/case_to_court_hun_en.htm
The parties to administrative proceedings can be represented by any person having the mandate of the parties.
Ireland: Revenue Officials, Trade Union Officials and family members may appear in certain types of proceedings in limited circumstances. While solicitors are engaged in all cases, a barrister will appear as an advocate for the client when instructed by the client's solicitor to do so. Solicitors have had full rights of audience in all courts since the early 1970s.
Italy: There are few exceptions. In civil law cases heard by the Justice of the Peace, when the value of the proceeding is less than 1100 €, there is no obligation to be represented by a lawyer before the court. With regard to taxation cases, in first and second instance proceedings legal representation can be offered also by accountants and other professional figures indicated by law.
Latvia: Article 83 of the Civil Procedure Law: "Any natural person may be an authorized representative in the civil procedure, taking into account the restrictions specified in Section 84 of this Law". Article 35 of the Administrative Procedure Law: "Participants in administrative proceedings may participate in the proceedings with the assistance of or through their representative. The representative may be any natural or legal person with capacity to act, subject to the restrictions set out in Sections 36 and 37 of this Law."
Lithuania: In civil cases these organizations or persons may represent a client before a court: advocates; assistants of advocates holding a written consent of the advocate supervising the assistants' internship to represent a party in a specific case; one litigant with the authorization of other litigants; persons holding university degree in law if they represent their close relatives or a spouse (partner); trade unions, if they represent members of trade unions in labour cases; associations or other public legal entities, if one of the objective of their activity is defence and representation of a certain group of persons in court; assistants of bailiffs holding university degree in law and a written consent of the bailiff to represent him in cases related to his functions in enforcement procedures.
Legal entities may be represent by: advocates; assistants of advocates holding a written consent of the advocate supervising the assistants' internship to represent a party in a specific case; one litigant with the authorization of other litigants; employee or civil servant of a respective legal entity holding university degree in law.
In civil cases only advocates may draw up a cassation appeal of a natural person, however, if a cassator himself holds university degree in law, he is entitled to draw up the cassation appeal. A cassation appeal of a legal entity may be drawn up by its employees holding university degree in law.
Although lawyers do not have monopoly of representation in administrative cases, usually advocate or assistant of an advocate shall act as attorneys in the court.
Malta: Before any Court of Law, a party may be assisted in Court, however always by a Lawyer in the Superior Courts and by a Lawyer or Legal Procurator, in the Inferior Courts.
Portugal: In Portugal, lawyers are mandatory for every law case except: labour cases - the employees can be represented by the Public Attorney; public Law (Administrative Court Cases) - legal representation in lawsuits against the State that refers to contracts or to tort, is carried on by the Public Attorney's Office, according to Administrative Procedure Code. Article 11, n. 2 of the Administrative Procedure Code also foresees the possibility of a lawyer or even a law graduate counsel, to represent public departments or associations.
There is no monopoly when it comes to civil law cases, solicitors can also represent their clients. However, according to the Portuguese Civil Procedure Code, petitioners must be represented by a lawyer in the following cases: proceedings that exceed a specific value and that admit appeal; in proceedings that always admit appeal regardless of their value; and proceedings in superior courts (article 32 of the Civil Procedure Code); some credit injunctions require representation by a lawyer; in certain execution proceedings, depending on their value, representation by lawyer can be mandatory (article 60 of the Portuguese Civil Procedure Code).
There is a kind of court proceeding named "Peace Court" that allows petitioners to represent themselves before court, without legal representation (exceptions: if an appeal of the procedure is admissible; when the petitioner is foreign and has no understanding of Portuguese language; if the petitioner is illiterate or has some kind of disability – in this cases lawyers or solicitors are mandatory).
Mediation and Conflict Resolution Alternative issues that run in local "Peace Court" don't depend of any lawyer assistance (article 38 of Law n.º 78/2001 of 13th of July).
Romania: According to the provisions of the Civil Procedure Code (CPC), in force in 2012, as well as according to the provisions of Law no. 51/1995 for the exercise of the profession of lawyer, the party can be

represented in the civil trial not only by the lawyer, but also by a person who does not have this capacity, nevertheless for the case in which the mandate is given to another person than to a lawyer. Thus, Article 68 (4) CPC establishes that if the mandate is given to another person than to a lawyer, the proxy can rest the case only through lawyer, except the legal counsellor who, according to law, represents the party. The assistance by the lawyer is not required to doctors or licensed in law when they are proxies in the causes of spouses or relatives up to the fourth degree inclusively.
Slovakia: Civil cases: According to the Code of the Civil Procedure a litigant can be represented before the court by trade unions in the labour law disputes, by special legal persons (e.g. the consumer associations) or by any individual who has full capacity to do legal acts. Such a representation is not possible in the proceedings on extraordinary appeals (or extraordinary remedies). The litigant bringing the extraordinary appeal (remedy) must be represented by a lawyer at the court unless he/she or his/her employee (staff member) who acts on his/her behalf holds a degree in law.
Administrative cases: Lawyers have the monopoly only in certain types of administrative cases (§ 250a of the Code of the Civil Procedure).
Slovenia: In civil procedures on first instance a party can be represented at local courts by everyone who is capable to contract. At district courts and in second instance procedures at higher courts as well as at the Supreme Court there is a lawyers' monopoly on legal representation. The exception goes for individuals who passed the Legal State Exam. A party can submit exceptional legal remedies only with the representation of a lawyer.
In proceedings at the Administrative court a party can be represented by everyone who is capable to contract.
Spain: In civil cases, mainly the legal representation is for Court Attorneys (Procuradores). In administrative cases, legal representation is mostly assumed by lawyers.
Sweden: Members of family, trade unions, NGOs and others may represent a client before a court in both civil and criminal cases (both defendant and victim) as well as in administrative cases. A public defence counsel must, however, in principle be an advocate.

Table 9.6. Lawyers' fees in 2012 (Q154, 155, 156)

Q154:
Hungary: The Hungarian word *ügyvéd* is used for attorneys, advocates, solicitors, lawyers, and barristers. As a general rule, an attorney's fee is set by agreement between the party and the attorney. If no settlement is reached, the fee is decided by the court on the basis provided in law (5% of the claimed amount and at least 10,000 HUF). The parties can ask the judge to apply the fee stipulated by law if they do not want the settlement to become public.
http://www.bpugyvedikamara.hu/valasszon_ugyvedet/az_ugyvedi_munkadijrol/ also contains information on attorneys' fees (Budapest Bar Association).

Q155:
Bulgaria: In the case of free negotiation, there cannot be remuneration lower than the regulatory minimum, as set out in the Ordinance of the Supreme Bar Council.
Croatia: Lawyers' fees are partially negotiated freely, namely in the part in which compensation is negotiated for the lawyer's work on an hourly basis, but the contract on such a compensation must be concluded in the written form. The court is not bound by the mentioned contract when deciding on the cost for the successful party but by the general provisions of the Tariff for Lawyers' Fees and Cost Compensation.
Malta: Actually, in Malta we have a Scheme of Tariffs which regulate cases, as a result of which, lawyers should abide by those tariffs. Nevertheless, if the client agrees with the lawyer a higher tariff, once he agrees to it in writing, then those fees apply however they cannot be claimed back from the other party - only the approved tariffs can. That is why both boxes were ticked.
Portugal: The general rule concerning Lawyers' fees is that they are freely negotiated between lawyer and client. However fees can also be established previously, in the beginning of instructions as expressly foreseen, by written agreement (article 100. 2 of the Statute).
http://www.ccbe.org/en/documents/code_deonto.htm.
Sweden: When legal aid has been granted, the normal hourly fee is fixed (as decided annually by the government or the authority designated by the government). Court appointed public defence counsels, counsels for the aggrieved party and legal aid counsels are not allowed to demand or receive further remuneration from their clients than the fee decided by the court in accordance with the relevant legislation. The hourly compensation may deviate from the standardized hourly fee mentioned above if it is warranted by reason of the skill and care exhibited by the counsel or other significant circumstances.

Q156:
Austria: The fees can be freely negotiated between client and lawyer. Usually hourly rates, lump-sum agreements, caps or fees according to the lawyers' tariff act (Rechtsanwaltstarifgesetz) are agreed. The

latter is a federal law providing fee schedules, which are necessary as basis for the court's decision on the procedural fees the losing party has to reimburse to the winning party. All answers in Chapter 6 are given by the Austrian Bar.

Belgium: Statement valid for both of the Bars: Article 446ter of the Judicial Code provides for that lawyers shall determine their fees with an appropriate discretion inherent to their office. An agreement that permits to fix the fees according to the final result of the litigation is prohibited.

As concerns the Flemish Bar Association, there is no compulsory rule, but the lawyers could use a model of contract intended for improving the transparency and the foreseeability of the methodology of defining lawyers' fees.

As to the other Bar, a regulation of 27 November 2004 lays set up the lawyer's duty to provide his/her client with the most detailed information concerning the determination of the fees and to draw his/her attention to the specific parameters that could influence the final amount (the urgency of the case; the complexity of the problem; the importance of the stake (…).

Croatia: Tariff for Lawyers' Fees and Cost Compensation lays down rules on lawyer's remuneration and at the same time these standards are laid down by the Lawyers Code of Conduct. Tariff for Lawyers' Fees and Cost Compensation and Lawyers Code of Conduct are adopted by the Croatian Bar Association. Standards on remuneration of lawyers' expenses are laid down by procedural rules such as Civil Procedure Act, Criminal Code, General Administrative Procedure Act, The Misdemeanour Act, *etc*.

Czech Republic: According to the Act No. 85/1996 Coll., on the Legal Profession, Section 22: Law shall be practised regularly for a fee; the client may be requested to pay a reasonable fee in advance; the mode and amount of the fee and reimbursement of a lawyer practising law as a sole lawyer or jointly with other lawyers, and/or its rates, shall be set by the Ministry of Justice in its executive regulation upon the Bar´s expressing its opinion on the matter (The Regulation of the Ministry of Justice No. 177/1996 Coll, providing for Lawyers´Fees and Reimbursement for Their Provision of Legal Services, as amended).

Denmark: There are a number of cases, for which guiding tables/charts for lawyers' fees have been provided by the courts. For the remaining cases, lawyers' fees are freely negotiated but bound by the Danish Code of Conduct providing that fees should be fair and in good keeping with e.g. the size and importance of the case.

Estonia: There are rules established by the Bar Association on the lawyers' fees of state legal aid.

Finland: The Lawyer is obliged to estimate his fee to the client. Fees are regulated by the Bar only through the code of conduct for advocates stating that the lawyer's fee must be reasonable.

France: The lawyer and his/her client are free to sign or not an agreement of fees. Such an agreement is compulsory in the event of determination of complementary fees according to the outcome of the legal assistance. Lawyers are required to regularly inform their clients about the evolution of the procedure, the particularities of the case and all new elements which can affect the amount of the fees (Article 10 of the *décret n° 2005-790, 12.07.2005 relatif aux règles de déontologie de la profession d'avocat* ; Article 11-2 of the *règlement intérieur national* edited by the National Council of courts).

Except cases of urgent intervention of a lawyer before a court, the agreement of fees is compulsory when the lawyer is paid entirely or partially upon a contract of insurance of legal protection.

Hungary: The law applicable on legal fees serves only as guidance for the courts, without being mandatory. As a general rule, the legal fees shall be agreed upon between the client and the lawyer before accepting the mandate. Excessive legal fees may be subject to disciplinary procedure.

Italy: A recent reform of the legal profession (L. 247/2012) provides for a decree of the Ministry of Justice with general provisions addressed to judges, in order to assist them in establishing lawyers' fees while in determining litigation expenses. Those general "parameters" though are not binding. The draft decree is currently under examination of the Parliamentary Commissions (December 2013).

Latvia: Article 57 of the Advocacy Law of the Republic of Latvia states: "Sworn advocates shall enter into a written agreement with the client regarding undertaking to conduct a case and the amount of the relevant compensation. (…) In case of a dispute, if the agreement between a sworn advocate and a client has not been entered into writing, the compensation in double amount, as well as other reimbursable expenses related to the provision of legal assistance shall be determined for the advocate in amounts specified in regulatory enactments regarding the remuneration for the State ensured legal assistance (...)"; see also Article 44 of the Civil Procedure Law.

Lithuania: Article 50 para. 3 of the Law on the Bar provides that "When determining the advocate's fee for legal services, account must be taken of the complexity of the case, the qualification and experience of the advocate, the financial status of the client and other relevant circumstances".

Luxembourg: According to the Rules of procedure of the Bar association, lawyers are bind by the duty to explain to their clients the method of calculating of the fees.

Malta: The fees of the legal profession are regulated by means of Schedule E of the Code of Organisation and Civil Procedure, which Code clearly stipulates that lawyers may not agree fees on a 'quotae lit is' basis and have to stick to the schedule provided for. Nevertheless, with the exception of certain cases, lawyers may agree a different fee with their clients, provided that such fee may be subject to scrutiny by the Committee of Lawyers and Legal Procurators set up within the Commission for the Administration of Justice.

Portugal: Lawyers' fees are regulated in articles 95, indent a), 100, 101 and 102 of the Portuguese Bar Association Statute - Law 15/2005, 26 January. Fees are also addressed in the CCBE Code of Conduct for European Lawyers http://www.ccbe.org/en/documents/code_deonto.htm applicable to cross-border activities – see articles 3.3. and following.
Slovakia: The lawyers' fees are regulated by the Regulation of the Ministry of justice (at the present time No. 655/2004 Coll.). The fees can be either negotiated as the contractual fee or the tariff fee according to the regulation is applicable. The contractual fee can be negotiated between the lawyer and the client as follows: a/ depending on the number of hours spent on a case (time fee), b/ single payment (lump-sum), c/ share of the value of the case, d/ tariff fee. The basic tariff fee is determined according to the tariff value of the case and the number of the legal aid actions of the lawyer.
Slovenia: The lawyer shall be entitled to the payment for his performance and to the reimbursement of costs related to the performed task, according to the lawyer's fee. The lawyer shall be entitled to higher payment for his performance than deserving according to the lawyer's fee, if so agreed with the client in writing. In property related matters the lawyer may agree with the client on such payment that instead of the payment according to the lawyer's fee he may claim at maximum a 15 per cent share of the amount awarded to the client by the court. The agreement shall be made in writing (Attorneys Act, Article 17).
Sweden: Section 4.1 of the Code of Professional Conduct for Members of the Swedish Bar Association stipulates that fees charged by an Advocate must be reasonable. What is considered a reasonable fee is determined on a case by case basis by the Disciplinary Committee of the Swedish Bar Association. Facts to be reviewed are complexity of the case, length of proceeding, the preliminary investigation, number of physical evidence in the case, *etc*.

Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2010 and 2012 (Q170)

Austria: source: Management Information System MIS January 1st 2013.
Belgium: source: The Belgian National Chamber of Bailiffs (all the bailiffs of Belgium are members of the Chamber; the latter maintains a list of all these bailiffs which is daily up-dated).
Bulgaria: source: Inspectorate of the Minister of Justice under the Law on the Judiciary.
There are 374 enforcement agents: 218 state enforcement agents and 156 private enforcement agents.
Croatia: source: Ministry of Justice. The number of enforcement agents increased in order to reduce the number of unresolved enforcement cases.
Cyprus: source: Registry Department.
Czech Republic: source: The Chamber of Executors; Ministry of Justice.
Denmark: source:
Estonia: source: Ministry of Justice.
Finland: source: The National Administrative Office for Enforcement. There are altogether 84 bailiffs and 635 associate bailiffs in 22 district enforcement offices.
France: source: The National Chamber of Bailiffs.
Greece: source:
Hungary: source: Hungarian Chamber of Judicial Officers.
Ireland: source: Department of Justice and Equality.
Italy: source: Ministry of Justice – HR Department (Direzione Generale del Personale e della Formazione).
Latvia: source: http://www.lzti.lv/lv/zti/saraksts/.
Lithuania: source: list of bailiffs, published officially by the Bailiffs Chamber of Lithuania http://www.antstoliurumai.lt/index.php/pageid/992/bailiffs/1.
Malta: source: The Director General of Courts.
Netherlands: source: KBvG annual report (the national body of bailiffs).
Answers are limited to bailiffs ('Gerechtsdeurwaarders'). Of course, other professionals may be involved in enforcing judicial decisions. For tax matters there are special tax bailiffs. The latter have not been included in this report.
Poland: MoJ is making constant efforts to increase the number of enforcement agents since this was diagnosed as one of the weaknesses of the Polish law system. The increase is a result of these efforts.
Portugal: source: Commission for the Efficiency of Enforcement Procedures (CPEE).
Romania: source: Ministry of Justice.
Slovakia: source: The Slovak Chamber of distrainers, www.ske.sk.
Slovenia: source: Ministry of Justice; data for the year 2012.
Spain: source: Ministry of Justice; General Secretary of Justice Administration.
Sweden: source: Swedish Enforcement Authority Annual report 2012.

Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities responsible in each state or entity (Q178)

Austria: Controlling Units at the four Courts of Appeal (Vienna, Graz, Linz and Innsbruck) are established.
Croatia: The Ministry of Justice is not responsible for supervising and monitoring enforcement agents directly. It is responsible for supervising and monitoring of the court administration, e.g. the proper operation of courts, the regular and timely operation of courts, dealing with submissions and complaints of parties regarding the operation of courts, work related to the rights and duties of judicial officials and employees, etc. Since there is no direct supervision and monitor of the enforcement agents, the answer is NO. In December 2010, an Act on the public bailiffs, entered into force. According to its provisions, a professional body supervises and monitors their work (Croatia bailiffs Chamber). Since mentioned Act has been put out of force in December 2012, there is no longer a provision on the professional body responsible for supervising and monitoring of the enforcement agents. Therefore, the answer is NO.
Cyprus: The Supreme Court.
Czech Republic: State supervision over private executors is carried out by the Ministry of Justice. The Chamber of Executors supervises activities of private executors and their management of private's offices. A bailiff (an employee of the court) is governed by the judge in his activities.
Denmark: The district court presidents are responsible for supervising and monitoring enforcement agents.
Finland: The National Administrative Office for Enforcement is in charge of the general management, control and supervision of the enforcement service. For example, it deals with complaints regarding the conduct of the enforcement authorities. However, the National Administrative Office for Enforcement has not the power to overrule or alter an individual enforcement measure or other measure. In addition the Chancellor of Justice, along with the Parliamentary Ombudsman, supervises authorities' (including enforcement agents) compliance with the law.
Hungary: The Hungarian Chamber of Judicial Officers is in charge of supervising the activities of enforcement agents. The supervising authority of the Chamber is the Ministry of Public Administration and the Justice. Certain legal remedies are provided by the courts.
If the general rules governing the profession are not applied or are applied badly, the parties to the enforcement may suffer harm. In addition to this harm, the interests and rights of third parties may be harmed. Section 217 of the Law on enforcement provides that, if the judicial officer breaches or does not apply the law, it is possible to seek legal redress. This redress may be sought before the court which ordered the enforcement.
Malta: The Court Administration, headed by the Director General of Courts, is responsible for the Court Marshals, being employees who fall under his remit. Basically, there is no body entrusted with supervising and monitoring the enforcement agents' activity. True, they can be taken up to Court if they fail their duties but, as such, there is no body controlling them. The Court Administration employs them, as a result of which, they may discipline them as employees, but will not go into the legal issues as to whether the enforcement agent acted correctly or not.
Netherlands: The Disciplinary court; the Bureau of financial and administrative control (BFT) monitoring the financial situation and administrative practices of bailiff offices.
Portugal: other: In 2012, the supervision of "bailiffs working in a public institution" remained under the control of the Ministry of Justice, but the supervision and control of the Private Enforcement Agents is a task of the Commission for the Efficiency of Enforcement Procedures (Comissão para a Eficácia das Execuções), a public independent body responsible for: issuing recommendations towards the efficiency of enforcement procedures; issuing recommendations towards the training of Private Enforcement Agents; the increasing of the quality of the access and final evaluation demands and procedures of training period to become a Private Enforcement Agents; analysing the fulfilment of legal rules and upholding of the incompatibilities and impeachments of Private Enforcement Agents; the initiation of disciplinary proceedings and the application of proper penalties/ sanctions to Private Enforcement Agents; performing regular inspections to Private Enforcement Agents.
Romania: The acts of bailiffs are submitted, according to law, to the control of legality by the competent courts. The professional control will be exercised by the Ministry of Justice, by general specialty inspectors and by the National Union of Bailiffs, through its board. The professional control mainly concerns the compliance with the law in the professional activity of bailiffs, the proper keeping of registers, the keeping of the archive, the quality of the acts and works performed by bailiffs and the bailiff's behaviour while accomplishing his duties, in the relations with the public authorities, as well as natural and legal persons.
Slovenia: Supervision of the office of enforcement agent and over the work of the Professional Chamber of Enforcement Officers is carried out by the Minister of Justice, ex officio or upon proposal.
Supervision over the legality and performance of the office in connection with the cases that have been assigned to the enforcement agent by the court is carried out by the president of the court that assigned the case to the agent.
Regular and direct supervision of the performance of the enforcement agent is carried out by the Professional Chamber of Enforcement Officers.
Sweden: As the Enforcement Authority constitutes one independent State body, operative supervision and monitoring take place within its headquarters. The activities of the Enforcement Authority are carried out under the authority of the Ministry of Finance, but the Ministry is not allowed to intervene into the supervision

and monitoring of the operative activities of enforcement agents. The Ministry annually evaluates the activities in terms of budget allocations. The judge does not have any supervising or monitoring function and acts only in case of an appeal against a decision of the Enforcement Authority, *e.g*. on seizure in a specific matter. Complaints may be filed to the Ombudsman of Justice in a specific matter and this may result in criticism against the Enforcement Authority.

Table 9.9. Number of disciplinary proceedings initiated against enforcement agents in 2012 (Q187)

Austria: source: The register for disciplinary proceedings administrated by the Federal Ministry of Justice. The data includes only disciplinary proceedings but not any other disciplinary measures.
Belgium: source: The Belgian National Chamber of Bailiffs.
Bulgaria: source: Inspectorate of the Minister of Justice on the Law on the Judiciary and the Chamber of Private Enforcement Agents.
Violation of the national legislative acts and the Statute of the Chamber of private enforcement agents.
19 initiated disciplinary proceedings - 16 disciplinary proceedings are initiated under the Law on Private Enforcement Agents and 3 are initiated under the Law on the Judiciary.
Croatia: source: The Ministry of Justice.
Cyprus: source: The Court Registry.
Czech Republic: source: the Ministry of Justice and the Chamber of Executors.
Denmark: source: The Danish Court Administration.
Estonia: source: The Ministry of Justice.
Finland: 49 complaints were investigated by the Chancellor of Justice; 150 by the Parliamentary Ombudsman; 52 by the National Administrative Office for Enforcement.
Source: The National Administrative Office for Enforcement (www.valtakunnanvoudinvirasto.fi); the Chancellor of Justice (www.okv.fi); the Parliamentary Ombudsman (www.oikeusasiamies.fi).
France: The Ministry of Justice does not have these data.
Greece: source: The Disciplinary Boards of the respective Bailiffs' Association.
Hungary: source: The Hungarian Chamber of Judicial Officers.
Ireland: source: The Department of Justice and Equality.
Italy: The total number of disciplinary proceedings (initiated) is coherent with the previous cycle. The only difference is in the split amongst the various categories. The categories proposed by the CEPEJ do not completely fit the Italian classification which raised some doubt in the past about where to place some specific kind of disciplinary proceedings. They finally decided to use the option "other". Finally, "breach of professional ethics" fits best our classification.
Source: The Ministry of Justice, HR Department (Direzione Generale del Personale e della Formazione).
Latvia: According to the Register of the disciplinary cases of sworn bailiffs, during 2012 there are reviewed 5 disciplinary cases, from which 4 are initiated against sworn bailiffs and 1 against assistant to sworn bailiff. The number of disciplinary cases is less than it was in 2011. One of the reasons could be that in 2010 more than half of the cases were initiated based on the decisions made by the Council of Latvian Sworn Bailiffs, but in 2012 no one disciplinary case was initiated based on the decisions made by the Council of Latvian Sworn Bailiffs. The number of disciplinary cases in 2012, which were initiated based on the order of the Minister for Justice, corresponds to the same number in 2010.
Source: The Ministry of Justice.
Lithuania: source: The Ministry of Justice and the Chamber of Bailiffs.
Netherlands: source: Disciplinary court ('Kamer voor gerechtsdeurwaarders').
Portugal: source: Commission for the Efficiency of Enforcement Procedures (Comissão para a Eficácia das Execuções).
Other includes: violation of duty of diligence and zeal – 23; failure to keep the customers accounts according to law -7; evidence of irregularities in handling of customer accounts – 5. the number of disciplinary proceeding increased significantly in relation to previous report because all incidents and proceedings are included in these data.
Romania: source: The Ministry of Justice.
Slovakia: source: The Slovak Chamber of distrainers, www.ske.sk.
Slovenia: source: The Ministry of Justice; data for the year 2012.
Spain: source: The Ministry of Justice; the General Secretariat of Justice Administration; the Secretarios Judiciales´ Area.

Table 9.10. Number of sanctions pronounced against enforcement agents in 2012 (Q188)

Austria: Loss of official position (according to sec. 27 of the Austrian Criminal Code) due to a final conviction to imprisonment for more than one year on account of a criminal offence (abuse of office).
Belgium: source: The Belgian National Chamber of Bailiffs.

Bulgaria: source: Inspectorate of the Minister of Justice on the Law on the Judiciary and the Chamber of Private Enforcement Agents.
Other: warning of suspension – 1; Remark – 2; warning of dismissal – 1.
Croatia: source: The Ministry of Justice.
Cyprus: source: The Court Registry.
Czech Republic: other: 6x discontinuance of proceedings; 3x acquittal of disciplinary charges; 8 cases are not finished.
Source: the Ministry of Justice and the Chamber of Executors.
Denmark: source: The Danish Court Administration.
Estonia: source: The Ministry of Justice.
Finland: The Parliamentary Ombudsman: 1 reprimand, 24 recommendations/opinions; The National Administrative Office for Enforcement: 8 recommendations/opinions. Most of the complaints did not call for any action. In most of the cases no action is taken, because there is not incorrect procedure found to have been followed or no grounds to suspect incorrect procedure.
Source: The National Administrative Office for Enforcement (www.valtakunnanvoudinvirasto.fi); the Chancellor of Justice (www.okv.fi); the Parliamentary Ombudsman (www.oikeusasiamies.fi).
France: The Ministry of Justice does not have these data.
Greece: source: The Disciplinary Boards of the respective Bailiffs' Association.
Hungary: source: The Hungarian Chamber of Judicial Officers.
Ireland: source: The Department of Justice and Equality.
Italy: source: The Ministry of Justice, HR Department (Direzione Generale del Personale e della Formazione).
Latvia: 2 reproofs.
Source: The Ministry of Justice.
Lithuania: Four disciplinary sanctions – cautions were imposed; one disciplinary proceeding has been discontinued because the violation has not been established; three disciplinary proceedings have been discontinued due to the marginal nature of the committed disciplinary violation.
Source: The Ministry of Justice and the Chamber of Bailiffs.
Portugal: source: Commission for the Efficiency of Enforcement Procedures (Comissão para a Eficácia das Execuções).
Other sanctions: Sanction of refund amounts - 2; penalty of loss of fees - 2.
Romania: source: The Ministry of Justice.
Slovakia: From the total number of 41 initiated disciplinary proceedings in 25 cases the sanction has been pronounced. The rest of disciplinary proceedings were pending.
Source: The Slovak Chamber of distrainers, www.ske.sk.
Slovenia: source: Ministry of Justice; data for the year 2012.
Spain: other: Compulsory transfer from one court to another.
Source: The Ministry of Justice; the General Secretariat of Justice Administration; the Secretarios Judiciales´ Area.
Sweden: One is forwarded to prosecutor.

Table 9.11. Enforcement fees in 2012 (Q174, 175, 178)

Q175:
Netherlands: The rates of the official bailiff work that need to be paid by the debtor are laid down in the Bailiffs' Fees Decree (*Besluit tarieven ambtshandelingen gerechtsdeurwaarders*). The costs the bailiff charges to his client (his principal) are to be decided by the bailiff and should be set in mutual consultation between the bailiff and his client (his principal).
Q178:
Austria: Controlling Units at the four Courts of Appeal (Vienna, Graz, Linz and Innsbruck) are established.
Cyprus: The Supreme Court.
Czech Republic: State supervision over private executors is carried out by the Ministry of Justice. The Chamber of Executors supervises activities of private executors and their management of private's offices. A bailiff (an employee of the court) is governed by the judge in his activities.
Denmark: The district court presidents are responsible for supervising and monitoring enforcement agents.
Finland: The National Administrative Office for Enforcement is in charge of the general management, control and supervision of the enforcement service. For example, it deals with complaints regarding the conduct of the enforcement authorities. However, the National Administrative Office for Enforcement has not the power to overrule or alter an individual enforcement measure or other measure. In addition the Chancellor of Justice, along with the Parliamentary Ombudsman, supervises authorities' (including enforcement agents) compliance with the law.

Hungary: The Hungarian Chamber of Judicial Officers is in charge of supervising the activities of enforcement agents. The supervising authority of the Chamber is the Ministry of Public Administration and the Justice. Certain legal remedies are provided by the courts.
If the general rules governing the profession are not applied or are applied badly, the parties to the enforcement may suffer harm. In addition to this harm, the interests and rights of third parties may be harmed. Section 217 of the Law on enforcement provides that, if the judicial officer breaches or does not apply the law, it is possible to seek legal redress. This redress may be sought before the court which ordered the enforcement.
Malta: The Court Administration, headed by the Director General of Courts, is responsible for the Court Marshals, being employees who fall under his remit. Basically, there is no body entrusted with supervising and monitoring the enforcement agents' activity. True, they can be taken up to Court if they fail their duties but, as such, there is no body controlling them. The Court Administration employs them, as a result of which, they may discipline them as employees, but will not go into the legal issues as to whether the enforcement agent acted correctly or not.
Netherlands: The Disciplinary court; the Bureau of financial and administrative control (BFT) monitoring the financial situation and administrative practices of bailiff offices.
Portugal: other: In 2012, the supervision of "bailiffs working in a public institution" remained under the control of the Ministry of Justice, but the supervision and control of the Private Enforcement Agents is a task of the Commission for the Efficiency of Enforcement Procedures (Comissão para a Eficácia das Execuções), a public independent body responsible for: issuing recommendations towards the efficiency of enforcement procedures; issuing recommendations towards the training of Private Enforcement Agents; the increasing of the quality of the access and final evaluation demands and procedures of training period to become a Private Enforcement Agents; analysing the fulfilment of legal rules and upholding of the incompatibilities and impeachments of Private Enforcement Agents; the initiation of disciplinary proceedings and the application of proper penalties/ sanctions to Private Enforcement Agents; performing regular inspections to Private Enforcement Agents.
Romania: The acts of bailiffs are submitted, according to law, to the control of legality by the competent courts. The professional control will be exercised by the Ministry of Justice, by general specialty inspectors and by the National Union of Bailiffs, through its board. The professional control mainly concerns the compliance with the law in the professional activity of bailiffs, the proper keeping of registers, the keeping of the archive, the quality of the acts and works performed by bailiffs and the bailiff's behaviour while accomplishing his duties, in the relations with the public authorities, as well as natural and legal persons.
Slovenia: Supervision of the office of enforcement agent and over the work of the Professional Chamber of Enforcement Officers is carried out by the Minister of Justice, ex officio or upon proposal.
Supervision over the legality and performance of the office in connection with the cases that have been assigned to the enforcement agent by the court is carried out by the president of the court that assigned the case to the agent.
Regular and direct supervision of the performance of the enforcement agent is carried out by the Professional Chamber of Enforcement Officers.
Sweden: As the Enforcement Authority constitutes one independent State body, operative supervision and monitoring take place within its headquarters. The activities of the Enforcement Authority are carried out under the authority of the Ministry of Finance, but the Ministry is not allowed to intervene into the supervision and monitoring of the operative activities of enforcement agents. The Ministry annually evaluates the activities in terms of budget allocations. The judge does not have any supervising or monitoring function and acts only in case of an appeal against a decision of the Enforcement Authority, *e.g.* on seizure in a specific matter. Complaints may be filed to the Ombudsman of Justice in a specific matter and this may result in criticism against the Enforcement Authority.

Table 9.11 bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)

Austria: Controlling Units at the four Courts of Appeal (Vienna, Graz, Linz and Innsbruck).
Belgium: The legislator.
Croatia: Other: Ministry of Administration.
Czech Republic: The professional body is the Chamber of Executors.
Estonia: Other: Parliament by passing the law.
Finland: Other: the local enforcement authorities and the National Administrative Office for Enforcement. The quality standards are defined in the course of annual negotiations between the local enforcement authorities and the National Administrative Office for Enforcement (in the frame of the method called "Management by results").
Ireland: Other: A Joint Committee comprising representatives of the Department of Justice, The Revenue Commissioners, and the Sheriffs Association has agreed a voluntary code of conduct.
Latvia: Other: The Law On Bailiffs sets the quality standard.

Lithuania: Other: The Parliament of the Republic of Lithuania and Bailiffs Meeting adopts the Bailiffs' Code of Professional Ethics.
Poland: Procedural standards of quality (timeframe, time limits, *etc.*) are stipulated by law; ethical standards (*i.g*. professionality, proficiency, secrecy, *etc.*) are established by corporation which takes care of setting up the dignity and ethical standards and provides supervision and control of it abeyance.
Portugal: other: The Commission for the Efficiency of Enforcement Procedures (Comissão para a Eficácia das Execuções).
Romania: Other: The Parliament.
Slovenia: Other: The Professional Chamber of Enforcement Officers.
Sweden: Other: The Enforcement Authority following the guidelines of the Ministry of Finance.

Table 9.11 ter Main complaints made by users concerning the enforcement procedure (Q183)

Austria: Other: Inadequate behaviour toward parties (e.g. obligated party).
Luxembourg: Other: Allegedly excessive costs.
Portugal: Other: Failure to return the amounts/ goods.
Spain: Other: Mistakes in the adopted measures.
Sweden: Other: In some few specific cases, length of time.

Table 9.13 Non judge staff 2012 (Q52)

Austria: Management Information System (MIS) 1.1.2013:
Women total: 3.255,62: Women 1.:440,7; Women 2.:19,28; Women 3.:2771,93; Women 4.:24,34.
It is technically not possible to fill in the numbers for women.
Belgium: 2: registrar's assistants and lawyers (*juristes référendaires*).
3: attachés HRM, detached staff to specific bodies of the judicial system and administrative staff of the Registry.
total 5457,95 of whom 3930,35 women: 1707,72 of whom 1166,52 women; 2766,23 of whom 2075,73 women; 984 of whom 688,10 women.
Source: Service Public Federal Justice.
Bulgaria: source: Supreme Judicial Council. The data is different in 2012, because in 2010 only the court secretaries were indicated, while in 2012 the number of all court staff from the so called specialized administration supporting the magistrates were given. For 2010 there were no data available on what was the number of the staff from the specialized administration that is why only the number of the court secretaries was given.
Under other non-judge staff is included the number of court servants working in recreation department. The numbers under p. 2 and 3 are for all. There is no available separate data for the number of women.
Croatia: source: Ministry of Justice of the Republic of Croatia.
Cyprus: 38 court bailiffs.
Czech Republic: other: judicial trainees, people in charge of serving court documents (on the parties), press centre and telephone exchange.
Number of women: 1. 1600; 2. 4282; 3. 1709; 4. 368; 5. 30.
Source: Ministry of Justice and individual courts.
Denmark: source: The Danish Court Administration.
Estonia: other: court interpreters (among which 43 women).
Source: The Ministry of Justice and the Supreme Court.
Finland: office staff 1447, summoners 264, trainee district judges 129, junior district judges 9, referendaries 365.
Source: The Ministry of Justice.
France: source: The Ministry of Justice and the general Secretary of the High Administrative Court (*Conseil d'Etat*).
The difference between data of 2010 and 2012 is justified by the polyvalence of the courts' administration staff and the difficulty to distribute them between the indicated categories.
According to data provided on 31.12.2012, 1 039 servants of A and B categories have been engaged in an initial training carried out by the *Ecole nationale des greffes*.
Data concerning administrative courts are contained in the category « other »: because of the polyvalence of the non judge-staff, the distribution between the indicated categories is impossible (1505,5 in full time equivalent . With regard to the *Conseil d'Etat*, the number of non judge-staff in full time equivalent is 274 (151 women/130 men, unavailable in full time equivalent for the distribution men/women).
Greece: source: Ministry of Justice, Transparency and Human Rights.
Hungary: Those persons may be appointed to court secretaries who have passed the professional legal examination. In cases defined by law the court secretaries shall perform the duties of the judge.
Source: National Office for the Judiciary.

Ireland: source: Courts Service.
Italy: other: assistants, receptionists, porters and other judicial staff. The high percentage of “other non-judge staff” in Italy is due to a very strict interpretation of the definition of the main categories.
Source: Ministry of Justice – Magistrates Department (Direzione Generale dei Magistrati) except for Q.52 Ministry of Justice – HR Department.
Latvia: The Division of Case-law is a unit of the Supreme Court that is responsible for the compilation, analysis and publication of court opinions, as well as summarizes, selects, processes and publishes in the case-law database court rulings which are important for promotion of coordination, research and development of court practice – staff – 5; the Division of Provision of Regime of Secrecy – staff – 2.
Source: Court Administration, Supreme Court.
Lithuania: Other: other staff – translators 5; other non-judge staff – 70 (among which 67 women).
Source: national Courts Administration.
Luxembourg: With the exception of points 1 (NAP), and 2, all the other persons are executing their work in the interest of the whole judiciary, i.e. both for judges and prosecutors, as do therefore answer directly to the Public Prosecutor General as administrative head of the judiciary administration.
Source: The Law on judiciary organisation of March 7th, 1980. The figures are given by the HR department.
Malta: As to Question 2, the numbers in more detail are as follows: Deputy registrars-65, Court messengers-19, Judicial assistants-30, Clerical staff-59, Ushers-25, Senior court recorders-12, Court recorder in charge-1, Chidren’s advocate-2.
As to Question 3, the numbers in more details are as follows: Directorate Support Services-83, Directors and staff-13, Asset Management unit-3, Archives-3, One stop shop-4, Subasti-2, Library-1, Publications-2.
As to Question 4, the numbers in more detail are as follows: Tradesmen-7, Bookbinder-1.
As to Question 5, the numbers are as follows: Cleaners-7, Chief Marshal-1, Marshals-20.
Source: Registrar of Courts.
Netherlands: The figures cannot be given separately for 2 – 5. Only total is available.
Source: Jaarverslag Rechtspraak 2010 and Internal data Council for the Judiciary. Raad van State and Supreme Court excluded.
Poland: source: Department of Courts, Organisation and Court Analysis.
Portugal: source: Directorate General for Justice Policy (Direcção-Geral da Política da Justiça).
Romania: 5489 represents the number of clerks with judicial tasks; 1486 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1762 - number of IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents).
Other categories of personnel which function within the Romanian courts: assistance magistrates: 90 (only within the High Court of Cassation and Justice; they participate in the trial sessions, have a consultative vote in deliberations and write the minutes of the sessions, as well as the decisions); judicial assistants: 175 (only within tribunals as a part, together with the judges, of the panels which judge, in first instance, cases regarding labour and social insurances litigations); Probation counselors: 281 (accompany judges in their daily work by providing technical and substantial assistance).
Source: The Ministry of Justice.
Slovakia: The category "Rechtspfleger" includes 982 judicial officers and 64 mediation and probation officers. The records of the Ministry of Justice of the staff number for all of the courts sorts all non-judge staff to the various categories which differ from the categories listed in this questionnaire.
For the purpose of this questionnaire the numbers available for the various categories of the staff has been joined according to their characteristic.
Due to the different categorization it is not possible to exclude the number of the technical staff and the other non-judge staff from the complete number of the non-judge staff in the category No. 3. In this category there are included all the non-judge staff different from the Rechtspfleger and the staff directly assisting the judges.
Source: The Ministry of justice of the Slovak republic, The Department of the Human Resources Development.
Slovenia: In first category we put court clerks, whose status is explained under question 53. In second category we put judicial advisers, which are non-judge staff whose task is to assist the judges, since they “in particular matters outside the main proceedings perform the work connected with the hearings of parties, witnesses and experts, perform more complex preparatory work for the main trial proceedings, report at the panel sessions, draft decisions, conduct the main trial proceedings under the guidance of the judge and perform other work under the order of the judge”. These are lawyers with law degree and the Legal State Examination. The data that concern other court staff is not differentiated between administrative staff and technical staff.
Source: Court Statistics.
Spain: The main tasks of the Spanish non-judge staff do not coincide with the description given in the categories 2-5, for this reason it is not possible to give an answer. Nevertheless Spanish justice administration is provided with three categories of non-judicial staff: *Gestor Procesal, Tramitador Procesal and Auxilio Judicial*.

Furthermore, since 2010 new type of judicial entities have been put in place in several regions, Procedural Court Services (*Sevicios Comunes Procesales*), these joint services implement judicial competences working for several courts (such as preliminary appraisal of lawsuits or supervision of judgment enforcement). Spanish Court Secretaries lead the Procedural Court Service on autonomous basis and can issue procedural orders to the proceedings. The Court Procedural services were implemented taking into account the Council of European Recommendation and applying principles of economies of scales and scope. The legal basis are on Organic Law 19/2003 and Act 13/2009 of 3 of November on reform of the procedural legislation for the implementation of the new judicial courts. Regarding Q. 53, for more information about the functions of Secretarios Judiciales, http://www.mjusticia.gob.es/cs/Satellite/es/1215197355992/EPublico/1215326600957/DetallePerfil.html
Source: The Ministry of Justice and the General Secretariat of Justice Administration.
Sweden: The Swedish National Courts Administration (SNCA) is a government agency, which acts as a service organization to the courts in the country. Courts Administration has no authority over the courts judicial business of their verdict. SNCA's role is to be responsible for the overall coordination and joint issues by the courts. The work also involves giving support to the courts, rental and tenancy tribunals and Legal Aid. It can be about issues that staff development, training and information, development of regulations, instructions and guidance and to ensure that operations are conducted in an effective and accessible way for citizens. There are about 330 employees with diverse professional backgrounds.

Table 9.14. System for monitoring the enforcement procedure in 2012 (Q179, Q182)

Q179:
Austria: Controlling Units at the four Courts of Appeal (Vienna, Graz, Linz and Innsbruck).
Belgium: The office of Bailiff is regulated by a professional status and deontology rules aimed to ensure the independency and the impartiality of bailiffs.
Bulgaria: Private Enforcement Agents - Code of Ethics of Private Enforcement Agents, adopted by the General Assembly of the Chamber of Private Enforcement Agents.
Croatia: Enforcement agents are obliged to take the State exam which is designed specifically for the practice area of enforcement agents. Their work is being regularly assessed since they fall under the scope of the civil servants legislative framework.
Estonia: The basic quality standards for bailiffs are provided by the law. For example, the Bailiffs Act provides that a bailiff shall be impartial in the performance of professional activities and appear trustworthy to all persons for whose benefit or with regard to whom he or she performs acts. In addition, bailiffs are required to develop professional knowledge on a regular basis and pass the periodical legal in-service training.
Further quality standards are provided in the Code of Conduct for bailiffs adopted by the Chamber of Bailiffs and Trustees in Bankruptcy. The standards laid down in the Code of Conduct are for example independence and impartiality, confidentiality, honour and dignity, quality of professional competency, prohibition of advertisement, obligation of giving explanations, abiding by the laws, requirements for the professional ethics, good morals and conscience.
Finland: There are annual negotiations between the local enforcement authorities and the National Administrative Office for Enforcement (part of the method called "Management by results"). The quality standards are defined in the course of negotiations. The main standards used are the length of proceedings and the efficiency of the special collecting (*e.g.* tracing of the benefit proceeds of crime). Targets defined for the long term are for example the following: reduction of the number of debtors, the reduction of the collection charges.
Hungary: Besides legislation, there are recommendations and directives issued by the Chamber's bodies on financial management and filing of enforcement cases. Also, the professional code of conduct is being drawn up.
Ireland: A Joint Committee comprising representatives of the Department of Justice, The Revenue Commissioners, and the Sheriffs Association has agreed a voluntary code of conduct.
Latvia: There is a specific qualification estimation system for the bailiffs set by Regulation No 451 issued by the Cabinet on the rates for the official activities of sworn bailiffs.
Lithuania: The Law on Bailiffs sets criteria for a person who is willing to become a bailiff: a national of the Republic of Lithuania, a person of high moral character, a holder of a university degree in law, a person who has served as an assistant bailiff after winning a public tender or has practiced law for at least five years after winning a public tender.
Furthermore, certain rules regarding ethics and work principles are established by the Bailiffs' Code of Professional Ethics.
Luxembourg: The bailiffs are subject to deontological rules which violation implies sanctions.
Netherlands: Integrity; professionalism; commercial quality; continuity of the enterprise.
Poland: Procedural standards of quality (timeframe, time limits, *etc*.) are stipulated by law; ethical standards (i.e. professionality, proficiency, secrecy, *etc*.) are established by corporation which takes care of setting up the dignity and ethical standards and provides supervision and control of it abeyance.

Portugal: To issue the annual recommendations, the Commission for the Efficiency of Enforcement Procedures followed the criteria of the CEPEJ Recommendation number 75 (see Guidelines for a Better Implementation of the Existing CEPEJ Recommendations on Enforcement - Rec (2009)11):
The Commission for the Efficiency of Enforcement Procedures also added appropriate criteria concerning: a) Handling Procedure: incoming and Resolved – Clearance rate, geographical distribution, case average time during procedures stage; case turnover time; b) Judicial Organization: geographical distribution; resources by processes density; c) Enforcement Agents: Nr. of Enforcement Agents, Enforcement Agents geographical distribution, Nr. of enforcement procedures per Enforcement Agent; d) Enforcement Agents stage analysis: Nr. of Lawyers and Solicitors admitted; program during training (10 months), middle Exam results, final Exam; e) Enforcement Agents disciplinary behaviour analysis + supervision analysis (most common procedural errors / complaints; most common disciplinary procedures; management of the accounts; verification of the structures and the use of ICT).
In November of 2011, the Commission for the Efficiency of Enforcement Procedures issued 72 Recommendations towards the training of Enforcement Agents, available at http://www.cpee.pt/media/uploads/pages/ELENCO_DAS_105_RECOMENDACOES_DA_CPEE_SOBRE_A_EFICACIA_DAS_EXECUCOES_E_A_FORMACAO_AGENTES_DE_EXECUCAO_2010_2011_.pdf
Romania: Criteria are provided by: the Civil Procedure Code (the procedure for enforcement); the Law no. 188/2000 on bailiffs; Order of the Minister of Justice no. 210/2001 for the approval of the Regulation for the application of Law no. 188/2000 on bailiffs; the Statute of the National Union of Bailiffs; Order of the Minister of Justice no. 2550/C/2006 on the approval of the minimal and maximal fees for the services performed by bailiffs.
Slovenia: The Ministry of Justice examines the efficiency of the execution officers, taking into account the following criteria: the expected minimum amount of work in a calendar year; the time and speed of the proceedings; the legality and regularity of the performance of the office of the execution officer. Quality standards are established by Rules on criteria for assessing the performance of enforcement officers - prescribed by the Minister of Justice and the Securing of Civil Claims Act.
Spain: At the New Judicial Courts a control panel has been implemented to measure the case-flow and timeframes.

Q182:

Austria: Analysis of several key indicators by steering and controlling units of the courts of appeal.
Belgium: Different authorities are granted with monitoring functions: disciplinary proceedings before professional bodies in the event of professional misconduct; proceedings before the *juge des saisies* in order to contest the regularity of an execution measure *etc*.
Bulgaria: For state enforcement agents - Performed by the Inspectorate of the Minister of Justice on the Law on the Judiciary that inspects the activities of public and private bailiffs, including the activity of the institution, progress and completion of enforcement cases, summarize and analyse practice in these cases.
For private enforcement agents - Performed by the Inspectorate of the Minister of Justice on the Law on the Judiciary and financial inspectors within the Ministry of Justice, and by the Council of the Chamber of Private Enforcement Agents.
Private enforcement agents provide the Ministry of Justice with 6-month and annual reports on their activities. Reporting requirements are determined with an ordinance of the Minister of Justice.
The Ministry of Justice builds, maintains and develops the information system of judicial enforcement. MJ collect fees for use of this system in an amount determined by a tariff, approved by the Council of Ministers. Access to the system through official channels of public authorities, organs of local government and local administration and persons entrusted with the exercise of public functions, is free.
Croatia: Heads of the departments and all judges provide for regular and timely performance of tasks in departments, councils and divisions. President of the court supervises proper and timely performance of all tasks at court and permanent services. The supervision is carried out by inspection of court council's work, individual judges, investigation judges and other employees of the court, by inspection of files, decisions, as well as the decisions of higher courts pertaining to appeals, review of the docket, auxiliary books and lists and by supervision of data system eSpis ("eFile") at courts using that system and by other appropriate manners.
Czech Republic: Department of State Supervision of the Ministry of Justice carries out inspections.
Finland: Enforcement agents are organisationally under the administration of The National Administrative Office for Enforcement. The latter handles complaints concerning the activities of the enforcement authorities. Enforcement agents are also supervised by the Chancellor of Justice and the Parliamentary Ombudsman.
France: The answer is the same as this contained in the precedent report.
The Law n° 91-650 of 09.07.1991 (codified in the Code of civil procedures of execution) has established the office of the judge endowed with the responsibility to oversee the execution measures. The principle implies that there is no obligation to require from this judge the authorization for implementing an execution measure

(subject to some exceptions). The party against who the execution measure is aimed can apply to the judge and contest the measure. The judge is enabled to interrupt all measures that appear to him excessive and could order compensations.
As to the administrative proceedings, a party can apply to the judge who has ruled the final decision in order to obtain an executive measure (articles L. 911s, R. 921-1s and R. 931s of the Code of Administrative Justice).
Hungary: Being the professional body of enforcement agents, the Hungarian Chamber of Judicial Officers compiles quarterly statistics on enforcement cases, which is also forwarded to the Ministry of Public Administration and Justice. Also, inspections are regularly conducted by professional bodies of the Chamber.
Latvia: The monitoring of the bailiff activities are defined by the Law on Bailiffs, Article 7. According to the Civil Procedure Law, Article 632, a judgment creditor or a debtor, by submitting a substantiated complaint, may appeal the actions of a bailiff in executing a judgment or the bailiff's refusal to perform such actions, except the case specified in Section 617 of the Law on Bailiffs (…).
And according to the Law on Bailiffs, Article 53, first part the Minister for Justice may initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on its own initiative regarding significant violation of laws and other regulatory enactments, which has caused damage to the interests of the State or private individuals.
According to the Law on Bailiffs, Article 54, first part the Council of Latvian Sworn Bailiffs may initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on his or her own initiative regarding: violation of the articles of association of the Collegium of Latvian Sworn Bailiffs; violation of the norms of the professional ethics; non-observance of the methodology approved by the Council of Latvian Sworn Bailiffs; violation of other internal regulatory enactments related with the activities of sworn bailiffs.
Lithuania: According to art. 27 of the Law on Bailiffs, art. 510 of the Code of Civil Procedure of the Republic of Lithuania the procedural actions of bailiffs, their legitimacy are verified by a court upon a claim of a party of the enforcement case. But there is no system, where the institution, which controls the activities of bailiffs, could connect via information system and check the activities of bailiffs in the enforcement cases.
Luxembourg: Complaints can be fulfilled before a tribunal.
Poland: Courts and judicial supervision mechanism executed by the Ministry of Justice.
Portugal: The Commission for the Efficiency of Enforcement Procedures evaluates the execution of the legal system entered into force with Decree-Law nr. 226/2008, November 20th (31/03/2009) to issue the annual recommendations towards the efficiency of enforcement procedures and the training of Enforcement Agents, with the cooperation of the data of all the Plenary Members of the CPEE, especially the Ministry of Justice data and analysis elaborated by the General Cabinet of Legislative Policy (from Decree-Law nr. 123/2007, April 27th), the Solicitor`s Chamber, the associations of consumers or users of justice services and the confederations with a seat on the Permanent Committee for Social Dialogue of the Economic and Social Council.
Slovakia: The Ministry of justice of the Slovak republic monitors the statistical data on the number of incoming, closed and pending executions, the number of the authorizations to perform the execution granted by courts.
Slovenia: Supervision over the legality and performance of the office in connection with the cases that have been assigned to the enforcement agent by the court is carried out by the judges who are leading the enforcement procedures.
In the previous evaluation round we put the answer 'no' because we understood that it applies on the monitoring system for overall performance of an enforcement agent. Concerning the enforcement procedure in single cases, the answer should be 'yes'.
Spain: Section 104 of the Act on the Jurisdiction for Judicial Review reads as follows:
1. Subsequent to a ruling's becoming final, the Secretario Judicial shall report the ruling within ten days to the authority that performed the activity at issue in the claim. The recipient is to acknowledge receipt within a period of the same length after receipt and to put the ruling into full and due effect and to do as required by compliance with the declarations contained in the judgment, and in that same period to name the body responsible for compliance with the judgment.
2. Two months after service of the ruling or the period set in the ruling, any of the affected parties and persons may file for enforcement of judgments.
3. In view of the nature of what is demanded and the effectiveness of the ruling, a shorter period for compliance may be set when the provisions of the paragraph above render the ruling ineffective or cause serious injury.
Sweden: Within the Enforcement Authority controllers monitor and evaluate the activities in terms of volume, time, quality, and money.

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary in 2012 (Q 66)

States	Centralised institution for collecting statistical data
Austria	Yes
Belgium	Yes
Bulgaria	Yes
Croatia	Yes
Cyprus	Yes
Czech Republic	Yes
Denmark	Yes
Estonia	Yes
Finland	Yes
France	Yes
Greece	Yes
Hungary	Yes
Ireland	Yes
Italy	Yes
Latvia	Yes
Lithuania	Yes
Luxembourg	Yes
Malta	Yes
Netherlands	Yes
Poland	Yes
Portugal	Yes
Romania	Yes
Slovakia	Yes
Slovenia	Yes
Spain	Yes
Sweden	Yes
Yes	26
No	-

Comments - Indicator 10 The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary in 2012 (Q66)

Austria : Federal Computing Centre of Austria (Bundesrechenzentrum GmbH) on behalf of Federal Ministry of Justice of the Republic of Austria Museumstraße 7 1070 Wien
Belgium: "le bureau permanent des statistiques et mesure de la charge de travail http://vbsw-bpsm.just.fgov.be/fr"
Bulgaria : 1000 Sofia, Supreme Judicial Council, 12, Ekzarh Yosif str.
Croatia: Ministry of Justice of the Republic of Croatia, Ulica grada Vukovara 49, 10000 Zagreb
Cyprus: supreme court of Cyprus
Czech Republic: Ministry of Justice
Denmark: The Danish Court Administration (in Danish: Domstolsstyrelsen) located at St. Kongensgade 1-3, 1264 Copenhagen K
Estonia: Ministry of Justice
Finland: Statistics Finland, www.stat.fi, Postal address: FI-00022 Statistics Finland, Statistics Finland's task is to compile statistics and reports concerning social conditions,collect and maintain data files on society, provide information service and promote the use of the statistics, conduct studies and surveys related to statistics compilation and develop statistical methodology,develop the national statistical service in co-operation with other Government officials, participate in Finland's international statistical co-operation and co-ordinate it. In fact, also the Ministry of Justice collects statistical data regarding the functioning of courts and judiciary via automated case-management systems of courts and different automated statistics systems. These answers are based on the information of these case management systems gathered by the Ministry of Justice. The data of these systems is forwarded to Statistics Finland.
France: "Ministère de la justice, sous direction de la statistique et des études, pour les juridictions judiciaires. Collecte centralisée propre aux TACAA au sein du Secrétariat général du Conseil d'Etat. »
Greece : Ministry of Justice,Transparency and Human Rights, National Statistical Service of Greece. Formally there is no centralized institution for collecting statistical data regarding the functioning of the courts and the judiciary in Greece. However, the Ministry of Justice, Transparency and Human Rights now acts with its coordinating role to collect the relevant data in a more systematic way and with a view to updating the national system of collecting data, so that it meets international needs and standards.
Hungary: The Department of Statistics within the Division of Administration of Courts of National Office for the Judiciary http://www.birosag.hu/kozerdeku-informaciok/statisztikai-adatok/statisztikai-evkonyvek
Ireland: Courts Service Information Office collects statistical data.
Italy: Direzione Generale di Statistica (i.e. Statistics Department) - Via Arenula 70 – Roma
Latvia: Court Administration, Mukusalas street 41b, Riga, Latvia, www.ta.gov.lv
Lithuania: National Courts Adminsitration, L. Sapiegos st. 15, Vilnius
Luxembourg: M. le Procureur général d'Etat, Cité Judiciaire, bâtiment CR, L - 2080 Luxembourg
Malta : There exists and in house 'ad hoc' database and management system of all the acts and proceedings taking place in Court, which system is maintained by the Court Administration together with the Malta Information Technology and Training Services Limited (MITTS) which is entrusted with the technical upkeep of the system.
Netherlands: The council of the Judiciary collects the data, both for internal planning and control, and communication with Department of Justice. Also the Dutch Central Bureau of Statistics collects data, either directly from the courts and in some instances from the Council of the Judiciary.
Poland: Department of Strategy and Deregulation, Ministry of Justice
Romania: Statistics departments are functioning in the Superior Council of Magistracy, Ministry of Justice and Prosecutors' Office by the High Court of Cassation and Justice. Each court introduces in a shared application its own statistical information. Such information is centralized automatically in the statistics server managed by the Ministry of Justice. The access to the information is ensured to an equal extent also to the Judicial Statistics Unit within the Superior Council of Magistracy.
Slovakia: The Ministry of justice of the Slovak republic, Župné námestie 13, 813 11 Bratislava
Slovenia: Ministry of Justice, Župančičeva 3, 1000 Ljubljana
Spain: National Judicial Statistics Commisison. Ministry of Justice, Judicial Statistics Department. General Council of the Judiciary
Sweden: The Swedish National Courts Administration, SE-551 81 Jönköping, Sweden

Part 2 Country fiches for each EU Member States

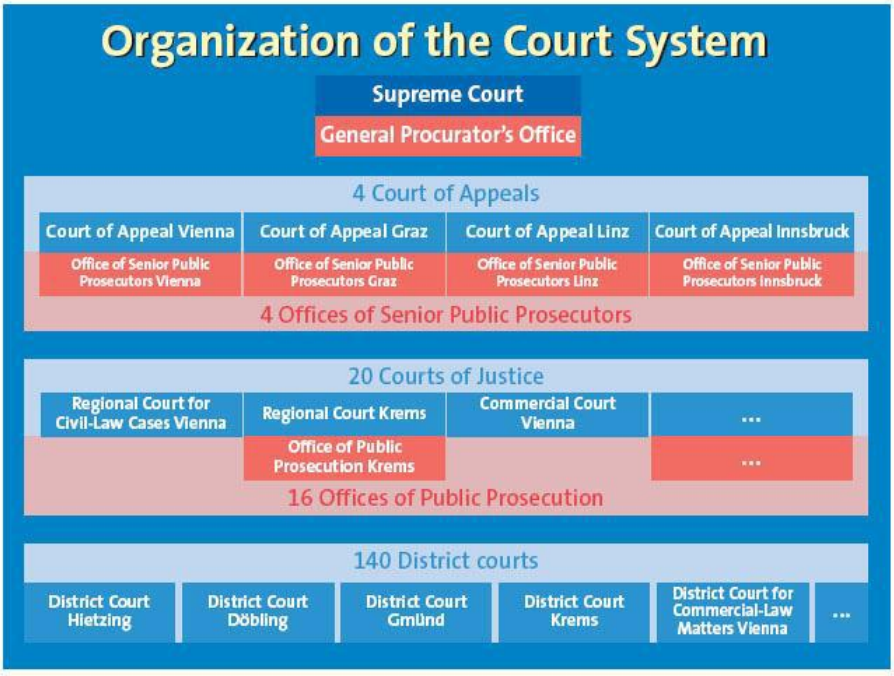
Austria (2012 data)

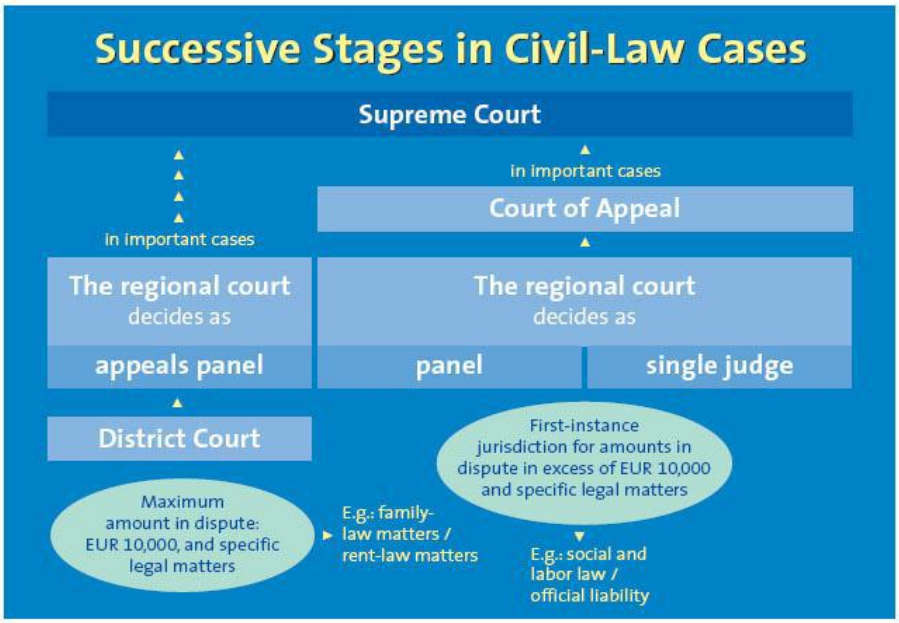
NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Austria	8 451 860	157 799 650 000	36 430	29 723

1. Presentation of the functioning of the judicial system





According to 2012 data, in Austria there are 154 courts of first instance with general jurisdiction (Bezirksgerichte and Landesgerichte) and 7 specialised courts of first instance including 2 commercial courts, 1 labor and social court which is also competent for (some) social welfare cases, 2 courts for enforcement of criminal sanctions and 2 civil law courts (in Vienna and Graz). In general, every court has to deal with all judicial issues; in the biggest Austrian cities, certain courts are specialized, i.e. 5 in Vienna (civil cases, criminal cases, commercial cases (2 ×), employment and social welfare cases) and two in Graz (criminal cases, residual cases). There are 20 Landesgerichte and 4 Oberlandesgerichte as courts of second instance and 1 Oberster Gerichtshof as the high court.
There are 141 first instance courts competent for a debt collection for small claims (the monetary value of which is € 10 000), 16 first instance courts competent for a dismissal.
According to data provided by the Management Information System (MIS) on January 1st 2013, in Austria there are 340 enforcement agents, 5% less than in 2010. It represents 4 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easily established and transparent for the court users and not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1 and 5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 770 790 000 euros

This figure includes the public prosecution services and the budget per legal aid (€ 19,0 Mio for legal representation is included).

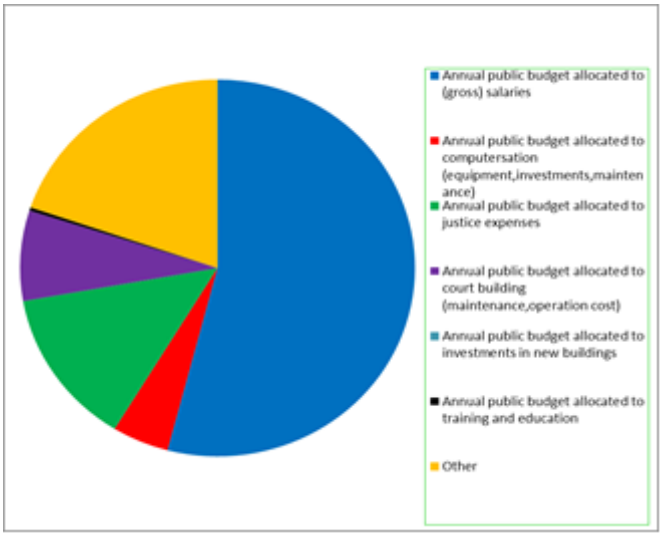
Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 91,20 euros

This ratio is higher than the EU average (62,22) et the EU median (47,43). Austria belongs to the group of European States with the highest degree of investments intended to the judicial system. The latter is self-financed by means of the collected court fees.

The three most important categories as concerns the break down by component of the court budget are:

- the annual public budget allocated to (gross) salaries
- the annual public budget allocated to justice expenses (expertise, interpretation, etc)

- other (Postal services (€ 37,3 Mio), Traineeship (€ 13,9 Mio), office equipment, lump-sum payment for legal representation (€ 19,0 Mio) , travel expenses, other small expenses)



- **Budget allocated to the whole justice system : 1 276 420 000 euros**

The following budgetary elements are included in this budget: courts, legal aid, public prosecution services, prison system, probation services, enforcement services and functioning of the Ministry of Justice.

Between 2010 and 2012, the budget dedicated to justice system has increased by 8% inspite of economic and financial crises.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Austria is 1 547 which is 4 % more than in 2010. This represent 18 judges per 100 000 inhabitants (less than the EU median of 19 judges per 100 000 inhabitants). The levels for the indicators of the Clearance Rate and the Disposition Time characterising this State on each of the three jurisdictional levels confirms the successful functioning of Austrian courts and imply satisfactory adequacy between human resources and concrete needs.

Judges are recruited trough a competitive exam or through a specific procedure for legal professionals with long-time working experience in the legal field. An initial training is compulsory.

The gross annual salary of a first instance professional judge is 49 509 euros (1,7 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 119 771 euros (4 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are generally appointed to office for an undetermined period (the compulsory retirement age is 65 years). There are nevertheless some exceptions.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

    - Non-judge staff

In Austria there are 4 631 non-judges staff including:

- 760 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 20 non-judge staff whose task is to assist the judges such as registrars,

- 3 818 staff in charge of different administrative tasks and of the management of the courts,
- 33 technical staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid : 19 000 000 euros (2,25 euros per capita)

The sum includes only the lump sum paid to the bar for representation of parties "pro bono". It does not include court fees or fees for translation or experts, which are also covered by legal aid, but not isolated within the budget.

Legal aid applies in criminal cases and in other than criminal cases for representation in court and legal advice. In civil cases, for example, legal aid may cover not only the (provisional) exemption from court fees but also the exemption from fees for witnesses, experts, interpreters and guardians, costs of the necessary announcements and the cash expenditure of guardians or lawyers, representation by a court official or – if necessary – a lawyer.

If legal aid is granted in the main proceeding, the same applies to the enforcement proceeding. The requirements for granting legal aid have only to be examined again, if the enforcement proceeding will be opened more than one year after the main proceeding has closed.

The total number of cases granted with legal aid per 100 000 inhabitants is 239 (less than the EU average of 765 and the EU median of 551). The average amount of legal aid allocated per case is 939 euros (less than the EU average of 2 543 euros but higher than the EU median of 803 euros). The choice made by Austria in terms of legal aid implies a restricted number of cases that can aspire to legal aid, which allows to grant a regular and stable amount to each case.

  - **Court fees**

The annual income of court fees or taxes received by State is 834 870 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 108% (higher than the EU average of 21% and the EU median of 16 %). Austria is the sole State where court fees are sufficient to ensure the total funding of the judicial system and even budget profits.

Litigants are in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction for other than criminal cases but not for criminal cases.
The duty to pay court fees arises from the start of the civil procedure at the court, but the proceedings themselves are not dependent on the payment of this fee (the claimant could be granted legal aid).

  - **Lawyers**

In Austria, there are 7 861 lawyers (this category does not include solicitors or legal advisors as such professions/types of service providers do not exist in Austria) which is 5 % more than in 2010. This figure only includes lawyers registered in the list of Austrian lawyers (5756), lawyers registered in the list of established European lawyers (89) and trainee lawyers (2016) registered by December 2012.

This data represents 93 lawyers (without legal advisers) per 100 000 inhabitants (less than the EU median of 106 lawyers per 100 000 inhabitants) and 5,1 lawyers per professional judges.

Lawyers have no monopoly on legal representation.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees but they are freely negotiated.

The fees can be freely negotiated between client and lawyer. Usually hourly rates, lump-sum agreements, caps or fees according to the lawyers' tariff act (Rechtsanwaltstarifgesetz) are agreed. The latter is a federal

law providing fee tables, which are necessary as basis for the court's decision on the procedural fees the losing party has to reimburse to the winning party.

- **Court performance**

    - Clearance Rate (CR) and Disposition Time (DT)

The Clearance Rate of Austria proves the high performance of its judicial system which successfully deals with backlogs and incoming cases, avoiding backlogs on all jurisdictional levels (even if the Clearance Rate concerning the third instance is lower than this of the other instances) and in all categories of cases.
The Disposition Time is also an indicator of the high performance of the Austrian judicial system on all levels and in all categories of cases (even if resolution of civil and commercial litigious cases before courts of first instance is longer in comparison with other categories of cases).

    - Insolvency

The clearance rate for insolvency cases in first instance in Austria is 101 % which means that pending cases are decreasing slightly and the situation is stable. The disposition time for insolvency cases in first instance is 157 days.

    - Austria provides specific procedures for urgent matter and simplified procedures for civil cases. The latter concern small disputes (Payment orders up to € 75.000).

- Systems for measuring and evaluating the court performance

In Austria, individual courts are required to prepare an annual activity report.
Besides, a regular monitoring system of court activities exists within the courts. Its scope encompasses an oversight of the number of incoming cases, the number of decisions delivered, the number of postponed cases, the length of proceedings (timeframes) and certain kinds of decisions.
A system to evaluate regularly the activity of each court (in terms of performance and output) also exists and includes the resort to an Operational Information System (BIS) and periodic check lists established on October 1st of every year. In this respect, Austria has defined performance and quality indicators among which the 4 main are: the number of incoming cases; the length of proceedings (timeframes); the number of closed cases; the number of pending cases and the percentage of backlogs.
The Austrian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil cases and criminal cases (not for administrative cases). Additional indicators that are taken into consideration concern cases which have a certain duration between the decision and the dispatch of the decision, the examination of the ratio of staff to caseload (PAR) and the length of procedures.
Quantitative performances targets are defined neither for each judge nor at the level of the court. Besides, no quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Austria, there is judicial mediation for civil and commercial cases, family law cases, employment dismissals cases and criminal cases.

There are 2 400 accredited mediators and in 2012 the number of judicial mediation was 6 007 (criminal cases).

Austria also knows other than judicial mediation and arbitration.

- **The ICT tools of courts and for court users**

Austria has developed a very complete ICT system: for direct assistance of the judges/court clerk (word processing, electronic data base of caselaw, electronic files, e-mail, internet connection), for administration and management (case registration system, court management information system, financial information system, videoconferencing) and for electronic communication and exchange of information between the courts and their environnement, the computer facilities used within/by the courts are 100 %.

Videoconferencing is used in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the

courts/prosecution offices, especially in order to protect the rights of the defence does exist. Since March 2011 court, prosecution office and penitentiary is equipped with video-conferencing system. In the year 2012 3330 videoconferencing settings have been held, about 16% with courts from foreign countries.

4. National data collection system

The Federal Computing Center of Austria (Bundesrechenzentrum GmbH) on behalf of the Federal Ministry of Justice of the Republic of Austria is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. This institution publishes statistics only in an intranet website.
The system of collecting statistical data is satisfactory essentially with regard to the establishment of the number of cases in first instance. It is less efficient as concerns the two other jurisdictional levels and specific cases such as litigious divorce cases, employment dismissals and insolvency.

5. Reforms

Reforms regarding budget:

The Austrian budget and accounting system has been totally changed by Bundeshaushaltsgesetz 2013, Bundeshaushaltsverordnung 2013 and related regulations, effective on 1st of January 2013s. Changing the structure of the judicial system is not an aim of the reform.

Reforms regarding courts:

From January 1st, 2013 to July 1st, 2014 a number of district courts will be merged. The total number of district courts will decline from 141 in 2012 to 115 as of July 1st, 2014. From January 1st, 2014 there will be 11 newly founded courts for administrative law in Austria – 9 regional administrative courts set up by the 9 Bundesländer, 1 Federal administrative courts and 1 Federal Tax Court. They work as appelate courts for appeals against decisions of administrative bodies (in general appeals against decisions of a federal authority have to be lodged at the Federal Administrative Court, tax matters at the Federal Tax Court and all others at the regional administrative courts). Plans for mergers of district courts in the remaining states exist, but have not yet obtained the approval of state governments.

Reforms regarding legal professionals (lawyers):

At the end of 2013, changes regarding the appeal bodies for lawyers and trainee lawyers are pending. As a consequence of a major reform regarding administrative proceedings in order to establish an administrative court system in Austria (Verwaltungsgerichtsbarkeits-Novelle 2012), the Supreme Appeals and Disciplinary commission (Oberste Berufungs- und Disziplinarkommission – OBDK, see answer to question 160) will be dissolved. From the beginning of 2014, the Supreme Court (Oberster Gerichtshof) will be the appellate body in disciplinary and professional matters (e.g. refusal of entry in the list of lawyers, challenging an election, etc) of lawyers and trainee lawyers. The composition of the senates at the Supreme Court will stay the same - two judges of the Supreme Court and two lawyer judges, whereas a judge of the Supreme Court always acts as chair. For some issues, however, the federal administrative court (Bundesverwaltungsgericht) will be the competent appellate court. Appeals against decisions in other matters related to the Lawyer's Act have to be lodged at the competent administrative court in the respective federal country (Landesverwaltungsgericht) from then on. The establishment of the Landesverwaltungsgerichte (9 courts in total as they are established in each federal county in Austria) as appellate courts for such matters, instead of a court on federal level, was heavily criticised by the Austrian Bar as it endangers the uniformity of jurisprudence and should therefore be revised as soon as possible.

Reforms regarding civil, criminal and administrative laws:

At the end of 2012, the Ministry of Justice set up a working group composed of experts of the Ministry of Justice, the Public Prosecution Office, a Regional Court and the President of the Highest Court to evaluate the proceedings of the trial in the first instance as well as the appellate system.

A reform on intellectual property law, which will enter into force on 1st of January 2014, foresees the courts as instances of appeal against decisions of the patent office in civil matters. This reform will lead to higher consistency of rulings in the field of intellectual property.

A modernisation of copyright law is envisaged next year on the occasion of the implementation of the orphan works directive 2012/28/EC.

After a reform of cartel law in 2013, a follow-up is envisaged in order to further strengthen the transparency of rulings in this field and competition in general.

Reforms regarding the enforcement of court decisions:

A partial reform of the law of enforcement ("Exekutionsordnung"), including the establishment of access of lawyers and authorities to a directory of certain pending enforcement proceedings of a debtor is considered.

Austria - Data tables for each indicator (2010/2012)

Austria	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	8 387 742	8 451 860
2#1#1 Total of annual State pb expenditure State level	166 981 000 000	157 799 650 000
3 GDP Per capita GDP (in €)	34 120	36 430
4 Average gross annual salary in €	28 715	29 723
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	709 980 000	770 790 000
12#1#1 Total annual appr pb budget allocated to LA	18 400 000	19 000 000
13#1#1 An appr pb bd alloc_pb prosecution system	NA	NA
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	709 980 000	770 790 000
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	369 730 000	416 840 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	47 970 000	35 800 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	103 630 000	103 750 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	77 750 000	59 700 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build		0
6#2#7 Amount_Annnual appr budget_courts alloc_Training	1 100 000	2 200 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	109 800 000	152 500 000
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	1 174 830 000	1 276 420 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	NAP	NAP
Constitu-tionnal court		No
Judicial manage-ment body		NAP
State advocacy		NAP
Enforcement services		Yes
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	8 387 742	8 451 860
Amount_An approved budget alloc whole justice	1 174 830 000	1 276 420 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	Yes	Yes
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	NAP
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	NAP
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	NAP
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	Yes	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	NAP
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	Yes	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	154	154
42#1#2 Specialised first instance courts	7	7
42#1#3 All the courts (geographic locations)	149	149

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	7	7
43#1#2 Nr of commercial courts	2	2
Insolvency courts	0	0
43#1#3 Nr of labour courts	1	1
43#1#4 Nr of family courts	NA	0
43#1#5 Nr of rent and tenacies courts	NA	0
43#1#6 Nr of enforc_crim_sanctions courts	2	2
Fight against terrorism, organised crime and corruption	0	0
Internet related disputes	0	0
43#1#7 Nr of administrative courts	NA	0
43#1#8 Nr of insurance_soc welfare courts	NA	1
43#1#9 Nr of military courts	NA	0
43#1#10 Nr ofother specialised 1st instance courts	2	2

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	141	141
45#1#2 Nr_1st instance courts competent_dismissal	16	16
45#1#3 Nr_1st instance courts competent_robbery	16	16

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	544 991	504 481
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	39 860	39 530
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	160 555	134 086
91#1#4 Pending cases_1 Jan _Enforcement cases	259 897	263 862
91#1#5 Pending cases_1 Jan _Land registry cases	16 235	17 205
91#1#6 Pending cases_1 Jan _Business reg cases	NA	na
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	48 835	49 798
91#2#1 Incoming cases_Total_non crim cases	3 600 472	3 489 286
91#2#2 Incoming cases_Civil&com litig cases	112 772	104 365
91#2#3 Incoming cases_Civil&com nonlit cases	781 803	756 585
91#2#4 Incoming cases_Enforcement cases	1 092 105	1 018 450
91#2#5 Incoming cases_Land registry cases	682 554	689 005
91#2#6 Incoming cases_Business reg cases	265 326	335 857
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	605 186	585 024
91#3#1 Resolved cases_Total_non crim cases	3 607 341	3 476 472
91#3#2 Resolved cases_Civil&com litig cases	112 870	104 977
91#3#3 Resolved cases_Civil&com nonlit cases	798 181	753 118
91#3#4 Resolved cases_Enforcement cases	1 085 046	1 033 529
91#3#5 Resolved cases_Land registry cases	680 712	664 726
91#3#6 Resolved cases_Business reg cases	NA	335 857
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	604 261	584 265
91#4#1 Pending cases_31 Dec _Total_non crim cases	538 122	517 295
91#4#2 Pending cases_31 Dec _Civil&com litig cases	39 762	38 918
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	144 177	137 553
91#4#4 Pending cases_31 Dec _Enforcement cases	266 956	248 783
91#4#5 Pending cases_31 Dec _Land registry cases	18 077	41 484
91#4#6 Pending cases_31 Dec _Business reg cases	NA	na
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA

91#4#8 Pending cases_31 Dec _Other cases	49 760	50 557
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	100%	100%
CR Civil&com litig cases	100%	101%
CR Civil&com nonlit cases	102%	100%
CR Enforcement cases	99%	101%
CR Land registry cases	100%	96%
CR Business reg cases		100%
CR Admin law cases		
CR Other cases	100%	100%
DT Total non DTim cases	54	54
DT Civil&com litig cases	129	135
DT Civil&com nonlit cases	66	67
DT Enforcement cases	90	88
DT Land registry cases	10	23
DT Business reg cases		
DT Admin law cases		
DT Other cases	30	32
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-1%
CR Civil&com litig cases		0%
CR Civil&com nonlit cases		-3%
CR Enforcement cases		2%
CR Land registry cases		-3%
CR Business reg cases		
CR Admin law cases		
CR Other cases		0%
DT Total non DTim cases		0%
DT Civil&com litig cases		5%
DT Civil&com nonlit cases		1%
DT Enforcement cases		-2%
DT Land registry cases		135%
DT Business reg cases		
DT Admin law cases		
DT Other cases		5%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	3 054	2 920
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		11 557

101#1#3 Pending cases_1 Jan _Robbery cases	NA	14
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	11
101#2#1 Incoming cases_Litigious divorce cs	6 852	6 354
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		26 152
101#2#3 Incoming cases_Robbery cases	NA	5 893
101#2#4 Incoming cases_Intentional homicide	NA	758
101#3#1 Resolved cases_Litigious divorce cs	6 917	6 444
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		26 344
101#3#3 Resolved cases_Robbery cases	NA	5 828
101#3#4 Resolved cases_Intentional homicide	NA	755
101#4#1 Pending cases_31 Dec _Litigious divorce cs	2 989	2 830
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		11 365
101#4#3 Pending cases_31 Dec _Robbery cases	NA	79
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	14
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		101%
DT - Insolvency cases		157
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	6 362	6 284
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	33 111	29 919
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	32 884	30 589
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NA

97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	6 589	5 614
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	99%	102%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	73	67
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	770	693
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	2 489	2 483
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	NA	NA

99#2#8 Incoming cases_Other cs	NA	NA
99#3#1 Resolved cases_Total _non crim law cs	2 470	2 249
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	789	882
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	99%	91%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	117	143
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	1
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA

% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	167	161
102#3#2 1st inst average length_Empl dismissal	176	158
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.10. bis Calculation method of the length of proceedings (Q104)		

Table 3.11. Caseload in the EU		
1 Number of inhabitants	8 387 742	8 451 860
91#2#1 Incoming cases_Total_non crim cases	3 600 472	3 489 286
91#2#2 Incoming cases_Civil&com litig cases	112 772	104 365
91#2#3 Incoming cases_Civil&com nonlit cases	781 803	756 585
91#2#4 Incoming cases_Enforcement cases	1 092 105	1 018 450
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	538 122	517 295
91#4#2 Pending cases_31 Dec _Civil&com litig cases	39 762	38 918
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	144 177	137 553
91#4#4 Pending cases_31 Dec _Enforcement cases	266 956	248 783
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	No	No
87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		

88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	No	No
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	Yes	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	Yes	Yes
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	Yes	Yes
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	No	No

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	Yes	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	8 387 742	8 451 860
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	18 400 000	19 000 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		na

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	NAP	NAP
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	8 387 742	8 451 860
12#1#1 Total annual appr pb budget allocated to LA	18 400 000	19 000 000
20#1#1 Total Number of cases granted with legal aid	17 877	20 239
20#1#2 Nr of criminal cases granted with legal aid	NA	4 136
20#1#3 Nr non criminal cases granted with legal aid	17 877	16 103

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	nap

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	709 980 000	770 790 000
9 Annual income of court taxes received by the State	779 840 000	834 870 000
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
[8.2] - Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?		After fee item (Tarifpost) 1 Act on court fees (Gerichtsgebührengesetz – GGG) the court fee would be 155 € for the first instance.
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts

Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	Yes
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No

Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional

Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
131C		

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132) Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	47 713	49 509
132#1#2 Gross An sal: Judge_Supr Ct	115 647	119 771
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	50 653	52 548
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	115 647	119 771
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	30 499	31 415
132#2#2 Net An sal: Judge_Supr Ct	69 561	71 418

132#2#3 Net An sal: Pb prosecutor_beg_carrier	31 999	32 966
132#2#4 Net An sal: Pb prosecutor_Supr Ct	69 561	71 418
4 Average gross annual salary in €	28 715	29 723
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	65
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	X
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	46	66
144#1#2 Discipl proc against judges_Breach_pro ethics	37	54
144#1#3 Discipl proc against judges_Prof inadequancy	7	9
144#1#4 Discipl proc against judges_Criminal offence	2	3
144#1#5 Discipl proc against judges_Other	NA	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No

142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	2	11
145#1#2 Sanctions against judges_Reprimand	1	3
145#1#3 Sanctions against judges_Suspension	NA	1
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	5
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	NA	0
145#1#10 Sanctions against judges_Other	1	2
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		na
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	160	79
47#1#2 Number of 1st instance presidents	155	63
47#1#3 Number of 2nd instance presidents	4	15
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	113	49
47#2#2 Number of 1st instance presidents_males	109	38
47#2#3 Number of 2nd instance presidents_males	4	9
47#2#4 Number of supreme court presidents_males	0	1
47#3#1 Total Nr of court presidents_females	47	31
47#3#2 Number of 1st instance presidents_females	46	25
47#3#3 Number of 2nd instance presidents_females	0	6
47#3#4 Number of supreme court presidents_females	1	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the		

situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NA	NA
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q 113, 114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	No	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No

164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	Yes
164#2#5 Private mediator_Criminal cases	Yes	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	Yes	Yes
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	Yes	Yes
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	Yes	Yes
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	8 387 742	8 451 860
166#1#2 Number of accredited mediators		2 400
167#2#1 Judicial mediation procedures_Total Nr		6 007
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr	6 007	6 007
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	8 387 742	8 451 860
46#1#1 Total Nr of professional judges	1 491	1 547
52#2#1 Nr_non-judge staff who are working in courts	4 642	4631,20(3255,62)
146 Total number of practicing lawyers	7 510	7 861
170 Number of enforcement agents	358	340
52.2.2 Number Non-judge staff (Rechtspfleger)	757	760,32(440,7)

Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	7 510	7 861
148 Number of legal advisors	NAP	nap
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 491	1 547
1 Number of inhabitants	8 387 742	8 451 860
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	358	340
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	2	0
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	0
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	0	0
187#2#4 Nr_Discipl proc against EA_Criminal offence	2	0
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		

188#2#1 Nr_Sanctions pronounced against EA_Total	2	1
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	1	0
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	1	0
188#2#6 Nr_Sanctions pronounced against EA_Other	0	1
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	Yes	Yes
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	4 642	4631,20(3255,62)
52#2#2 Number Non-judge staff (Rechtspfleger)	757	760,32(440,7)
52#2#3 Nr_Non-judge staff assisting the judges	26	19,83(19,28)
52#2#4 Number_Staff in charge of administrative tasks	3 816	3817,71(2771,93)
52#2#5 Number of Technical staff	43	33,34(24,34)
52#2#6 Number of Other non-judge staff	0	
Table 9.13. bis Rechtspfleger's functions (Q53)		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Belgium (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Belgium	11 161 642	206 852 000 000	34 000	40 980

1. Presentation of the functioning of the judicial system

According to 2012 data, Belgium has 27 ordinary law courts of first instance and 262 specialised courts of first instance, including 23 commercial courts, 21 labour courts and 218 other specialised courts. Five tribunals of first instance have specialized chambers of enforcement of sanctions. The 'other specialised courts' include 187 justices of the Peace and 31 Police tribunals. In 2012 the Parliament voted a law creating specialised sections in each first instance tribunal competent for family and juvenile justice. The Parliament also voted a law reforming judiciary districts and thus reducing the number of districts from 27 to 12. This reform entails a reorganization of the courts' network. Following these reforms there will be 13 first instance tribunals, 15 Police tribunals, 9 labour tribunals and 9 commercial tribunals. There will be also two disciplinary courts and two disciplinary courts of appeal competent for harsh disciplinary sanctions.

There are 229 first instance court competent for a debt collection for small claims (the monetary value of which is under 1860 euros) and 34 first instance court competent for a dismissal.
The number of enforcement agents in Belgium is 553, which is 4% more than in 2010. It represents 5 enforcement agents per 100 000 inhabitants (less than the EU average (7 enforcement agents per 100 000 inhabitants) and coincide with the EU median (5)).

Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 998 125 000 euros

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 89,42 euros

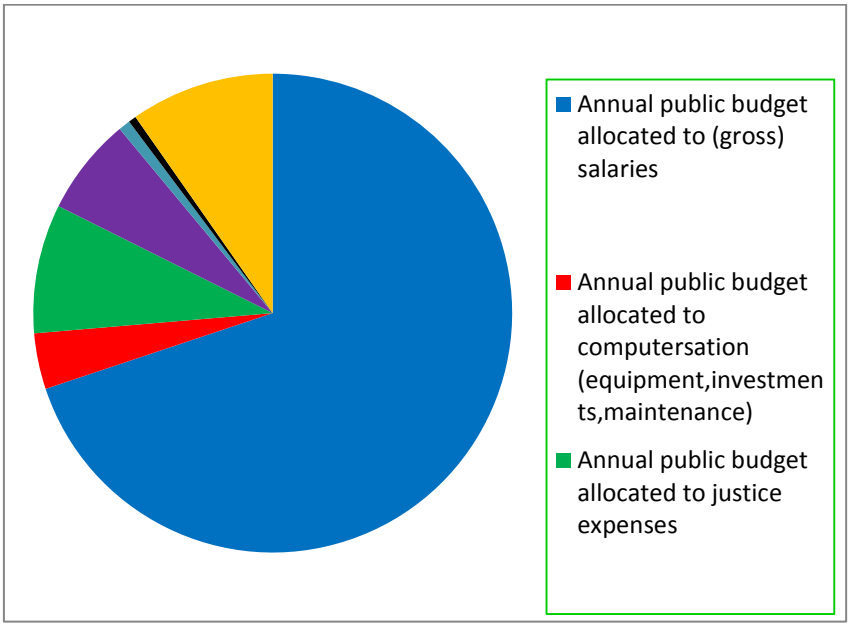
This ratio is higher than the EU average (60,05) and higher than the EU median (47,04). Belgium belongs to the group of European States with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- the annual public budget allocated to (gross) salaries

- the annual public budget allocated to justice expenses (expertise, interpretation, *etc*.)

- the category "other": operations, fees, mediation, and legal aid, phone-tapping; the budget for buildings does not reflect the total amount spent in buildings. The budget for the construction of new courts or furnishing of old buildings is not part of the budget of the Federal Public Justice Service



- **Budget allocated to the whole justice system :** 1 855 485 000

This budget includes the following budgetary elements: courts, legal aid, public prosecution services, prison system, probation services, forensic services and functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita was stable.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Belgium is of 1 598 which is 1% less than in 2010.

This represents 14 judges per 100 000 inhabitants (less than the EU average of 21 judges per 100 000 inhabitants). The level for the indicators of the clearance rate and the disposition time (total non criminal cases) can be evaluated solely with regard to the highest instance court, which makes difficult the establishment of the adequacy between human resources (in terms of number of judges) and concrete needs conditioning the system's performance. Before the highest instance court, the level for these indicators reveal existing backlogs.

Judges are recruited through a combination of both competitive exam and specific recruitment procedure for legal professionals with a long-time working experience in the legal field. Initial training and an in-service training for specialised judicial functions are compulsory.

The gross annual salary of a first instance professional judge is 64 886 euros (1.6 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 118 643 euros (2.9 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 77 years for the members of the Supreme Court of cassation and of 70 years for the members of the other tribunals).

However, functions of presidency are exercised for a determined term of office. There are also some specific mandates which are temporary as for example the office of *juge d'instruction*.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Belgium, there are 5 458 non-judges staff including:

- 1 708 non-judge staff whose task is to assist the judges such as registrars,
- 2 766 staff in charge of different administrative tasks and of the management of the courts,
- 984 technical staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 87 024 000 euros (**7,80 per capita)**

The legal aid is granted in criminal cases and in other than criminal cases for representation in court and legal advice. The legal aid includes coverage/exemption from court fees. It can be granted for fees related to enforcement judgments.

The total number of cases granted with legal aid per 100 000 inhabitants is 615 (263 criminal cases and 352 other than criminal cases per 100 000 inhabitants); (less than the EU average (765), but more than the EU median (551). The average amount of legal aid allocated per case is € 1 269 euros (less than the EU average: 2 543 euros, but more than the EU median (803).

The number of cases subject to the regime of legal aid, as well as the amount granted to each individual case – both of them being higher than the EU median – indicate that Belgium has not chosen as strategy to favour one of these two parameters to the detriment of the other.

  - **Court fees**

The annual income of court fees or taxes received by State is 34 917 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 3%(less than the EU average of 21% and than the EU median of 16%).

Litigants are in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction for other than criminal cases but not for criminal cases.

  - **Lawyers**

In Belgium, there are 17 336 lawyers (this category does not include legal advisors), which is 5% more than in 2010.

This data represents 155 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 10.8 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil cases, criminal cases (defendant and victim) and administrative cases. However, under some circumstances and before some courts the legal representation can be ensured by the party itself; a member of the family (before the Trade Court, Labour tribunals and judges of the peace); a member of a representative organization of employees or workers or of an independent representative organization (before Labour); a member of a social organization defending the interests of a group of persons targeted by the contested legislation; by the Public Prosecutor's Office in the field of cross-border visits.

Concerning the lawyers' fees, an easy access to prior information – transparent and accountable - on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees but they are freely negotiated.

- **Performances of courts**

    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The level for the indicators of the clearance rate and the disposition time cannot be evaluated in respect of first and second instance courts. Before the highest instance court, the level for the indicator of the clearance rate shows that the system is not totally able to function without generating backlogs. As to the disposition time at this level, the estimated length of proceedings exceeds one year.

    - Insolvency

Data concerning the level for the indicators of the clearance rate and the disposition time for insolvency cases in first instance in Belgium are not available.

    - Specific procedures for urgent matters

The Belgian legislation provides for specific procedures for urgent matters in civil, criminal and administrative cases. In civil cases: conditions for interim measures be adopted by the President of the Court of First Instance are: urgency, the provisional nature of the decision and the fact that the decision is not prejudicial to the case.

    - Simplified procedures

The law also set forth simplified procedures for civil (proceedings for an injunction to pay), criminal (as regards small disputes) and for administrative cases. For these simplified procedures, judges could not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the performances of courts

In Belgium, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities exists within the courts. Its scope encompasses an oversight of: the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist in Belgium and Belgium has not defined performance and quality indicators concerning court activity.

The Belgian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil and criminal cases (not for administrative cases).

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are not set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Belgium, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, employment dismissals and criminal cases.

There are 1 134 accredited mediators. Data concerning the total number of judicial mediation in 2012 is not available, only the number of mediations in criminal cases is communicated – 6 352.

Belgium also knows other than judicial mediation, as well, arbitration and conciliation.

- **The ICT tools of courts and for court users**

Belgium has an ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, e-mail and internet connection (100%); over the average as concerns electronic files (+50%))

- administration and management (over the average as concerns case registration system and financial information system (+50%); below the average as concerns court management information system (-50%); low level as concerns videoconferencing (-10%))

- electronic communication and exchange of information between the courts and their environment (over the average as concerns website (+50%); low level as concerns electronic web forms, electronic registers and videoconferencing (-10%); total absence as concerns follow-up of cases online; electronic processing of small claims; electronic processing of undisputed debt recovery, electronic submission of claims; other electronic communication facilities (0%)).

In Belgium, videoconferencing is used in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

In Belgium, *le bureau permanent des statistiques et mesure de la charge de travail* is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. It publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data proves unable to provide data concerning the number of cases respectively in first and second instances, as well as concerning specific cases such as employment dismissal cases or insolvency. As to the length of proceedings, the system appears efficient only with regard to some specific cases before second instance courts.

5. Reforms

In 2013, Belgium has started a large three tiered reform process with regard to the judicial system concerning districts, magistrates' mobility and courts' organisation management.
The number of districts will be reduced from 27 to 12 without affecting the places of hearings (one court will have several sites). The courts' and prosecutors' networks will be reorganized. The first instance tribunals and police tribunals will be competent within a new district.
Specialized tribunals such as commercial courts and labour courts will be competent with regard to one or more districts and their number will be reduced to 9 for each of these two categories.
In Brussels, the existing courts will be divided into "*tribunaux francophones"* and "*tribunaux néérlandophones"*.
A new regulation is intended to improve the magistrates' mobility within courts and between districts.
The judicial power will be responsible for the courts' organisation management (instead of the Ministry of Justice) which will increase its independence. This responsibility will be shared by two bodies (one for judges and one for prosecutors) which will be enabled to pass contracts with the Ministry of Justice.
There will be also two disciplinary courts and two disciplinary courts of appeal competent for harsh disciplinary sanctions. A specialised court in family law will be established and replace the four entities acting in this field before the reform.
There is another draft-law aiming at enhancing the functioning of the judicial system on different levels: the access to the justice; the fair establishment of lawyers' fees; the quality of the legal aid and its funding; the development of alternative procedures for disputes' settlement).
A reform of the legal status of bailiffs is also under consideration before the Parliament. The main problems concern the procedure of their appointment and their disciplinary regime.

Belgium – Data tables for each indicator (2010/2012)

Belgium	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	10 839 905	11 161 642
2#1#1 Total of annual State pb expenditure State level	187 616 000 000	206 852 000 000
3 GDP Per capita GDP (in €)	32 400	34 000
4 Average gross annual salary in €	39 165	40 980
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	934 837 000	998 125 000
12#1#1 Total annual appr pb budget allocated to LA	75 326 000	87 024 000
13#1#1 An appr pb bd alloc_pb prosecution system	NA	NA
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	934 837 000	998 125 000
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	621 115 000	697 424 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	37 623 000	37 697 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	107 464 000	87 080 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	68 767 000	65 782 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build	6 341 000	7 924 000
6#2#7 Amount_Annnual appr budget_courts alloc_Training	5 220 000	5 220 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	88 307 000	96 998 000
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	1 802 642 657	1 855 485 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes

Budgetary elements include or not_Probation serv	No	Yes
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		No
Judicial manage-ment body		No
State advocacy		No
Enforcement services		No
Notariat		No
Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	No	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	10 839 905	11 161 642
Amount_An approved budget alloc whole justice	1 802 642 657	1 855 485 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	Yes	Yes
14#2#2 Adoption_Court budget_Other ministry	Yes	Yes
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	Yes	Yes
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No

14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
[14.1] - If any other Ministry and/or inspection body and/or other, please specify (considering question 14):		Le ministre du budget

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd:	No	No

Head_CCO (2010)		
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	27	27
42#1#2 Specialised first instance courts	263	262
42#1#3 All the courts (geographic locations)	288	288

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	263	262
43#1#2 Nr of commercial courts	23	23
Insolvency courts	0	NA
43#1#3 Nr of labour courts	21	21
43#1#4 Nr of family courts	NA	NA
43#1#5 Nr of rent and tenacies courts	NA	NA
43#1#6 Nr of enforc_crim_sanctions courts	NA	NA
Fight against terrorism, organised crime and corruption	0	NA
Internet related disputes	0	NA
43#1#7 Nr of administrative courts	NA	NA
43#1#8 Nr of insurance_soc welfare courts	NA	NA
43#1#9 Nr of military courts	NA	NA
43#1#10 Nr ofother specialised 1st instance courts	219	218

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	187	229
45#1#2 Nr_1st instance courts competent_dismissal	21	34
45#1#3 Nr_1st instance courts competent_robbery	27	27

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)

91#1#1 Pending cases_1 Jan _Total_non crim cases	NA	NA
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	NA	NA
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NAP	NAP
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	NA	NA
91#2#2 Incoming cases_Civil&com litig cases	687 056	762 164
91#2#3 Incoming cases_Civil&com nonlit cases	NAP	NAP
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	NA	NA
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	NA	NA
91#3#2 Resolved cases_Civil&com litig cases	NA	NA
91#3#3 Resolved cases_Civil&com nonlit cases	NAP	NAP
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	NA	NA
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	NA	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NAP	NAP
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		

CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	40 229	37 497
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA

101#3#1 Resolved cases_Litigious divorce cs	40 153	37 635
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	NA	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NAP	NAP
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	NA	NA
97#2#2 Incoming cases_Civil&com litig cases	31 745	30 598
97#2#3 Incoming cases_Civil&com nonlit cases	NAP	NAP
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	NA	NA
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NAP	NAP
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	NAP	NAP

97#4#1 Pending cases on 31 Dec _Total_non crim cs	NA	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NAP	NAP
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	1 144	1 272
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NAP	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	0	NA
99#2#1 Incoming cases_Total _non crim law cs	1 108	1 272
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NAP

99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	1	NA
99#3#1 Resolved cases_Total _non crim law cs	1 015	1 141
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NAP	NAP
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	1	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	1 237	1 403
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	0	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	92%	90%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases	100%	
DT Total non DTim cases	445	449
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases	0	
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		

102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	436	455
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		529
102#4#3 2nd inst average length_Robbery cases	241	227
102#4#4 2nd inst average length_Intent homicide	369	339
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table3.10. bis Calculation method of the length of proceedings (Q104)		

Table 3.11. Caseload in the EU		
1 Number of inhabitants	10 839 905	11 161 642
91#2#1 Incoming cases_Total_non crim cases	NA	NA
91#2#2 Incoming cases_Civil&com litig cases	687 056	762 164
91#2#3 Incoming cases_Civil&com nonlit cases	NAP	NAP
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	NA	NA

91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NAP	NAP
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NAP	NAP
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NAP	NAP
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NAP	NAP
186#1#4 Notification_dec_parties_same city as Ct_more	NAP	NAP
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		No

Indicator 4: The efficiency and the quality of the judicial system		
Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	No	No
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No

71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	No	No
71#1#4 Quality indicator_Pending cases and backlogs	No	No
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	No	No
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No
Indicator 5: Legal aid and court fees		
Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	10 839 905	11 161 642
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	75 326 000	87 024 000

[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA
Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes
Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No
Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	10 839 905	11 161 642
12#1#1 Total annual appr pb budget allocated to LA	75 326 000	87 024 000
20#1#1 Total Number of cases granted with legal aid	NA	68 597
20#1#2 Nr of criminal cases granted with legal aid	NA	29 355
20#1#3 Nr non criminal cases granted with legal aid	NA	39 242
Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)		
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		58 050
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	934 837 000	998 125 000
9 Annual income of court taxes received by the State	34 408 250	34 917 000
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	Yes	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	+50% of courts	+50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	+50% of courts	+50% of courts
63.1.2 Court management information system	-50% of courts	-50% of courts
63.1.3 Financial information system	+50% of courts	+50% of courts
63.1.4 Videoconferencing	-10% of courts	-10% of courts
64.1.1 Electronic Web forms	-10% of courts	-10% of courts
64.1.2 Website	+50% of courts	+50% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	-10% of courts	-10% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	-10% of courts	-10% of courts
64.1.9 Other electronic communication facilities	0 % of courts	0 % of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	No	Yes
65#2#1 Court hearing held in police station and/or prison	No	Yes
65#3#1 Legislation_using videoconferencing in courts	No	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes
Indicator 7: Career and status of		

judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No

Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional

Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)

Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)

132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	62 367	64 886
132#1#2 Gross An sal: Judge_Supr Ct	127 956	118 643
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	62 367	64 886
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	127 956	120 815
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	33 925	35 334
132#2#2 Net An sal: Judge_Supr Ct	60 114	56 536
132#2#3 Net An sal: Pb prosecutor_beg_carrier	33 925	35 334

132#2#4 Net An sal: Pb prosecutor_Supr Ct	60 114	57 409
4 Average gross annual salary in €	39 165	40 980
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70-77
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		X
122#1#2 Duration of the probation period	0	
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	16	14
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	NA
144#1#3 Discipl proc against judges_Prof inadequancy	NA	NA
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	NA	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against	No	No

judges_Parliament		
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	Yes	Yes
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	Yes	Yes
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	5	4
145#1#2 Sanctions against judges_Reprimand	4	4
145#1#3 Sanctions against judges_Suspension	NA	NAP
145#1#4 Sanctions against judges_Removal of cases	NA	NAP
145#1#5 Sanctions against judges_Fine	NA	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	1	NAP
145#1#7 Sanctions against judges_Position downgrade	NA	NAP
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	NAP
145#1#9 Sanctions against judges_Dismissal	NA	NAP
145#1#10 Sanctions against judges_Other	NA	NAP
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	82	82
47#1#2 Number of 1st instance presidents	71	71
47#1#3 Number of 2nd instance presidents	10	10
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	63	55
47#2#2 Number of 1st instance presidents_males	54	47

47#2#3 Number of 2nd instance presidents_males	8	7
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	19	27
47#3#2 Number of 1st instance presidents_females	17	24
47#3#3 Number of 2nd instance presidents_females	2	3
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	No
49#2#1 Number of non-professional judges_Gross figure	€ 2 654,0	€ 2 601,0
Table 7.15. Procedures and criteria used for promoting judges (Q 113, 114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)

168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes	
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes	
168#1#3 Alternative dispute resolution_Conciliation		Yes	Yes
168#1#4 Alternative dispute resolution_Other		No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)			
163 Mediation procedures		Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?			No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?			Yes
165 Legal aid for mediation procedures		Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)			
164#1#1 Court annexed mediation_Civil and com cases		Yes	Yes
164#1#2 Court annexed mediation_Family law cases		Yes	Yes
164#1#3 Court annexed mediation_Administrative cases		No	No
164#1#4 Court annexed mediation_Empl dismissals		Yes	Yes
164#1#5 Court annexed mediation_Criminal cases		No	No
164#2#1 Private mediator_Civil and commercial cases		Yes	Yes
164#2#2 Private mediator_Family law cases		Yes	Yes
164#2#3 Private mediator_Administrative cases		No	No
164#2#4 Private mediator_Employment dismissals		Yes	Yes
164#2#5 Private mediator_Criminal cases		No	No
164#3#1 Public authority_Civil and com cases		No	No
164#3#2 Public authority_Family law cases		No	No
164#3#3 Public authority_Administrative cases		No	No
164#3#4 Public authority_Employment dismissals		No	No
164#3#5 Public authority_Criminal cases		Yes	Yes
164#4#1 Judge_Civil and commercial cases		No	No
164#4#2 Judge_Family law cases		No	No
164#4#3 Judge_Administrative cases		No	No
164#4#4 Judge_Employment dismissals		No	No
164#4#5 Judge_Criminal cases		No	No
164#5#1 Prosecutor_Civil and commercial cases		No	No
164#5#2 Prosecutor_Family law cases		No	No

164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	Yes	Yes
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	10 839 905	11 161 642
166#1#2 Number of accredited mediators	1 099	1 134
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr	6 320	6 352
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	10 839 905	11 161 642
46#1#1 Total Nr of professional judges	1 607	1 598
52#2#1 Nr_non-judge staff who are working in courts	5 632	5457,95(3930,35)
146 Total number of practicing lawyers	16 517	17 336
170 Number of enforcement agents		530 553
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	16 517	17 336
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 607	1 598
1 Number of inhabitants	10 839 905	11 161 642
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes

149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	530	553
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes
178#1#5 Auth resp_supervision of EA_Other	Yes	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	152	64
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	0
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	1	1
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	1	1
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against	0	0

EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	0
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes
178#1#5 Auth resp_supervision of EA_Other	Yes	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	5 632	5457,95(3930,35)
52#2#2 Number Non-judge staff (Rechtspfleger)		

52#2#3 Nr_Non-judge staff assisting the judges	1 768	1707,72(1166,52)
52#2#4 Number_Staff in charge of administrative tasks	2 921	2766,23(2075,73)
52#2#5 Number of Technical staff	943	984(688,10)
52#2#6 Number of Other non-judge staff		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Bulgaria (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Bulgaria	7 284 552	14 228 377 332	5 436	4 486

2 104 815 133 € are for municipalities and are included in the total of annual public expenditure at state level.

1. Presentation of the functioning of the judicial system

According to 2012 data, in Bulgaria, there are 113 first instance courts of general jurisdiction and 34 first instance specialised courts (28 administrative courts, 5 military courts and 1 specialised criminal court). For the second instance: 28 district courts, 5 courts of appeal, 1 military court of appeal and 1 specialised penal court of appeal. There is 1 Supreme Court of Cassation and 1 Supreme Administrative Court. The Specialised Criminal Court of the Republic of Bulgaria was established by the Law on amending the Law on the Judiciary. In Bulgaria, specialised courts concerning the perpetrator of crimes are military courts and concerning the subject of crime activity - administrative courts and a specialized criminal court.
The Specialised Criminal Court is the only one in the country. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. The Specialised Criminal Court is treated as a District Court and is situated in Sofia. The criteria for determining the jurisdiction of the trials before the Specialized Criminal Court is determined by the case, not the perpetrator.
There are no first instance courts competent for a debt collection for small claims. Data concerning the number of first instance courts competent for a dismissal is not available.
The number of enforcement agents in Bulgaria is 374 (218 state enforcement agents and 156 private enforcement agents), which is 1% less than in 2010. It represents 5 enforcement agents per 100 000 inhabitants (which is coincides with the EU median (5)).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the court sits is between 11 and 30 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 214 599 576 euros

This figure includes the budget intended to public prosecution services and legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 29,46 euros

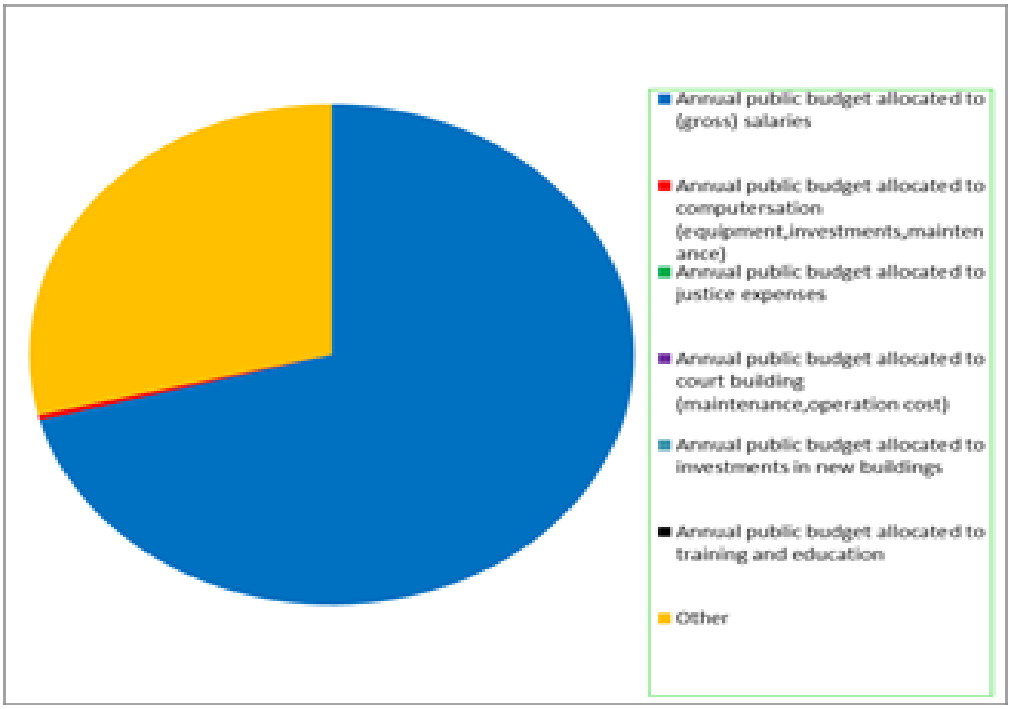
This ratio is considerably lower than the EU average (62,22) and below the EU median (47,43). Bulgaria belongs to the group of European States with the lowest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- the annual public budget allocated to (gross) salaries;

- Annual public budget allocated to computerisation (equipment, investments, maintenance).

- other: compensations under the Labour Code and the Law on the Judiciary, expenses for Social household and Cultural Servicing, expenses for clothing, sickness leave paid by the employer, insurance payments and *etc*.



- **Budget allocated to the whole justice system :** this data is not available

This budget includes the following budgetary elements: court, public prosecution services and forensic services.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Bulgaria is 2 239, which is 1% more than in 2010.

This represent 31 judges per 100 000 inhabitants (above the EU median of 19 judges per 100 000 inhabitants). The clearance rate and the disposition time characterizing the Bulgarian judicial system in first and third instances permit to conclude to its satisfactory functioning. The low budget intended to the judiciary and the meaningful number of judges per 100 000 inhabitants are two parameters to be evaluated in the light of these indicators of performance.

Judges are recruited trough a competitive exam. The Bulgarian system distinguishes between junior judges competition; competition for initial appointment in the bodies of the judiciary and competition for promotion and transfer. Initial training is compulsory.

The gross annual salary of a first instance professional judge is 14 345 euros (3.2 x the national average gross annual salary), which is meaningfully lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 28019 euros (6.2 x the national average gross annual salary), which is meaningfully lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 65 years). There is a five year probation period for judges before being appointed "for life".
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Bulgaria there are 6 014 non-judges staff including:

- 4 479 non-judge staff whose task is to assist the judges such as registrars,
- 1 480 staff in charge of different administrative tasks and of the management of the courts,
- 55 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 5 811 015 euros (0,80 euros per capita)

The legal aid is granted in criminal cases and in other than criminal cases for representation in court and legal advice. The legal aid does not include coverage/ exemption from court fees and is not granted for fees related to enforcement judgments. By contrast, it is granted for other costs in criminal and civil cases. According to the Law on Legal aid one of types of legal aid is pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings or to bringing a case before a court.

The total number of cases granted with legal aid per 100 000 inhabitants is 551 (which is less than the EU average (765) and coincides with the EU median (551)). The average amount of legal aid allocated per case is 145 euros (meaningfully less than the EU average (2 543 euros as well than the EU median (803)). The choice made by Bulgaria in terms of legal aid has resulted in the alignment of the number of cases susceptible to benefit of this regime to the EU median, while the amount granted for each case remains weak.

  - **Court fees**

The annual income of court fees or taxes received by State is 61 595 758 euros and the share of court fees or taxes in the annual budget allocated to all courts is 29% (more than the EU average (21%) as well than the EU median (16%)). Litigants are in general required to pay a court tax or fee for to start a proceeding at a court of general jurisdiction for other than criminal cases but not for criminal cases.

According to the Civil Procedure Code, court fees on the cost of action and court costs are collected upon conduct of the case. Where it is not possible to estimate the amount of the action, the amount of the court fees is determined by the court. Where the subject matter of the case is a right of ownership or other rights in rem to an immovable, the amount of the court fees is determined on one fourth of the cost of action. Considering the petition for waiver, the court shall take into consideration: income; property status; family situation; health status; employment status; the age; other circumstances ascertained.

  - **Lawyers**

In Bulgaria, there are 12 010 lawyers (this category does not include the legal advisors), which is 2% more than in 2010.

This data represent 165 lawyers (without legal advisers) per 100 000 inhabitants (hardly higher than the EU average (161 lawyers per 100 000 inhabitants) and considerably higher than the EU median (106)) and 5,4 lawyers per professional judges.

Lawyers have no monopoly on legal representation. Courts' users can be legally represented by:

- parents, children, spouse - in any litigation;

- syndicates - in cases on labour matters;

- legal advisers (appointed by labour contracts or under business relationships) – an opportunity for representation of all legal entities having such employees.

Concerning the lawyers' fees, an easy access to prior information – transparent and accountable - on the foreseeable amount of fees is organised. The legislation does not provide for rules on lawyers' fees. The principle is this of free negotiations. Nevertheless, some rules on lawyers' fees are contained in the Bar associations standards. Besides, in the case of free negotiation, there cannot be remuneration lower than the regulatory minimum, as set out in the Ordinance of the Supreme Bar Council.

- **Performances of courts**

    - Clearance Rate (CR) and Disposition Time (DT)

In first instance, the clearance rate of Bulgaria shows that the system should be able to function without generating backlogs. At the highest jurisdictional level, according to the same indicator, we can notice the capacity of the system to reduce the backlog of cases. The disposition time reveals also the functioning of the Bulgarian judicial system at these two levels as satisfactory. As to the second instance, it is impossible to evaluate any of these indicators.

    - Insolvency

The clearance rate for insolvency cases in first instance in Bulgaria is 83%. The disposition time for insolvency cases in first instance is 323 days. With regard to this particular category of cases, the system proves unable to deal with the case-flow in a reasonable time which results in an increase of the backlog.

    - Specific procedures for urgent matters

The Bulgarian legislation provides for specific procedures for urgent matters regarding civil, criminal and administrative cases.

    - Simplified procedures

It also sets forth simplified procedures for criminal and civil cases (as concerns respectively small offences and small disputes). The category of civil proceedings comprises: order for payment procedure under Art. 410 (Request for the issuing of an enforcement order) and the procedure set forth by Art. 417 of the Civil Procedure Code (enforcement order based on document). For these simplified procedures, judges are not empowered to deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- **Systems for measuring and evaluating the performances of courts**

In Bulgaria, individual courts are required to prepare an annual activity report every six months.

A regular monitoring system of court activities exists within the courts. Its scope encompasses an oversight of: the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist in Bulgaria. Bulgaria has defined performance and quality indicators concerning court activity among which the main are: the number of incoming cases; the length of proceedings; the number of closed cases; the number of pending cases and the backlogs; the productivity of judges and court staff; the percentage of cases that are processed by a single sitting judge; the cost of the judicial procedures; the enforcement of penal decisions.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are not set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Bulgaria, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases and employment dismissals.

Bulgaria also knows other than judicial mediation, as well, arbitration.

The Bulgarian Law on mediation envisaged that a subject of mediation may be civil, commercial, labour, family and administrative disputes related to consumer rights, and other disputes between natural and/or legal persons. The Civil Procedure Code also includes provisions concerning mediation. The Civil Procedure Code provides for arbitration procedures (the parties to a property dispute may agree that the said dispute be settled by an arbitration court, unless the said dispute has as its subject matter any rights in rem or possession of a corporeal immovable, maintenance obligations or rights under an employment relationship). Besides, the Law on International Commercial Arbitration applies to international commercial arbitration, based on an arbitration agreement, when the place of arbitration is on the territory of the Republic of Bulgaria.

- **The ICT tools of courts and for court users**

Bulgaria, has developed an ICT system with regard to direct assistance of the judges/court clerk (high level as concerns word processing, electronic data base of case-law, electronic files, e-mail and internet connection (100%)).

The ICT system with regard to administration and management is satisfactory (high level as concerns case registration system, financial information system and court management information system (100%); by contrast, low level as concerns videoconferencing (-10%)).

As regards the ICT system for electronic communication and exchange of information between the courts and their environment, it is well developed only in some fields (highest level as concerns Electronic web forms, website, electronic registers (100%); low level as concerns videoconferencing (-10%); total absence as concerns follow-up of cases online, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims, other electronic communication facilities (0%)).

In Bulgaria, videoconferencing is used only in criminal cases for hearing in the presence of defendants or witnesses or victims.

4. National data collection system

In Bulgaria, the Supreme Judicial Council is the centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. It publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data does not provide information as to the number of cases dealt with in second instance. It does not permit either to obtain data concerning some categories of cases in first instance and before the highest instance Court.
If the latter system makes it possible to establish the number of cases in respect of specific categories (litigious divorce cases, employment dismissal, insolvency) in first instance, it does not provide data as regards the length of these proceedings respectively at the three different jurisdictional levels.

5. Reforms

Foreseen reforms are essentially aimed at:
- Overcoming the uneven workload in the bodies of the judiciary;
- Making preparations for the introduction of a mechanism for objectively measuring the workload of the magistrates and the bodies of the judiciary with an emphasis on qualitative indicators;
- Creating and implementing a mid-term strategy for the human resources;

- Reorganising the bodies of the judiciary – remaking the judicial map, including changes in the number and the borders of judicial regions. A change in the structure of the military justice has started with a decision for closing two military courts and the relevant prosecutor's offices.
- Improving and accelerating the work on conducting competitions for the appointment of magistrates;
- Improving the criteria and the indicators for assessment and accelerating the process of assessment of magistrates;
- Updating the measures for prevention of corruption and conflict of interests in the bodies of the judiciary, including the improvement of the accountability, the mechanism of the random allocation of cases and case files in the bodies of the judiciary; the role of the ethical behavior of magistrates in their career development, *etc*.
- Standardizing the disciplinary practice of the Supreme Judicial Council (SJC);
- Approving publicity and transparency of the work of the SJC and effective interaction with the professional organizations of the magistrates and the NGOs, working for the support of the judicial reform;
- Introducing e –justice – in this regard the SJC has approved the Concept on e-Justice elaborated by the Ministry of Justice. A Project proposal entitled "E-justice – studying and building of a uniform communication and information infrastructure and uniform electronic portal of the judiciary" under the Operational Program "Administrative Capacity" was submitted and approved;

The Supreme Judicial Council has proposed a legislative amendment to the Law on the Judiciary, which shall regulate the use of the transitional balance to the budget of the judiciary. At the moment the SJC is a beneficiary of the Project "Introducing modern, reliable and effective procedures for planning and implementing the budget of the judiciary".

In relation to the forthcoming discussion on the Law amending and supplementing the Law on the Judiciary and with the purpose of achieving the above-mentioned reforms, the SJC has made some proposals for amendments of the provisions, regarding competitions for appointment in the bodies of the judiciary, the rules for assessment of the magistrates, and the disciplinary responsibility of the magistrates.

In the last report in the framework of the CVM[1], the European Commission, as regards the judiciary, invited Bulgaria to take action in the areas of judicial independence, judicial reform and efficiency of the judicial system.

[1] Report adopted on the 22.01.2014 available at http://ec.europa.eu/cvm/docs/com_2014_36_en.pdf

Bulgaria – Data tables for each indicator (2010/2012)

Bulgaria	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	7 364 570	7 284 552
2#1#1 Total of annual State pb expenditure State level	NA	14 228 377 332
3 GDP Per capita GDP (in €)	4 789	5 436
4 Average gross annual salary in €	3 165	4 486
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	112 211 184	124 911 954
12#1#1 Total annual appr pb budget allocated to LA	3 867 730	5 811 015
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	No
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	112 211 184	124 911 954
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	76 452 684	80 210 055
6#2#3 Amount_Annnual appr bd of the courts_Computer	322 123	375 878
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	10 740 991	NA
6#2#5 Amount_An appr bd_courts alloc_Court buildings	202 289	NA
6#2#6 Amount_An appr bd_courts alloc invest_ new build		NAP
6#2#7 Amount_Annnual appr budget_courts alloc_Training	25 799	25 427
6#2#8 Amount_Annual approved budget_courts alloc_Other	18 699 888	32 726 448
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	224 069 853	0
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	No	NAP
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	No	NAP
Budgetary elements include or not_Probation serv	No	NAP
Budgetary elements include or not_Council_judiciary	Yes	No
Constitu-tionnal court		NAP
Judicial manage-ment body		No
State advocacy		NAP
Enforcement services		NAP
Notariat		NAP

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	No	NA
Budgetary elements include or not_Func_Min_Just	No	NAP
Budgetary elements include or not_Refugees services	No	NAP
Budgetary elements include or not_Other	No	NAP
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	7 364 570	7 284 552
Amount_An approved budget alloc whole justice	224 069 853	0
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	Yes	Yes
14#1#6 Preparation_Court budget_Courts	Yes	No
14#1#7 Preparation_Court budget_Inspection body	No	Yes
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	No	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	Yes	Yes
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	Yes
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	No
14#4#8 Evaluation_Court budget_Other	No	No
[14.1] - If any other Ministry and/or inspection body and/or other, please specify (considering question 14):		

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	NA	113
42#1#2 Specialised first instance courts	34	34
42#1#3 All the courts (geographic locations)	184	70

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	34	34
43#1#2 Nr of commercial courts	NAP	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	1	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	28	28
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	5	5

43#1#10 Nr ofother specialised 1st instance courts	NAP	1
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	NAP	NAP
45#1#2 Nr_1st instance courts competent_dismissal	NAP	NA
45#1#3 Nr_1st instance courts competent_robbery	NAP	NA
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?		Yes
Indicator 3: The performances of courts at all stages of the proceedings		
Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	67 929	74 505
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	NA	NA
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	7 671	8 622
91#1#8 Pending cases_1 Jan _Other cases	60 258	65 883
91#2#1 Incoming cases_Total_non crim cases	394 840	392 320
91#2#2 Incoming cases_Civil&com litig cases	NA	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	NA	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	27 265	28 726
91#2#8 Incoming cases_Other cases	367 575	363 594
91#3#1 Resolved cases_Total_non crim cases	390 965	387 832
91#3#2 Resolved cases_Civil&com litig cases	NA	NA
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	NA	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	26 675	26 462
91#3#8 Resolved cases_Other cases	364 290	361 370
91#4#1 Pending cases_31 Dec _Total_non crim cases	71 804	78 993
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	NA	NA

91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	8 261	10 886
91#4#8 Pending cases_31 Dec _Other cases	63 543	68 107
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	99%	99%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	98%	92%
CR Other cases	99%	99%
DT Total non DTim cases	67	74
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	113	150
DT Other cases	64	69
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		0%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		-6%
CR Other cases		0%
DT Total non DTim cases		11%
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		33%
DT Other cases		8%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	4 532	3 009
101#1#2 Pending cases_1 Jan _Employment dismissal	1 076	1 076

Pending Insolvency cases		887
101#1#3 Pending cases_1 Jan _Robbery cases	593	593
101#1#4 Pending cases_1 Jan _Intentional homicide	74	74
101#2#1 Incoming cases_Litigious divorce cs	10 648	6 221
101#2#2 Incoming cases_Employment dismissal	2 491	2 491
Incoming Insolvency cases		1 583
101#2#3 Incoming cases_Robbery cases	1 466	1 466
101#2#4 Incoming cases_Intentional homicide	163	163
101#3#1 Resolved cases_Litigious divorce cs	11 178	6 632
101#3#2 Resolved cases_Employment dismissal	2 489	2 489
Resolved Insolvency cases		1 311
101#3#3 Resolved cases_Robbery cases	1 497	1 497
101#3#4 Resolved cases_Intentional homicide	166	166
101#4#1 Pending cases_31 Dec _Litigious divorce cs	4 002	2 598
101#4#2 Pending cases_31 Dec _Employment dismissal	1 078	1 078
Pending Insolvency cases		1 159
101#4#3 Pending cases_31 Dec _Robbery cases	562	562
101#4#4 Pending cases_31 Dec _Intentional homicide	71	71
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		83%
DT - Insolvency cases		323
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	13 785	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	5 418	NA
97#1#8 Pending cases_1 Jan _Other cases	8 367	NA
97#2#1 Incoming cases_Total_non crim cases	38 510	NA
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	16 859	NA
97#2#8 Incoming cases_Other cases	21 651	NA
97#3#1 Resolved cases_Total_non crim cases	38 080	NA
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA

97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	16 554	NA
97#3#8 Resolved cases_Other cases	21 526	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	14 215	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	5 723	NA
97#4#8 Pending cases on 31 Dec _Other cases	8 492	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	99%	
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	98%	
CR Other cases	99%	
DT Total non DTim cases	136	
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	126	
DT Other cases	144	
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	11 657	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	5 418	5 338
99#1#8 Pending cases_1 Jan _Other cs	6 239	5 984
99#2#1 Incoming cases_Total _non crim law cs	30 768	31 905
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA

99#2#7 Incoming cases_Administrative law cs	16 859	15 718
99#2#8 Incoming cases_Other cs	13 909	16 187
99#3#1 Resolved cases_Total _non crim law cs	30 849	34 630
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	16 554	16 282
99#3#8 Resolved cases_Other cs	14 295	18 348
99#4#1 Pending cases_31 Dec _Total _non crim law cs	11 576	8 597
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	5 723	4 774
99#4#8 Pending cases_31 Dec _Other cs	5 853	3 823
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	100%	109%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	98%	104%
CR Other cases	103%	113%
DT Total non DTim cases	137	91
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	126	107
DT Other cases	149	76
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	10,67	8
102#1#2 %_decisions subj to appeal_Empl dismissal	77,14	68
% decisions subj to appeal Insolvency		44
102#1#3 %_decisions subj to appeal_Robbery cases	31,66	37
102#1#4 %_decisions subj to appeal_Intent homicide	87,35	93
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA

102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	7 364 570	7 284 552
91#2#1 Incoming cases_Total_non crim cases	394 840	392 320
91#2#2 Incoming cases_Civil&com litig cases	NA	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	27 265	28 726
91#4#1 Pending cases_31 Dec _Total_non crim cases	71 804	78 993
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	8 261	10 886
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No

88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	No

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	Yes
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	Yes
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	Yes	Yes
71#1#7 Qlty ind_Enforcement of penal decisions	Yes	Yes
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	Yes	Yes
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	No	
80#1#2 Monitoring_In criminal law cases	No	
80#1#3 Monitoring_In administrative law cases	No	
Table 4.6. Surveys conduct among users or legal professionals		

38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	7 364 570	7 284 552
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	3 867 730	5 811 015
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	No	No
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	No
19#1#1 Can legal aid be granted for other costs_Crim cs	No	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	7 364 570	7 284 552
12#1#1 Total annual appr pb budget allocated to LA	3 867 730	5 811 015
20#1#1 Total Number of cases granted with legal aid	41 795	40 134
20#1#2 Nr of criminal cases granted with legal aid	32 800	32 107
20#1#3 Nr non criminal cases granted with legal aid	8 995	8 027

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	2 112

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	112 211 184	124 911 954

9 Annual income of court taxes received by the State	58 354 136	61 595 758
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	0 % of courts	-10% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	-10% of courts	-10% of courts
64.1.9 Other electronic communication facilities	0 % of courts	0 % of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	No	No
65#4#1 Use of videoconferencing in other than crim cases	No	No

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	No training offered	No training offered
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	NA	No
131#1#2 One instit for prosecutors_Initial training	NA	No
131#1#3 One instit for judges&prosecutors_Initial tr	NA	No
131#2#1 One instit for judges_Continuous training	NA	No
131#2#2 One instit for prosecutors_Continuous training	NA	No
131#2#3 One instit for judges&proc_Continuous training	NA	No
131#3#1 One instit for judges_Init&Cont trainings	NA	No
131#3#2 One instit for prosecutors_Init&Cont trainings	NA	No
131#3#3 One instfor judges&proc _Init&Cont trainings	NA	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	10 230	14 345
132#1#2 Gross An sal: Judge_Supr Ct	22 177	28 019
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	10 230	14 345
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	22 177	28 019
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	9 651	12 911
132#2#2 Net An sal: Judge_Supr Ct	17 885	25 217
132#2#3 Net An sal: Pb prosecutor_beg_carrier	9 651	12 911
132#2#4 Net An sal: Pb prosecutor_Supr Ct	17 885	25 217
4 Average gross annual salary in €	3 165	4 486
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No

133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	65
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period		5
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	34	8
144#1#2 Discipl proc against judges_Breach_pro ethics	14	2
144#1#3 Discipl proc against judges_Prof inadequancy	20	NAP
144#1#4 Discipl proc against judges_Criminal offence	NA	NAP
144#1#5 Discipl proc against judges_Other	NA	6
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	No	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	Yes
Table 7.11. Number of sanctions pronounced against		

judges (Q 145)		
145#1#1 Sanctions against judges_Total number	42	16
145#1#2 Sanctions against judges_Reprimand	NAP	NA
145#1#3 Sanctions against judges_Suspension	3	0
145#1#4 Sanctions against judges_Removal of cases	NAP	0
145#1#5 Sanctions against judges_Fine	NAP	0
145#1#6 Sanctions against judges_Temp reduction_sal	15	2
145#1#7 Sanctions against judges_Position downgrade	6	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	0
145#1#9 Sanctions against judges_Dismissal	8	2
145#1#10 Sanctions against judges_Other	10	12
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)	0	NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	185	184
47#1#2 Number of 1st instance presidents	141	113
47#1#3 Number of 2nd instance presidents	42	69
47#1#4 Number of supreme court presidents	2	2
47#2#1 Total Nr of court presidents_males	96	NA
47#2#2 Number of 1st instance presidents_males	70	NA
47#2#3 Number of 2nd instance presidents_males	24	NA
47#2#4 Number of supreme court presidents_males	2	NA
47#3#1 Total Nr of court presidents_females	89	NA
47#3#2 Number of 1st instance presidents_females	71	NA
47#3#3 Number of 2nd instance presidents_females	18	NA
47#3#4 Number of supreme court presidents_females	0	NA
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NA	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NA	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NA	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	No	Yes
168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	Yes	Yes
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No

164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	7 364 570	7 284 552
166#1#2 Number of accredited mediators		NA
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	7 364 570	7 284 552
46#1#1 Total Nr of professional judges	2 212	2 239
52#2#1 Nr_non-judge staff who are working in courts	5 866	6 014
146 Total number of practicing lawyers	11 825	12 010
170 Number of enforcement agents	379	374
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	11 825	12 010
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	2 198	2 368
1 Number of inhabitants	7 364 570	7 284 552

Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	379	374
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	17	19
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence	17	
187#2#5 Nr_Discipl proc against EA_Other		19
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	6	14
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		2
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine	4	8
188#2#6 Nr_Sanctions pronounced against EA_Other	2	4
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		

174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	5 866	6 014
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	1 679	4 479
52#2#4 Number_Staff in charge of administrative tasks	1 884	1 480
52#2#5 Number of Technical staff	2 183	
52#2#6 Number of Other non-judge staff	120	55
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Croatia (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Croatia	4 262 140	18 152 164 367	10 290	12 571

1. Presentation of the functioning of the judicial system

According to 2012 data, in Croatia there are 67 first instance courts of general jurisdiction, and 74 first instance specialized courts out of which 7 commercial courts, 1 labour court, 4 administrative courts and 62 other specialized first instance courts. Other specialized 1st instance courts are all misdemeanor courts and the Municipal Criminal Court in Zagreb. The Ministry of Justice continues with the process of rationalization of the courts' network and the physical merge of permanent services.

There are 73 first instance court competent for a debt collection for small claims (disputes whose values do not exceed 10000 kunas) and 66 first instance court competent for a dismissal.
According to 2012 data, the number of enforcement agents in Croatia is 106, which is 49% more than in 2010.
The initiative to increase the number of enforcement agents has been taken in order to reduce the number of unresolved enforcement cases.
The figure represents 2 enforcement agents per 100 000 inhabitants (which is still meaningfully lower than the EU average (7 enforcement agents per 100 000 inhabitants) and below the EU median (5)).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
For example, as regards a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1 and 5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 198 808 413 euros

This figure includes the budget intended to the public prosecution system and the legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 46,65 euros

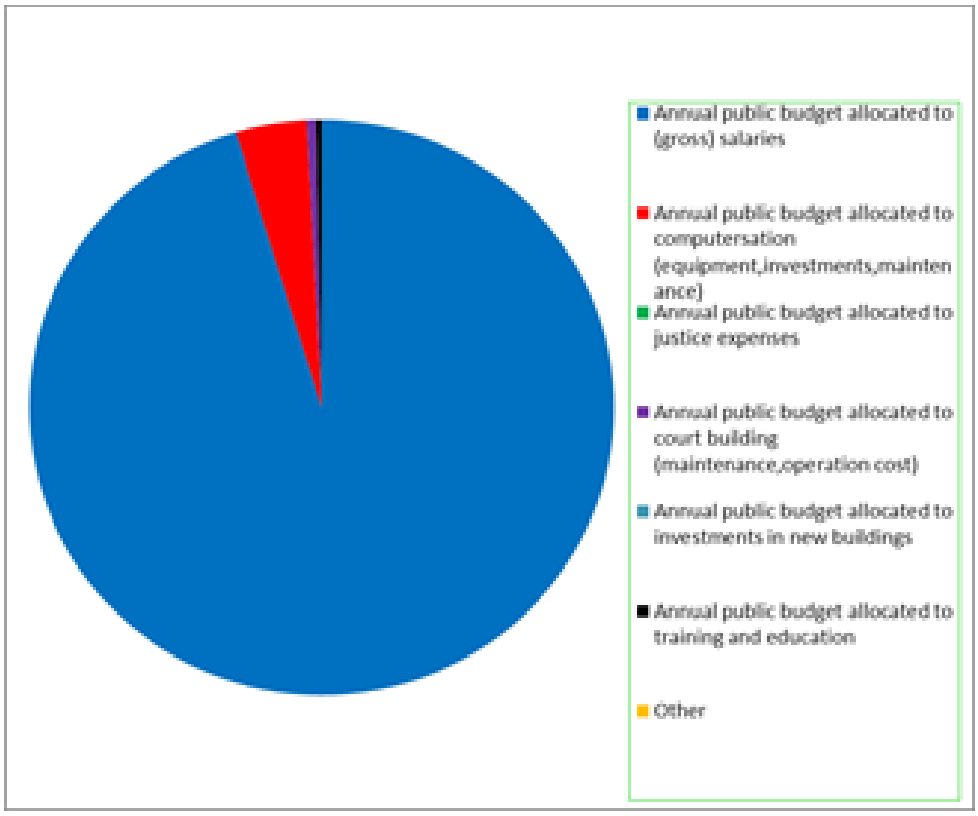
This ratio is lower than the EU average (62,22) but very close to the EU median (47,43)).

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries;

- Annual public budget allocated to computerization (equipment, investments, maintenance);

- Annual public budget allocated to court building (maintenance, operation cost).



- **Budget allocated to the whole justice system : 340 465 130 euros**

This budget includes the following budgetary elements: court; legal aid; public prosecution services; prison system; Council of the judiciary; Judicial management body; judicial protection of juveniles and functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita did not change significantly.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Croatia is of 1 932 which is 2% more than in 2010.

This represent 45 judges per 100 000 inhabitants (more of twice higher than the EU average of 21 judges per inhabitant and the EU median of 19 judges). Referring to the level for the indicator of the clearance rate in first and second instances, the Croatian judicial system appears performing. Nevertheless, the level of the clearance rate concerning the highest jurisdictional level as well as the disposition time related to second and third instances reveal that despite this considerable ratio of judges per inhabitants, the system has difficulty in dealing with incoming cases in a reasonable timeframe without generating backlogs.

Until 31/12/2012, judges were recruited neither trough a competitive exam, nor through a specific recruitment procedure.

Procedure valid for 2012: A person who - after passing the bar exam - has exercised for a certain period of time (different hypotheses considered) specific legal professions enumerated by the law (different hypotheses considered), could have been appointed as a judge to a respective level. Candidates who were not judges but had submitted an application for a judge position, had to take an exam before the Council. For candidates who were judges and who submitted application, the Council requested an evaluation of the performance of judicial duties from a competent judicial council. According to the results, candidates were invited for an interview before the Council. After the interview, the Council voted in secret and the decision on the appointment of judges was made on the bases of the results.

Only the initial training is compulsory.

The gross annual salary of a first instance professional judge is 29 184 euros (2,3 x the national average gross annual salary), which is considerably lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 63120 euros (5 X the national average gross annual salary), which is considerably lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 70 years).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Croatia, there are 6 932 non-judges staff including:

- 590 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 5 089 non-judge staff whose task is to assist the judges such as registrars,
- 395 staff in charge of different administrative tasks and of the management of the courts,
- 753 technical staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 166 632 euros (0.04 euros per capita)

The legal aid is granted for representation in court and legal advice as well in criminal cases than in other than criminal cases. It could include the coverage of or the exemption from court fees and be granted for fees related to enforcement judgments.

From 1 February 2009 until 7 November 2013, legal aid has been granted in 18,905 cases. In 2012, it has been granted in 5,872 cases.

  - **Court fees**

The annual income of court fees or taxes received by State is 28 759 251 euros and the share of court fees or taxes in the annual budget allocated to all courts is 14% (lower than the EU average of 21% and close to the EU median (16%)).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in the following situations: criminal cases and other than criminal cases.

  - **Lawyers**

In Croatia, there are 4 392 lawyers (this category does not include legal advisors), which is 6% more than in 2010.

This data represents 103 lawyers (without legal advisers) per 100 000 inhabitants (close to the EU median of 106 lawyers per 100 000 inhabitants) and 2.3 lawyers per professional judges.

Lawyers have monopoly on legal representation only with regard to criminal cases (defendant and victim).

In civil cases, parties can undertake procedural actions either personally or through agents. In administrative cases, lawyer's representation is not compulsory.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The legislation and the Rules on lawyers' fees established by the Bar associations' standards provide for rules on lawyers' fees.

As a rule, lawyers' fees are freely negotiated. Nevertheless, in practice, they are partially negotiated freely, namely in the part in which compensation is negotiated for the lawyer's work on an hourly basis, but the contract on such a compensation must be concluded in the written form. The court is not bound by the mentioned contract when deciding on the cost for the successful party but by the general provisions of the Tariff for Lawyers' Fees and Cost Compensation.

- **Performances of courts**

    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

Overall, the clearance rate of the judicial system of Croatia is testifying of its performance, namely its capacity to reduce backlogs in first and second instances. However, the situation differs at the highest jurisdictional level where the system appears unable to face the case-flow without generating considerable backlogs. The justice system was also not able to respond to a rise of incoming civil and commercial litigious cases and as a result the backlogs at the end of 2012 increased by 15% compared to 2010 and are very high. As to the disposition time, this indicator is increasing proportionally to the progress of proceedings until reaching 549 days before the highest instance court.

In addition, concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012.

    - Insolvency

Data concerning the clearance rate and disposition time for insolvency cases in first instance in Croatia are not available.

    - Specific procedures for urgent matters

The Croatian legislation provides for specific procedures for urgent matters in civil cases (labour, maintenance disputes and other court cases, trespassing), criminal cases and administrative cases (civil service disputes, refugee disputes and asylum seekers disputes).

    - Simplified procedures

It sets forth simplified procedures for civil cases (with regard to small disputes: order for payment and small claims) and criminal cases (with regard to small offences: summary proceedings, issuance of a criminal order). For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the performances of courts

In Croatia, individual courts are required to prepare an annual activity report**.**

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect Croatia has defined performance and quality indicators among which the 4 main are: length of proceedings, closed cases, pending cases and backlogs, productivity of judges and court staff.

The Croatia system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are also set up at the level of the court.
Quality standards are defined with regard to the whole judicial system. Basically, the quality of the judicial system is determined by the number of confirmed decisions.

- **Alternative dispute resolutions**

In Croatia, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissals, and criminal cases.

In civil and commercial cases, private mediators, meaning lawyers who are accredited mediators, can be appointed as mediator. In family law cases a judge can be appointed as an arbitrator. This is not a mediation, but „ other form of alternative disputes resolution".
In the administrative cases, during the court procedure, the parties may reach a settlement on the case matter. The court shall warn the parties of the possibility of reaching a settlement and help them negotiate. Therefore, according to Croatian law, a judge can participate in a court settlement.
In cases of employment dismissals court annexed mediation can be held, private mediator and public authority can be appointed as mediators, as well as public prosecutor.
There are 406 accredited mediators. Data concerning the number of judicial mediation in 2012 is not available. Only the number of mediations in civil cases is indicated: 564.

Croatia knows other than judicial mediation and also arbitration, conciliation and other alternative procedures.

- **The ICT tools of courts and for court users**

Croatia is developing an ICT system for:

- Direct assistance of the judges/court clerk (highest level as concerns word processing, e-mail and internet connection (100%); above the average as concerns electronic data base of case-law and electronic files);

- Administration and management (highest level as concerns case registration system and financial information system (100%); above the average as concerns court management information system (+50%); low level as concerns videoconferencing (-10%)).

- Electronic communication and exchange of information between the courts and their environment (highest level as concerns other electronic communication facilities (100%); above the average as concerns website, follow-up of cases online and electronic registers (+50%); low level as concerns electronic web forms and videoconferencing (-10%); total absence as concerns electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims (0%)).

Current situation is that electronic web forms are available at all commercial courts for online registration of newly incorporated companies. These forms can be used only by public notaries.

Follow up cases online is still not applicable on all courts because the project of the introduction of a free and public access to basic court case data (e-predmet) is still ongoing. The same can be applied to electronic registers. There is no possibility of electronic processing of small claims, electronic processing of undisputed debt recovery and electronic submission of claims. Electronic submission of claims in 2010 was understood as the submission of the application for online registration of newly incorporated companies and that could explain why in 2010 was -10%. The category "other electronic communication facilities" comprises e-mail communication which is used on all courts.

In Croatia, videoconferencing is used only in criminal cases, for hearing in the presence of defendants or witnesses or victims.

Basically, there is a legal and technical possibility of using videoconference in other than criminal cases but in practice it is used only in criminal cases (especially cross border proceedings).

4. National data collection system

In Croatia, the Ministry of Justice of the Republic of Croatia is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data does not provide data related to the number of specific proceedings (litigious divorce cases, employment dismissal cases, insolvency) as well as data concerning some selected categories of cases (in second instance only data concerning the total number of cases and the number of civil and commercial litigious cases are available; before the highest instance court, solely the total number of other than criminal cases is available). Besides, data concerning the length of specific proceedings are not provided.

5. Reforms

The Croatian Parliament adopted on 14 December 2012 the Strategy of development of the judiciary for the period of 2013 – 2018, based on five elementary areas which serve as a starting point for future strategic plans:
1. Independence, impartiality and professionalism of the judiciary;
2. Efficiency;
3. Croatian judiciary as part of the European judiciary;
4. Human resources management;
5. Use of modern technology potential.

The Ministry of Justice of the Republic of Croatia plans future reforms in the justice area as follows:

- the Consumer Bankruptcy Act - as an answer to the insolvency of citizens. The Ministry of Justice is drafting a legislative solution to this problem. The Act will be released for public debate in the first quarter of 2014;
- the register of imposed but not charged misdemeanor penalties will be established in 2014, thus prohibiting offenders who do not pay their fines from obtaining the issuance of certain documents;
- full implementation of the ICMS - in 2014 the judiciary will be given contemporary IT tools for case management. The service of the ICMS, allowing citizens to have access to basic information regarding their court case will be available in all courts free of charge;
- the reform of the civil procedure is planned for 2014, after the analysis of the impact of Amendments of the Civil Procedure Act has been carried out in February 2013. Also, there is a plan to introduce the so-called “sample-dispute”, which would be a standard for the solving of cases;
- the need for further rationalization of the judicial bodies’ network has been considered. The starting criteria were set, by which all municipal and misdemeanor courts, and all Municipal State Attorney's Offices will be established exclusively in the seats of County Courts. In order to fully implement this reorganization, adequate acts will be adopted in 2014.
- assignment of the cases in ICMS is random, and will be fully implemented after the court’s rationalization and after the defining of the assignment model.

Croatia – Data tables for each indicator (2010/2012)

Croatia	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	4 412 137	4 262 140
2#1#1 Total of annual State pb expenditure State level	18 733 528 635	18 152 164 367
3 GDP Per capita GDP (in €)	10 394	10 290
4 Average gross annual salary in €	12 647	12 571
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	211 304 301	156 601 458
12#1#1 Total annual appr pb budget allocated to LA	229 550	166 632
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	211 304 301	156 601 458
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	145 186 639	149 182 668
6#2#3 Amount_Annnual appr bd of the courts_Computer	11 684 416	6 134 132
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	31 059 496	
6#2#5 Amount_An appr bd_courts alloc_Court buildings	5 949 553	809 410
6#2#6 Amount_An appr bd_courts alloc invest_ new build	4 497 538	
6#2#7 Amount_Annnual appr budget_courts alloc_Training	1 624 490	475 248
6#2#8 Amount_Annual approved budget_courts alloc_Other	11 302 169	
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	352 621 340	340 465 130
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	No
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		No
Notariat		No
Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	Yes

Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	4 412 137	4 262 140
Amount_An approved budget alloc whole justice	352 621 340	340 465 130
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
[14.1] - If any other Ministry and/or inspection body and/or other, please specify (considering question 14):		
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	66	67
42#1#2 Specialised first instance courts	70	74
42#1#3 All the courts (geographic locations)	154	158

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	70	74
43#1#2 Nr of commercial courts	7	7
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	1
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	1	4
43#1#8 Nr of insurance_soc welfare courts	NA	NAP
43#1#9 Nr of military courts	NA	NAP
43#1#10 Nr ofother specialised 1st instance courts	62	62

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	73	73

45#1#2 Nr_1st instance courts competent_dismissal	66	66
45#1#3 Nr_1st instance courts competent_robbery	82	49

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)

Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012

91#1#1 Pending cases_1 Jan _Total_non crim cases	457 432	430 500
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	191 738	208 520
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	18 052	34 596
91#1#4 Pending cases_1 Jan _Enforcement cases	115 020	125 949
91#1#5 Pending cases_1 Jan _Land registry cases	95 148	57 484
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	36 449	NA
91#1#8 Pending cases_1 Jan _Other cases	1 025	3 951
91#2#1 Incoming cases_Total_non crim cases	1 103 864	1 097 909
91#2#2 Incoming cases_Civil&com litig cases	146 607	182 693
91#2#3 Incoming cases_Civil&com nonlit cases	262 472	232 155
91#2#4 Incoming cases_Enforcement cases	198 718	191 514
91#2#5 Incoming cases_Land registry cases	480 096	476 543
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	14 470	12 011
91#2#8 Incoming cases_Other cases	1 501	2 993
91#3#1 Resolved cases_Total_non crim cases	1 230 937	1 119 696
91#3#2 Resolved cases_Civil&com litig cases	149 290	173 631
91#3#3 Resolved cases_Civil&com nonlit cases	253 120	247 217
91#3#4 Resolved cases_Enforcement cases	186 644	211 643
91#3#5 Resolved cases_Land registry cases	506 113	479 099
91#3#6 Resolved cases_Business reg cases	118 853	NA
91#3#7 Resolved cases_Admin law cases	15 616	4 936
91#3#8 Resolved cases_Other cases	1 301	4 170
91#4#1 Pending cases_31 Dec _Total_non crim cases	449 212	408 713
91#4#2 Pending cases_31 Dec _Civil&com litig cases	189 055	217 582
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	27 404	20 534
91#4#4 Pending cases_31 Dec _Enforcement cases	127 094	105 820
91#4#5 Pending cases_31 Dec _Land registry cases	69 131	54 928
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	35 303	7 075

91#4#8 Pending cases_31 Dec _Other cases	1 225	2 774
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012		
CR Total non crim cases	112%	102%
CR Civil&com litig cases	102%	95%
CR Civil&com nonlit cases	96%	106%
CR Enforcement cases	94%	111%
CR Land registry cases	105%	101%
CR Business reg cases		
CR Admin law cases	108%	41%
CR Other cases	87%	139%
DT Total non DTim cases	133	133
DT Civil&com litig cases	462	457
DT Civil&com nonlit cases	40	30
DT Enforcement cases	249	182
DT Land registry cases	50	42
DT Business reg cases		
DT Admin law cases	825	523
DT Other cases	344	243
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012		
CR Total non crim cases		-9%
CR Civil&com litig cases		-7%
CR Civil&com nonlit cases		10%
CR Enforcement cases		18%
CR Land registry cases		-5%
CR Business reg cases		
CR Admin law cases		-62%
CR Other cases		61%
DT Total non DTim cases		0%
DT Civil&com litig cases		-1%
DT Civil&com nonlit cases		-23%
DT Enforcement cases		-27%
DT Land registry cases		-16%
DT Business reg cases		
DT Admin law cases		-37%
DT Other cases		-29%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		

101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	NA	NA
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	NA	NA
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012		
97#1#1 Pending cases_1 Jan _Total_non crim cases	62 755	101 122
97#1#2 Pending cases_1 Jan _Civil&com litig cases	62 755	68 552
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	NA	32 568
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	81 048	89 558
97#2#2 Incoming cases_Civil&com litig cases	81 048	85 606
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	NA	3 982
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	76 368	94 481
97#3#2 Resolved cases_Civil&com litig cases	76 368	76 556

97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	NA	17 925
97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	67 435	96 229
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	67 435	77 604
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	18 625
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97) Croatia: concerning the clearance rate for administrative cases, on 1 January 2012 a new system of administrative courts was implemented in the Republic of Croatia. Consequently, it is not possible to compare the data regarding the administrative cases in 2010 and 2012		
CR Total non crim cases	94%	105%
CR Civil&com litig cases	94%	89%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		450%
CR Other cases		
DT Total non DTim cases	322	372
DT Civil&com litig cases	322	370
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		379
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	3 785	7 435
99#1#2 Pending cases_1 Jan _Civil litigious cs	3 785	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	5 995	7 440

99#2#2 Incoming cases_Civil litigious cs	5 995	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	NA
99#3#1 Resolved cases_Total _non crim law cs	4 546	5 940
99#3#2 Resolved cases_Civil litigious cs	4 546	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	5 234	8 935
99#4#2 Pending cases_31 Dec _Civil litigious cs	5 234	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	76%	80%
CR Civil&com litig cases	76%	
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	420	549
DT Civil&com litig cases	420	
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA

% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA

Table 3.11. Caseload in the EU		
1 Number of inhabitants	4 412 137	4 262 140
91#2#1 Incoming cases_Total_non crim cases	1 103 864	1 097 909
91#2#2 Incoming cases_Civil&com litig cases	146 607	182 693
91#2#3 Incoming cases_Civil&com nonlit cases	262 472	232 155
91#2#4 Incoming cases_Enforcement cases	198 718	191 514
91#2#7 Incoming cases_Admin law cases	14 470	12 011
91#4#1 Pending cases_31 Dec _Total_non crim cases	449 212	408 713
91#4#2 Pending cases_31 Dec _Civil&com litig cases	189 055	217 582
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	27 404	20 534
91#4#4 Pending cases_31 Dec _Enforcement cases	127 094	105 820
91#4#7 Pending cases_31 Dec _Admin law cases	35 303	7 075

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	Yes
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	Yes	Yes
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	Yes	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	Yes	Yes
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		Yes
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		Yes
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	4 412 137	4 262 140
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	229 550	166 632
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	4 412 137	4 262 140
12#1#1 Total annual appr pb budget allocated to LA	229 550	166 632
20#1#1 Total Number of cases granted with legal aid	3 290	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	3 290	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	465

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	211 304 301	156 601 458

9 Annual income of court taxes received by the State	25 168 311	28 759 251
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	Yes
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	+50% of courts	+50% of courts
62.1.3 Electronic files	-50% of courts	+50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	+50% of courts	+50% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	-10% of courts	-10% of courts
64.1.1 Electronic Web forms	-10% of courts	-10% of courts
64.1.2 Website	+50% of courts	+50% of courts
64.1.3 Follow-up of cases online	-10% of courts	+50% of courts
64.1.4 Electronic registers	+50% of courts	+50% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	-10% of courts	0 % of courts
64.1.8 Videoconferencing	-10% of courts	-10% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	No

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	30 396	29 184
132#1#2 Gross An sal: Judge_Supr Ct	65 592	63 120
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	30 396	33 126
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	65 592	63 120
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	16 416	16 992
132#2#2 Net An sal: Judge_Supr Ct	29 016	31 320
132#2#3 Net An sal: Pb prosecutor_beg_carrier	16 416	18 696
132#2#4 Net An sal: Pb prosecutor_Supr Ct	29 016	31 320
4 Average gross annual salary in €	12 647	12 571
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No

133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	No	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	No	NO
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	5	44
144#1#2 Discipl proc against judges_Breach_pro ethics	4	2
144#1#3 Discipl proc against judges_Prof inadequancy	1	11
144#1#4 Discipl proc against judges_Criminal offence	NA	0
144#1#5 Discipl proc against judges_Other	NA	31
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		

145#1#1 Sanctions against judges_Total number	NA	28
145#1#2 Sanctions against judges_Reprimand	1	20
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	2	3
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	1	1
145#1#10 Sanctions against judges_Other	NA	4

Table 7.12 Procedure to challenge a judge (Q 85)

85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)	1	NA

Table 7.13. Number of court presidents (proffesional judges) (Q 47)

47#1#1 Total Nr of court presidents	154	158
47#1#2 Number of 1st instance presidents	135	139
47#1#3 Number of 2nd instance presidents	18	18
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	61	69
47#2#2 Number of 1st instance presidents_males	49	54
47#2#3 Number of 2nd instance presidents_males	11	14
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	93	89
47#3#2 Number of 1st instance presidents_females	86	85
47#3#3 Number of 2nd instance presidents_females	7	4
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges

consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	Yes	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	No	No
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	Yes	No

164#3#4 Public authority_Employment dismissals	Yes	Yes
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	No
164#4#3 Judge_Administrative cases	Yes	Yes
164#4#4 Judge_Employment dismissals	Yes	Yes
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	Yes	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	Yes
164#5#5 Prosecutor_Criminal cases	Yes	Yes
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	4 412 137	4 262 140
166#1#2 Number of accredited mediators	388	406
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr	541	564
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	4 412 137	4 262 140
46#1#1 Total Nr of professional judges	1 887	1 932
52#2#1 Nr_non-judge staff who are working in courts	6 944	6932(5973)
146 Total number of practicing lawyers	4 133	4 392
170 Number of enforcement agents		71 106
52.2.2 Number Non-judge staff (Rechtspfleger)	6	590(456)
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	4 133	4 392
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 887	1 932
1 Number of inhabitants	4 412 137	4 262 140

Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	71	106
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	No
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine		
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	No
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes

178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	Yes
180#1#4 Qty standarts established by_Other 2010	No	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	6 944	6932(5973)
52#2#2 Number Non-judge staff (Rechtspfleger)	600	590(456)
52#2#3 Nr_Non-judge staff assisting the judges	5 209	5089(4743)
52#2#4 Number_Staff in charge of administrative tasks	355	395(309)
52#2#5 Number of Technical staff	780	753(465)
52#2#6 Number of Other non-judge staff		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Cyprus (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Cyprus	865 900	8 257 831 260	20 512	24 124

1. Presentation of the functioning of the judicial system

According to 2012 data, in Cyprus, there are 6 courts of first instance with general jurisdiction (district court of Nicosia, district court of Limassol, district court of Larnaca, district court of Paphos, district court of Famagusta and district court of Kyrenia) and 14 first instance specialised courts including 1 labour court, 3 family courts, 3 rent and tenancies courts and 1 military court. Cyprus has a two tier system and the Supreme Court is the second and highest instance court.
There are 6 first instance courts competent for a debt collection for small claims (the monetary value of small claims is 2 000 euros) and 3 first instance court competent for a dismissal.
According to 2012 data, the number of enforcement agents in Cyprus is of 116, which is 31% less than in 2010.
It represents 13 enforcement agents per 100 000 inhabitants (considerably higher than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 30 611 480 euros

This figure does not include the budgets intended to public prosecution services and legal aid. This amount includes costs for publication and compensation and costs in action.

Total annual approved public budget allocated to all courts (excluding budget intended to public prosecution services and legal aid) per capita: 35,35 euros.

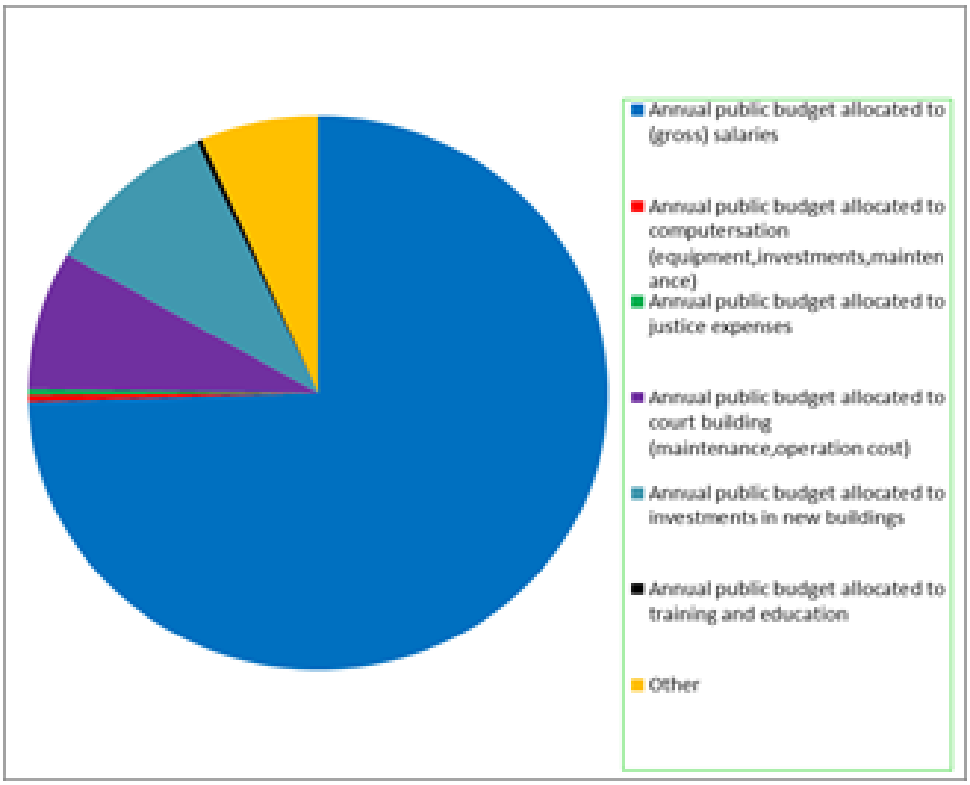
This ratio is lower but very close to the EU average (39,48 euros per capita) and almost coincides with the EU median (35,32 euros per capita).

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries;

- Annual public budget allocated to investments in new buildings;

- Annual public budget allocated to court building (maintenance, operation cost)



- **Budget allocated to the whole justice system: 76 527 498 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, Council of the judiciary, Constitutional Court, judicial management body, state advocacy, judicial protection of juveniles and functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita has decreased by 11%.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Cyprus is 103 which is 1% less than in 2010.

This represents 12 judges per 100 000 inhabitants (less than the EU median of 19 judges per 100 000 inhabitants). The level for the indicators of the clearance rate and the disposition time of the Cypriot judicial system in first and second instances shows its incapacity to deal with incoming cases in a reasonable period of time which is the cause of the existing backlogs. The ratio of judges per 100 000 inhabitants is one of the possible justifications of this configuration.

Judges are recruited neither through a competitive exam, nor trough a specific recruitment procedure. First instance judges are appointed by the Supreme Council of Judicature. Judges of the Supreme Court are appointed by the President of the Republic. All categories of training are optional, even the initial training is not compulsory.

The gross annual salary of a first instance professional judge is of 72 948 euros (3 X the national average gross annual salary), which is considerably higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is of 133 219 euros (5.5 x the national average gross annual salary), which is meaningfully higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 63). However a probation period of 2 years precedes the appointment for life.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist. In 2012, there were no successful challenges.

- Non-judge staff

In Cyprus there are 424 non-judges staff including:

- 133 non-judge staff whose task is to assist the judges such as registrars,
- 124 staff in charge of different administrative tasks and of the management of the courts,
- 129 technical staff
- 38 other staff, namely 38 court bailiffs.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

The legal aid is granted for representation in court and legal advice as well in criminal cases than in other than criminal cases. It could include the coverage of or the exemption from court fees.

Data concerning the annual public budget allocated to legal aid or concerning the number of cases in each legal category which have been granted legal aid are available.

  - **Court fees**

The annual income of court fees or taxes received by State is of 11 377 030 euros. This amount also includes income from transfers.

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in the following situations: criminal cases and other than criminal cases.

  - **Lawyers**

In Cyprus, there are 2 558 lawyers (this category does include legal advisors), which is 7% more than in 2010.

This data represents 295 lawyers (included legal advisers) per 100 000 inhabitants and 24.8 lawyers (included legal advisers) per professional judge.

Lawyers have monopoly on legal representation in civil, criminal and administrative cases.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. As a rule, lawyers' fees are not freely negotiated. Though the legislation does not provide for rules on lawyers' fees, such rules are contained in the bar associations' standards.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The clearance rate and the disposition time in first and second instances testify of the incapacity of the system to deal with the case-flow in a reasonable timeframe, generating consequently backlogs. Cyprus cannot provide data separately for litigious and not litigious cases. They are under the same category of civil cases.

- Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance are not available.

- Specific procedures for urgent matters

The Cypriot legislation provides for specific procedures for urgent matters in civil, criminal and administrative cases (interim orders).

- Simplified procedures

It sets forth simplified procedures for civil cases (small disputes) and criminal cases (small offences).

- Systems for measuring and evaluating the court performance

In Cyprus, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist. However, Cyprus has defined performance and quality indicators, among which the 4 main are: length of proceedings, pending cases and backlogs, productivity of judges and court staff, judicial quality and organizational quality of the courts.

The Cypriot system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are not defined for each judge. Nevertheless, such quantitative performance targets are set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Cyprus, the possibility to resort to judicial mediation exists only for civil and commercial cases. Cyprus also knows other than judicial mediation and arbitration procedures.

- **The ICT tools of courts and for court users**

Cyprus is developing an ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, e-mail, electronic data base of case-law and internet connection (100%); total absence as concerns electronic files)),

- administration and management (highest level as concerns financial information system and videoconferencing (100%); total absence as concerns case registration system and court management information system (0%); however national authorities tried to use computer technology for facilitating the management of cases.

- electronic communication and exchange of information between the courts and their environment (highest level as concerns website and videoconferencing (100%); total absence as concerns electronic web forms, follow-up of cases online, electronic registers, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims and other electronic communication facilities (0%)).

In Cyprus, videoconferencing is used in criminal and other than criminal cases.

4. National data collection system

In Cyprus, the Supreme Court of Cyprus is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data does not provide data with regard to the length of specific procedures such as litigious divorce cases, employment dismissal cases and insolvency cases. Additionally, data concerning the number of cases as to the selected proceedings are not available.

5. Reforms

An administrative court will be established.

Cyprus - Data tables for each indicator (2010/2012)

Cyprus	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	804 536	865 900
2#1#1 Total of annual State pb expenditure State level	8 626 826 886	8 257 831 260
3 GDP Per capita GDP (in €)	21 569	20 512
4 Average gross annual salary in €	23 424	24 124
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	33 546 827	30 611 480
12#1#1 Total annual appr pb budget allocated to LA	NA	NA
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	33 546 827	30 611 480
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	22 335 367	22 793 540
6#2#3 Amount_Annnual appr bd of the courts_Computer	116 180	124 970
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	87 100	117 374
6#2#5 Amount_An appr bd_courts alloc_Court buildings	2 653 611	2 474 850
6#2#6 Amount_An appr bd_courts alloc invest_ new build	6 310 040	3 000 060
6#2#7 Amount_Annnual appr budget_courts alloc_Training	98 929	92 480
6#2#8 Amount_Annual approved budget_courts alloc_Other	1 945 600	2 008 206
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	79 536 746	76 527 498
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	No	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		Yes
Judicial manage-ment body		Yes
State advocacy		Yes
Enforcement services		No
Notariat		No
Forensic services		No

Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	Yes	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	804 536	865 900
Amount_An approved budget alloc whole justice	79 536 746	76 527 498
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	No	No
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	Yes	Yes
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
[14.1] - If any other Ministry and/or inspection body and/or other, please specify (considering question 14):		
Table 1.6. Authorities entrusted with responsibilities related		

to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	6	6
42#1#2 Specialised first instance courts	11	14
42#1#3 All the courts (geographic locations)	18	21

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	11	14
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	1	1
43#1#4 Nr of family courts	3	3
43#1#5 Nr of rent and tenacies courts	2	3
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NA	NAP
43#1#8 Nr of insurance_soc welfare courts	NA	NAP
43#1#9 Nr of military courts	1	1
43#1#10 Nr ofother specialised 1st instance courts	4	NA

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		

45#1#1 Nr_1st instance courts competent_debt collect	6	6
45#1#2 Nr_1st instance courts competent_dismissal	1	3
45#1#3 Nr_1st instance courts competent_robbery	10	6

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	33 631	42 179
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	26 999	NA
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	4 788	4 851
91#1#8 Pending cases_1 Jan _Other cases	1 844	NA
91#2#1 Incoming cases_Total_non crim cases	30 612	36 868
91#2#2 Incoming cases_Civil&com litig cases	26 455	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	NA	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	1 940	2 094
91#2#8 Incoming cases_Other cases	2 217	NA
91#3#1 Resolved cases_Total_non crim cases	25 763	32 092
91#3#2 Resolved cases_Civil&com litig cases	22 210	NA
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	NA	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	1 440	1 550
91#3#8 Resolved cases_Other cases	2 113	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	38 480	46 955
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 244	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	5 288	5 395
91#4#8 Pending cases_31 Dec _Other cases	1 948	NA

Table 3.2. Clearance rate and disposition time in different

types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	84%	87%
CR Civil&com litig cases	84%	
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	74%	74%
CR Other cases	95%	
DT Total non DTim cases	545	534
DT Civil&com litig cases	513	
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	1 340	1 270
DT Other cases	336	
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		3%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		0%
CR Other cases		
DT Total non DTim cases		-2%
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-5%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	3 687	3 450
101#1#2 Pending cases_1 Jan _Employment dismissal	1 067	1 382
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	6 607	7 195
101#2#2 Incoming cases_Employment dismissal	657	1 005

Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	6 697	7 267
101#3#2 Resolved cases_Employment dismissal	649	638
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	3 597	3 378
101#4#2 Pending cases_31 Dec _Employment dismissal	1 075	1 749
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	1 440	1 918
97#1#2 Pending cases_1 Jan _Civil&com litig cases	884	1 148
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	556	619
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	647	1 076
97#2#2 Incoming cases_Civil&com litig cases	427	515
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	220	288
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	471	719
97#3#2 Resolved cases_Civil&com litig cases	307	325
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	164	116
97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	1 616	2 275
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	1 004	303

97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	612	791
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	73%	67%
CR Civil&com litig cases	72%	63%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	75%	40%
CR Other cases		
DT Total non DTim cases	1 252	1 155
DT Civil&com litig cases	1 194	340
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	1 362	2 489
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NAP	NAP
99#1#2 Pending cases_1 Jan _Civil litigious cs	NAP	NAP
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NAP	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NAP	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NAP	NAP
99#2#1 Incoming cases_Total _non crim law cs	NAP	NAP
99#2#2 Incoming cases_Civil litigious cs	NAP	NAP
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NAP
99#2#4 Incoming cases_Enforcement cs	NAP	NAP
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NAP	NAP
99#3#1 Resolved cases_Total _non crim law cs	NAP	NAP
99#3#2 Resolved cases_Civil litigious cs	NAP	NAP
99#3#3 Resolved cases_Civil non_litigious cs	NAP	NAP

99#3#4 Resolved cases_Enforcement cs	NAP	NAP
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NAP	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NAP	NAP
99#4#2 Pending cases_31 Dec _Civil litigious cs	NAP	NAP
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NAP	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NAP	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA

1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	804 536	865 900
91#2#1 Incoming cases_Total_non crim cases	30 612	36 868
91#2#2 Incoming cases_Civil&com litig cases	26 455	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	1 940	2 094
91#4#1 Pending cases_31 Dec _Total_non crim cases	38 480	46 955
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 244	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	5 288	5 395
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	NA
186#1#4 Notification_dec_parties_same city as Ct_more	No	NA
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	Yes	Yes
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	No	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No

73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	Yes
81 Waiting time during court procedures	No	Yes
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	No	No
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	Yes	Yes
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No
Indicator 5: Legal aid and court fees		

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	804 536	865 900
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	NA	NA
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	No	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	No
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	804 536	865 900
12#1#1 Total annual appr pb budget allocated to LA	NA	NA
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	33 546 827	30 611 480
9 Annual income of court taxes received by the State	9 802 960	11 377 030

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	Yes	Yes
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	0 % of courts	0 % of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	-50% of courts	0 % of courts
63.1.2 Court management information system	0 % of courts	0 % of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	0 % of courts	0 % of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	0 % of courts	0 % of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	0 % of courts	0 % of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	No
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	No	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	No training offered	Optional
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional

Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	71 020	72 948
132#1#2 Gross An sal: Judge_Supr Ct	126 237	133 219
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	32 942	32 038
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	32 942	NA
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	52 026	NA
132#2#2 Net An sal: Judge_Supr Ct	92 475	NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier	20 540	NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct	20 540	NA
4 Average gross annual salary in €	23 424	24 124
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	63
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	2	2 years
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		

144#1#1 Discipl proc against judges_Total Nr	0	0
144#1#2 Discipl proc against judges_Breach_pro ethics	0	0
144#1#3 Discipl proc against judges_Prof inadequancy	0	0
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	0	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	0	0
145#1#2 Sanctions against judges_Reprimand	0	0
145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	0	0
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	0	0
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	0	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		0
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		

47#1#1 Total Nr of court presidents	15	18
47#1#2 Number of 1st instance presidents	14	17
47#1#3 Number of 2nd instance presidents	1	NAP
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	9	10
47#2#2 Number of 1st instance presidents_males	8	9
47#2#3 Number of 2nd instance presidents_males	1	NAP
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	6	8
47#3#2 Number of 1st instance presidents_females	6	8
47#3#3 Number of 2nd instance presidents_females	0	NAP
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NAP
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes

168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	No	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	No	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	Yes
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	No
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	804 536	865 900
166#1#2 Number of accredited mediators		NA
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		

167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	804 536	865 900
46#1#1 Total Nr of professional judges	104	103
52#2#1 Nr_non-judge staff who are working in courts	463	424
146 Total number of practicing lawyers	2 400	2 558
170 Number of enforcement agents	169	116
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	2 400	2 558
148 Number of legal advisors	NAP	NA
147 Does "Nr of lawyers" include “legal advisors”?	Yes	Yes
46#1#1 Total Nr of professional judges	104	103
1 Number of inhabitants	804 536	865 900
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	No	No
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	169	116
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No

178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine		
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No

Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	463	424
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	141	133
52#2#4 Number_Staff in charge of administrative tasks	141	124
52#2#5 Number of Technical staff	133	129
52#2#6 Number of Other non-judge staff	48	38

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	No	No

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Czech Republic (2012 data)

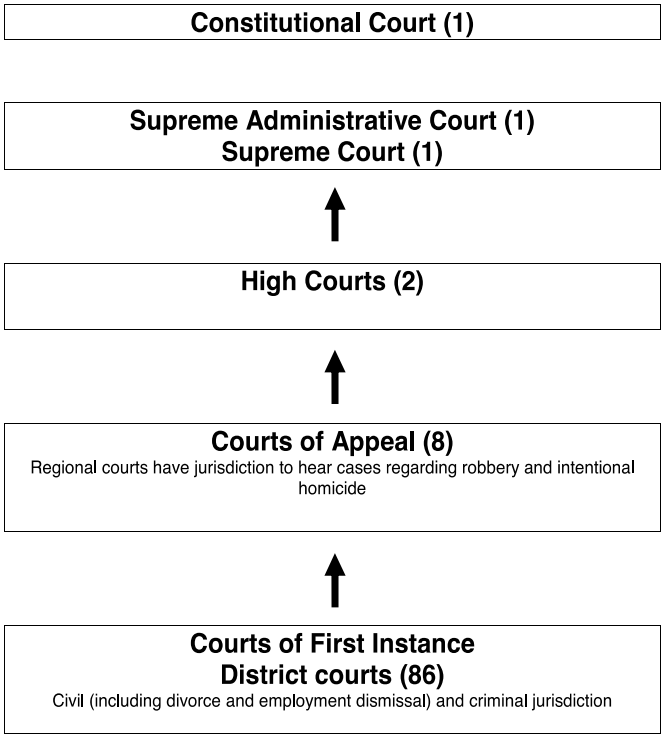
NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Czech republic	10 509 286	68 087 191 726	14 557	€ 12 463

1. Presentation of the functioning of the judicial system

According to 2012 data, in Czech Republic there are 86 first instance courts of general jurisdiction and no specialized first instance courts. Besides, there are 8 regional courts and 2 high courts as second instance jurisdiction; 1 Supreme Court and 1 Supreme Administrative Court as highest instance courts.



Data related to the number of first instance courts competent for a debt collection for small claims and the number of first instance courts competent for a dismissal, are not available.
According to 2012 data, the number of enforcement agents in Czech Republic is 398, which is 18% lower than in 2010.
It represents 4 enforcement agents per 100 000 inhabitants (below but close to the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 11 and 30 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 479 600 709 euros

This figure includes the budgets intended to public prosecution system and legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 45,64 euros

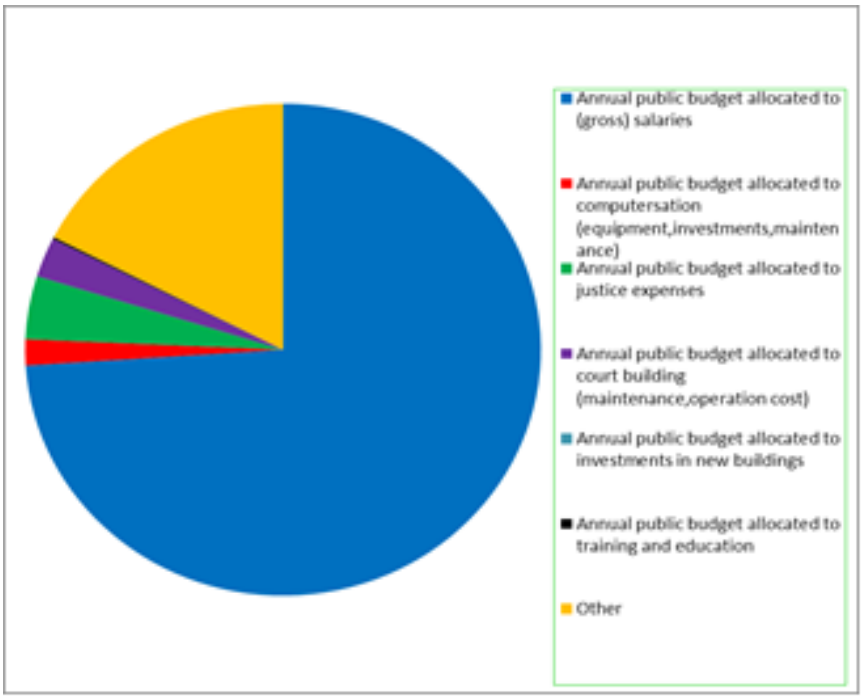
This ratio is lower than the EU average of 62,22 euros per capita and below but close to the EU median of 47,43 euros per capita.

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries;

- Annual public budget allocated to justice expenses.

- Other: operating costs, i.e. heating, energies, water, reparations, postal and other services *etc*.



- **Budget allocated to the whole justice system: 509 966 190 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, probation services, judicial management body, enforcement services, notariat, functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita has decreased by 8%.

- **Human resources**

- Judges

According to 2012 data, the number of professional judges sitting in courts in Czech Republic is of 3 055 which represents the same percentage than in 2010.

This represents 29 judges per 100 000 inhabitants (more than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited trough a competitive exam. Only the initial training is compulsory.

The gross annual salary of a first instance professional judge is 26 492 euros (2,1 x the national average gross annual salary), which is considerably lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 54 272 euros (4,4 x the national average gross annual salary), which is meaningfully lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 70 years).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Czech Republic there are 9 135 non-judges staff including:

- 1 950 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal;
- 4 463 non-judge staff whose task is to assist judges such as registrars;
- 2 038 staff in charge of different administrative tasks and of the management of the courts;
- 636 technical staff;
- 48 other staff (judicial trainees, people in charge of serving court documents (on the parties), press center and telephone exchange).

The number of women with regard to non-judges staff is the following: 1. 1600; 2. 4282; 3. 1709; 4. 368; 5. 30.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 24 142 835 euros (2,30 euros per capita)

This total includes the following details:

- Legal aid for cases brought to court: 24 142 835;
- Legal aid for criminal law cases: 18 419 178;
- Legal aid for other than criminal law cases: 5 723 657.

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice.

Legal aid is provided either by the state or by the Czech Bar Association at its own cost. It could include the coverage of or the exemption from court fees. It could be granted for fees related to enforcement judgments, as well as for other costs in criminal cases or in other than criminal cases. It could be granted at every stage of the procedure (even only for enforcement of a judicial decision).

Data concerning the total number of cases granted with legal aid per 100 000 inhabitants and this concerning the average amount of legal aid allocated per case are not available.

  - **Court fees**

The annual income of court fees or taxes received by State is 59 014 432 euros and the share of court fees

or taxes in the annual budget allocated to all courts is 12% (lower than the EU average of 21% and than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in other than criminal cases, but not for criminal cases. There is a possibility for participant in the proceedings to ask for waiver of court fees ordered by the court, such release should be justified by the participant's personal situation and may not serve as arbitrary or apparently unsuccessful application or protection of law.

- **Lawyers**

In Czech Republic, there are 10 944 lawyers (this category does not include legal advisors), which is 8% more than in 2010.

This data represents 104 lawyers (without legal advisers) per 100 000 inhabitants (below but very close to the EU median of 106 lawyers per 100 000 inhabitants) and 3,6 lawyers per professional judges.

Lawyers have monopoly on legal representation only in criminal cases, with regard to defendants. In the other fields, the principle of legal representation by a lawyer knows different exceptions:

- Proceedings before the Supreme Court: According to § 241 of the Civil Procedure Code, within proceedings on appellate review of a decision, an appellant has to be represented by a lawyer or a notary, except for the case when an appellant is a physical person with education in law, or where an appellant is a legal entity, the state, a municipality, or a higher self-administrative unit on behalf of which a person with education in law is acting.

- Proceedings before the Supreme Administrative Court: According to § 35(2) of the Judicial Administrative Procedure Code, a party in the proceedings may be represented by a lawyer or possibly by another person practicing special legal consultancy according to special Acts, if the petition concerns activities stated herein, (patent representatives, tax advisors, notaries). A party may be further represented by a trade union organization, by a legal entity established on the basis of the Act on Association of Citizens or by a physical person.

- According to § 105(2), a petitioner in the proceedings on cassation complaint has to be represented by a lawyer, except for the case when a petitioner, his employee or a member acting on his behalf or representing him has a university-level education in law required for becoming a lawyer.

- Proceedings before the Constitutional Court: According to §§ 29 to 31 of the Act on the Constitutional Court, only a lawyer may represent a party or an enjoined party in proceedings before the Constitutional Court. In such proceedings, a representative is not entitled to be represented by another representative (prohibition on substitution).

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The latter are freely negotiated. The legislation provides for rules on lawyers' fees.

According to the Act No. 85/1996 Coll., on the Legal Profession, Section 22: Law shall be practised regularly for a fee; the client may be requested to pay a reasonable fee in advance; the mode and amount of the fee and reimbursement of a lawyer practising law as a sole lawyer or jointly with other lawyers, and/or its rates, shall be set by the Ministry of Justice in its executive regulation upon the Bar´s expressing its opinion on the matter (The Regulation of the Ministry of Justice No. 177/1996 Coll, providing for Lawyers´Fees and Reimbursement for Their Provision of Legal Services, as amended).

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate and the disposition time (as to the total number of non-criminal cases) allows the conclusion that the system is performing in first and last instances, able to deal with cases in a short timeframe (less than six months in first instance and less than one year in last instance). At these levels, it is even possible to note a decrease of backlogs. By contrast, in second instance, the system is less

performing and the clearance rate of the category “total non-criminal cases” reveals a generation of considerable backlogs.

- Insolvency

The clearance rate for insolvency cases in first instance in Czech Republic is 34%. The disposition time for insolvency cases in first instance is 1 669 days.

- The Czech legislation provides for specific procedures for urgent matters regarding civil and criminal cases. For example, in civil cases, before or after the commencement of proceedings, the judge can make an emergency ruling if it is necessary to set up the situation of the parties or if there is a reasonable concerns that the enforcement of the judgment could be endangered.

  The law sets forth simplified procedures in civil cases (small disputes, for example, a payment order) and in criminal cases (small offences). For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Czech Republic, individual courts are not required to prepare an annual activity report. By contrast, the Ministry of Justice is endowed with the responsibility to prepare an annual activity report concerning all district and regional courts.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. The Department of Supervision of the Ministry of Justice prepares semi-annual reports on court activities. In this respect, Czech Republic has defined performance and quality indicators among which the 4 main are: incoming cases, length of proceedings, closed cases and pending cases and backlogs.

The Czech system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are not set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Czech Republic, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissals and criminal cases.

Mediation in non-criminal matters has been introduced in 2012 and become effective from September 2012.

There are 388 accredited mediators and in 2012 the number of judicial mediation was 1200 (all of them in the field of criminal cases).

The Czech system does not include other kind of alternative dispute resolutions.

- **The ICT tools of courts and for court users**

Czech Republic has developed a very complete ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, e-mail and internet connection (100%); below the average as concerns electronic files (-50%));

- administration and management (highest level as concerns case registration system and court management information system (100%); below the average as concerns videoconferencing (-50%); total absence as concerns financial information system, (0%));

- electronic communication and exchange of information between the courts and their environment (highest level as concerns electronic web forms, website, follow-up of cases online, electronic registers, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims and other electronic communication facilities; below the average as concerns videoconferencing (-50%).

The category “other electronic communication facilities” comprises data boxes as a mean of communication with parties (they are obligatory for legal entities, lawyers, notaries, executors *etc*. and voluntary for individuals) and state authorities.

In Czech Republic, videoconferencing is used only for criminal cases. In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing cannot be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

In Czech Republic, the Ministry of Justice is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics on the functioning of each court on the internet.
As to the number of cases, except business registry cases in second instance and civil and commercial non litigious cases and enforcement cases in last instance, all data can be provided with regard to the selected categories. The number of specific proceedings in first instance is also available (litigious divorce cases and insolvency) except employment dismissal cases. Nevertheless, no data concerning the average length of these specific procedures can be provided.

5. Reforms

Reforms regarding access to justice and legal aid have been carried out through the Act No. 45/2013 Sb. on victims of crimes.

Czech Republic – Data tables for each indicator (2010/2012)

Czech Republic	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	10 517 247	10 509 286
2#1#1 Total of annual State pb expenditure State level	66 450 119 712	68 087 191 726
3 GDP Per capita GDP (in €)	14 324	14 557
4 Average gross annual salary in €	11 395	12 463
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	346 497 809	370 751 152
12#1#1 Total annual appr pb budget allocated to LA	28 361 213	24 142 835
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	346 497 809	370 751 152
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	200 850 638	274 251 486
6#2#3 Amount_Annnual appr bd of the courts_Computer	7 412 689	6 332 315
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	12 058 220	15 406 078
6#2#5 Amount_An appr bd_courts alloc_Court buildings	4 608 165	9 648 595
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	101 057	455 033
6#2#8 Amount_Annual approved budget_courts alloc_Other	121 467 040	64 657 645
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	557 183 160	509 966 190
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	No	No
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	NAP	NAP
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		Yes
Notariat		Yes

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	10 517 247	10 509 286
Amount_An approved budget alloc whole justice	557 183 160	509 966 190
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	No	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	86	86
42#1#2 Specialised first instance courts	NAP	NAP
42#1#3 All the courts (geographic locations)	98	98

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	NAP	NAP
43#1#2 Nr of commercial courts		NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts		NAP
43#1#4 Nr of family courts		NAP
43#1#5 Nr of rent and tenacies courts		NAP
43#1#6 Nr of enforc_crim_sanctions courts		NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts		NAP
43#1#8 Nr of insurance_soc welfare courts		NAP
43#1#9 Nr of military courts		NAP
43#1#10 Nr ofother specialised 1st instance courts		NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	NAP	NAP
45#1#2 Nr_1st instance courts competent_dismissal	NAP	NAP
45#1#3 Nr_1st instance courts competent_robbery	NAP	NAP

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	395 271	522 186
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	181 074	166 919
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	32 130	31 337
91#1#4 Pending cases_1 Jan _Enforcement cases	13 636	12 482
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	168 431	311 448
91#2#1 Incoming cases_Total_non crim cases	1 588 953	1 046 760
91#2#2 Incoming cases_Civil&com litig cases	459 508	363 080
91#2#3 Incoming cases_Civil&com nonlit cases	107 017	105 052
91#2#4 Incoming cases_Enforcement cases	293 637	185 663
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NA	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	728 791	392 965
91#3#1 Resolved cases_Total_non crim cases	1 508 639	1 190 182
91#3#2 Resolved cases_Civil&com litig cases	474 591	358 886
91#3#3 Resolved cases_Civil&com nonlit cases	107 969	104 934
91#3#4 Resolved cases_Enforcement cases	293 623	193 150
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NA	NAP
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	632 456	533 212
91#4#1 Pending cases_31 Dec _Total_non crim cases	475 585	378 764
91#4#2 Pending cases_31 Dec _Civil&com litig cases	165 991	171 113
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	31 178	31 455
91#4#4 Pending cases_31 Dec _Enforcement cases	13 650	4 995
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA

91#4#8 Pending cases_31 Dec _Other cases	264 766	171 201
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	95%	114%
CR Civil&com litig cases	103%	99%
CR Civil&com nonlit cases	101%	100%
CR Enforcement cases	100%	104%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases	87%	136%
DT Total non DTim cases	115	116
DT Civil&com litig cases	128	174
DT Civil&com nonlit cases	105	109
DT Enforcement cases	17	9
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases	153	117
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		20%
CR Civil&com litig cases		-4%
CR Civil&com nonlit cases		-1%
CR Enforcement cases		4%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		56%
DT Total non DTim cases		1%
DT Civil&com litig cases		36%
DT Civil&com nonlit cases		4%
DT Enforcement cases		-44%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		-23%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	14 551	13 150
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		30 331
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	34 166	30 025
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		33 083
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	34 515	30 557
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		11 382
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	14 543	12 965
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		52 032
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		34%
DT - Insolvency cases		1 669
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	36 702	57 634
97#1#2 Pending cases_1 Jan _Civil&com litig cases	16 696	14 537
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NAP
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NAP
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	4 281	NA
97#1#7 Pending cases_1 Jan _Admin law cases	9 155	8 509
97#1#8 Pending cases_1 Jan _Other cases	6 570	30 331
97#2#1 Incoming cases_Total_non crim cases	257 518	172 886
97#2#2 Incoming cases_Civil&com litig cases	76 101	89 388
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NAP
97#2#4 Incoming cases_Enforcement cases	NA	NAP
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	157 224	NA
97#2#7 Incoming cases_Admin law cases	7 815	8 148
97#2#8 Incoming cases_Other cases	16 378	33 083
97#3#1 Resolved cases_Total_non crim cases	251 516	152 488
97#3#2 Resolved cases_Civil&com litig cases	76 899	87 208
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NAP
97#3#4 Resolved cases_Enforcement cases	NA	NAP
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	157 636	NA
97#3#7 Resolved cases_Admin law cases	9 061	7 976

97#3#8 Resolved cases_Other cases	7 920	11 382
97#4#1 Pending cases on 31 Dec _Total_non crim cs	42 704	78 032
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	15 898	16 717
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NAP
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NAP
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	3 869	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	7 909	8 681
97#4#8 Pending cases on 31 Dec _Other cases	15 028	52 032
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	98%	88%
CR Civil&com litig cases	101%	98%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases	100%	
CR Admin law cases	116%	98%
CR Other cases	48%	34%
DT Total non DTim cases	62	187
DT Civil&com litig cases	75	70
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases	9	
DT Admin law cases	319	397
DT Other cases	693	1 669
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	6 691	5 100
99#1#2 Pending cases_1 Jan _Civil litigious cs	5 628	4 111
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	1 033	983
99#1#8 Pending cases_1 Jan _Other cs	30	6
99#2#1 Incoming cases_Total _non crim law cs	9 104	7 665
99#2#2 Incoming cases_Civil litigious cs	6 013	3 914
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	3 044	3 714
99#2#8 Incoming cases_Other cs	47	37

99#3#1 Resolved cases_Total _non crim law cs	9 688	8 356
99#3#2 Resolved cases_Civil litigious cs	6 515	5 000
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	3 130	3 347
99#3#8 Resolved cases_Other cs	43	9
99#4#1 Pending cases_31 Dec _Total _non crim law cs	6 077	4 409
99#4#2 Pending cases_31 Dec _Civil litigious cs	5 126	3 025
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	917	1 350
99#4#8 Pending cases_31 Dec _Other cs	34	34
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	106%	109%
CR Civil&com litig cases	108%	128%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	103%	90%
CR Other cases	91%	24%
DT Total non DTim cases	229	193
DT Civil&com litig cases	287	221
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	107	147
DT Other cases	289	1 379
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	389	178
102#3#4 1st inst average length_Intent homicide	82	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	419	247
102#4#4 2nd inst average length_Intent homicide	252	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		182
Average total length_Intent homicide		154
Table 3.11. Caseload in the EU		
1 Number of inhabitants	10 517 247	10 509 286
91#2#1 Incoming cases_Total_non crim cases	1 588 953	1 046 760
91#2#2 Incoming cases_Civil&com litig cases	459 508	363 080
91#2#3 Incoming cases_Civil&com nonlit cases	107 017	105 052
91#2#4 Incoming cases_Enforcement cases	293 637	185 663
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	475 585	378 764
91#4#2 Pending cases_31 Dec _Civil&com litig cases	165 991	171 113
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	31 178	31 455
91#4#4 Pending cases_31 Dec _Enforcement cases	13 650	4 995
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No

[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	Yes	Yes
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	No	No
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes

70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	Yes	Yes
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No

38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	10 517 247	10 509 286
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	28 361 213	24 142 835
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	10 517 247	10 509 286
12#1#1 Total annual appr pb budget allocated to LA	28 361 213	24 142 835
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	346 497 809	370 751 152
9 Annual income of court taxes received by the State	37 452 793	59 014 432

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	-10% of courts	-50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	0 % of courts	0 % of courts
63.1.4 Videoconferencing	-50% of courts	-50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	-50% of courts	-50% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	No
65#3#1 Legislation_using videoconferencing in courts	No	Yes
65#4#1 Use of videoconferencing in other than crim cases	No	No

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)

110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	24 324	26 492
132#1#2 Gross An sal: Judge_Supr Ct	54 384	54 272
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	19 632	23 771
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	42 816	46 635
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		NA
132#2#2 Net An sal: Judge_Supr Ct		NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier		NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	11 395	12 463
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	Yes	Yes
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No

133#2#3 Add benef_pb prosecutors: Housing	Yes	Yes
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	22	27
144#1#2 Discipl proc against judges_Breach_pro ethics	2	2
144#1#3 Discipl proc against judges_Prof inadequancy	20	24
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	0	1
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	Yes	Yes
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	20	27

145#1#2 Sanctions against judges_Reprimand	4	0
145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	NAP	NAP
145#1#5 Sanctions against judges_Fine	NAP	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	7	9
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	NAP
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	9	18
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	90	97
47#1#2 Number of 1st instance presidents	78	86
47#1#3 Number of 2nd instance presidents	8	9
47#1#4 Number of supreme court presidents	4	2
47#2#1 Total Nr of court presidents_males	57	61
47#2#2 Number of 1st instance presidents_males	47	54
47#2#3 Number of 2nd instance presidents_males	7	6
47#2#4 Number of supreme court presidents_males	3	1
47#3#1 Total Nr of court presidents_females	33	36
47#3#2 Number of 1st instance presidents_females	31	32
47#3#3 Number of 2nd instance presidents_females	1	3
47#3#4 Number of supreme court presidents_females	1	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		

48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 6 180,0	€ 5 923,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	No	No
168#1#2 Alternative dispute resolution_Arbitration	No	No
168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	Yes
164#1#2 Court annexed mediation_Family law cases	No	Yes
164#1#3 Court annexed mediation_Administrative cases	No	Yes
164#1#4 Court annexed mediation_Empl dismissals	No	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	Yes
164#2#3 Private mediator_Administrative cases	No	Yes
164#2#4 Private mediator_Employment dismissals	No	Yes
164#2#5 Private mediator_Criminal cases	No	Yes
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No

164#3#5 Public authority_Criminal cases	No	Yes
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	10 517 247	10 509 286
166#1#2 Number of accredited mediators	281	388
167#2#1 Judicial mediation procedures_Total Nr	726	1 200
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr	726	1 200
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	10 517 247	10 509 286
46#1#1 Total Nr of professional judges	3 063	3 055
52#2#1 Nr_non-judge staff who are working in courts	9 498	9 135
146 Total number of practicing lawyers	10 158	10 944
170 Number of enforcement agents		484 398
52.2.2 Number Non-judge staff (Rechtspfleger)	215	1950(1600)
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	10 158	10 944
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	3 063	3 055
1 Number of inhabitants	10 517 247	10 509 286
Table 9.5. Monopoly of legal representation (Q 149)		

149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	484	398
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	15	33
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	3
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	15	30
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	
187#2#5 Nr_Discipl proc against EA_Other	0	
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	13	25
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	3	4
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	2	12
188#2#6 Nr_Sanctions pronounced against EA_Other	8	9
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No

178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	9 498	9 135
52#2#2 Number Non-judge staff (Rechtspfleger)	2 105	1950(1600)
52#2#3 Nr_Non-judge staff assisting the judges	4 564	4463(4282)
52#2#4 Number_Staff in charge of administrative tasks	1 952	2038(1709)
52#2#5 Number of Technical staff	833	636(368)
52#2#6 Number of Other non-judge staff	44	48
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Denmark (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

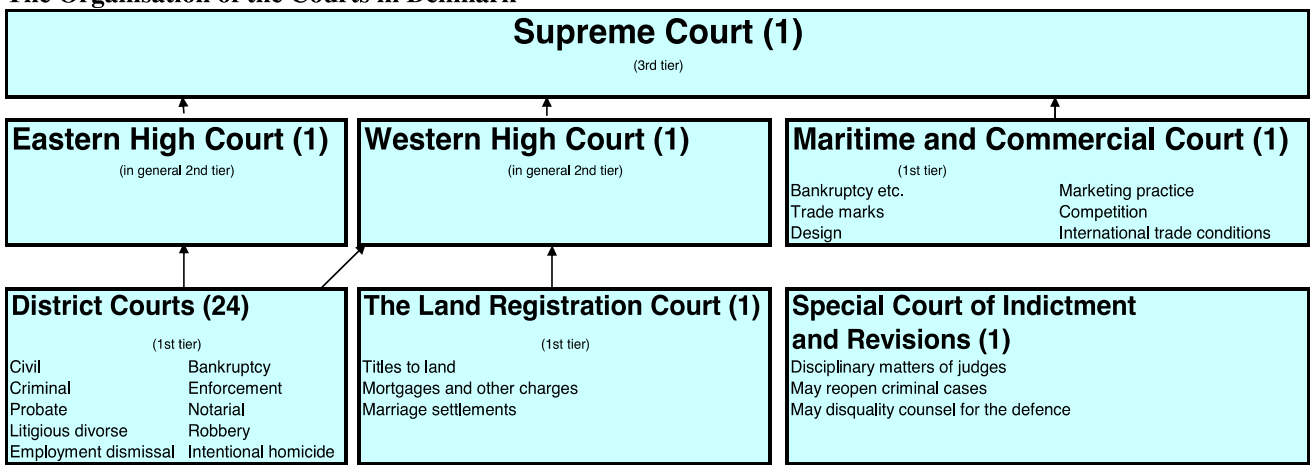
States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Denmark	5 602 628	69 900 000 000	43 738	€ 51 774

1. Presentation of the functioning of the judicial system

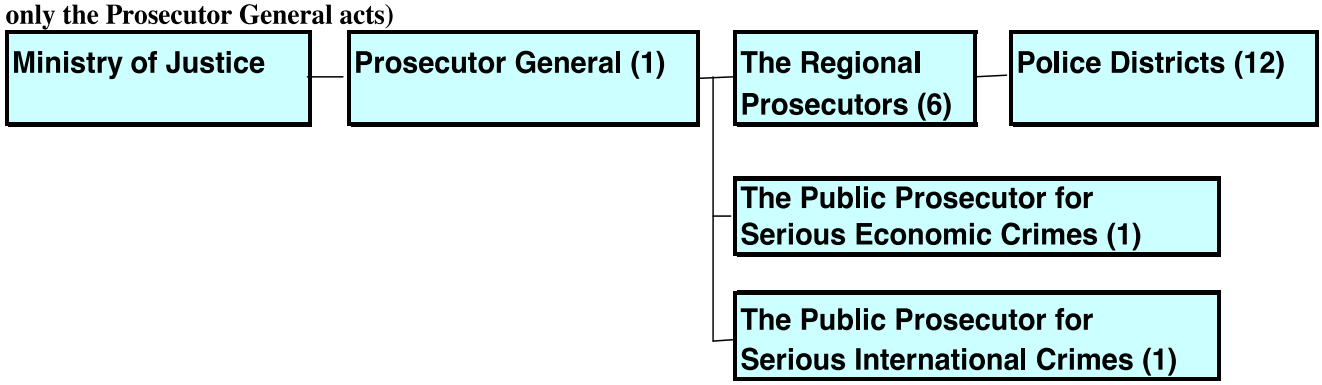
The Danish judicial system is composed of the Supreme Court, the two high courts, the Maritime and Commercial Court, the Land Registration Court, 24 district courts, the courts of the Faroe Islands and Greenland, the Appeals Permission Board, the Special Court of Indictment and Revision, the Danish Judicial Appointments Council and the Danish Court Administration.

According to 2012 data, Denmark has 24 first instance courts of general jurisdiction (district courts) and 2 first instance specialized courts (the Maritime and Commercial Court and the land registration Court). As concerns the Maritime and Commercial Court, it presents the peculiarity to deal to a great extent with insolvency cases (bankruptcies *etc*.), but not exclusively. The second instance courts are the Eastern high court, the Western high court.

The Organisation of the Courts in Denmark



The Organisation for the Prosecution (the prosecutors act at all levels except from the Supreme Court where only the Prosecutor General acts)



In Denmark, there are neither first instance courts competent for a debt collection for small claims, nor first instance courts competent for a dismissal.
With few exceptions, all cases start at district court level in Denmark. When the district court deals with a small claims case in a civil case, the dispute may not exceed 50,000 Danish Kroner to be treated according to the regulation for small claims. If the claim is an enforcement case, the claim may not exceed 100,000 Danish Kroner to be treated as a small claims case.
Concerning enforcement, data related to the number of enforcement agents in Denmark for 2012 is not available.
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1 and 5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 243 294 736 euros

This figure does not include the budgets intended to public prosecution services and legal aid.

Total annual approved public budget allocated to all courts per capita (excluding budget intended to public prosecution services and legal aid)**: 43,43 euros**

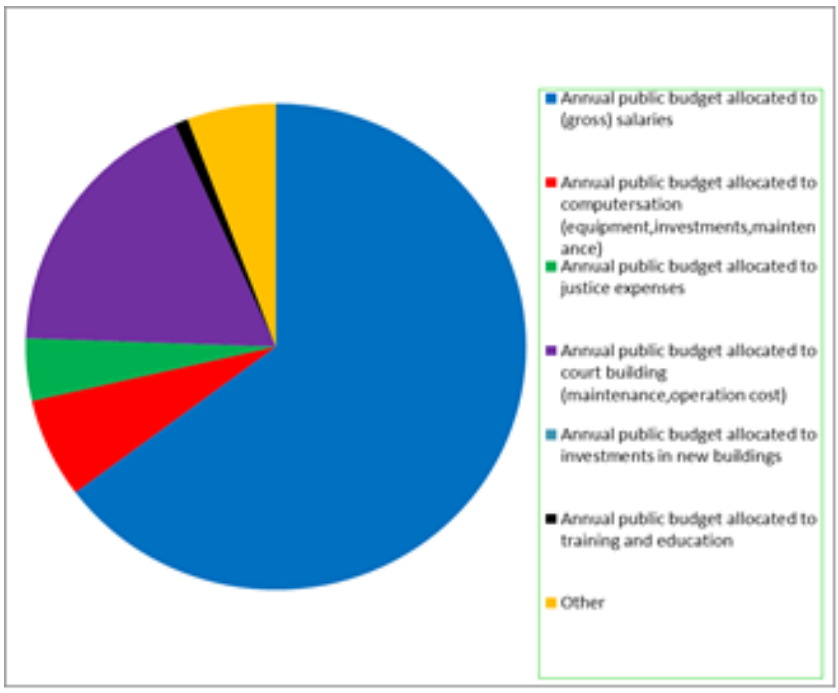
This ratio is higher than the EU average (39,48) and considerably above the EU median (35,32).

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries;

- Annual public budget allocated to court building (maintenance, operation cost);

- Annual public budget allocated to computerization (equipment, investments, maintenance).



- **Budget allocated to the whole justice system: 2 387 211 425 euros**

This budget includes the following budgetary elements: court; legal aid; prison system; probation services; enforcement services; notariat; functioning of the Ministry of Justice, refugees and asylum seekers services and other (costs related to ordinary case management such as postage, office supplies, books, travel and transport, inventory *etc*.

Between 2010 and 2012, the justice system cost per capita has increased by 14%.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Denmark is of 348 which is 31% less than in 2010.

Only permanently appointed judges are taken into consideration, not deputy judges. (In 2010, the reported number included ”legal assessors” who carry out some of the same tasks that judges do but who are not appointed judges.)

This represent 6 judges per 100 000 inhabitants (meaningfully below the EU median of 19 judges per 100 000 inhabitants). Despite this weak ratio, the clearance rate and the time disposition characterizing the Danish judicial system are testifying of its performance (at two of the three jurisdictional levels). Besides, human resources seem to be globally in adequacy with the concrete needs of the system.

Judges are recruited neither trough a competitive exam, nor through a specific recruitment procedure.

The Danish court system includes both deputy judges and judges. Deputy judges are recruited on a combination of competitive exam and working experience. Judges are also recruited on such grounds; however the internal evaluation from their position as deputy judge and "acting judge" at the High Court also plays a significant role.

The Danish Court Administration employs all deputy judges. It reviews the qualifications of the applicants. There is no formal entrance test or examination.

Judges are appointed by the Queen (article 27 of the Constitution) who acts on a submission from the Minister of Justice (Civil Procedure Code). The Judicial Appointments Council makes recommendations to the Minister of Justice on the appointment of all judges. The recommendations are made public and will always be accepted by the Minister.

An initial training is compulsory.

The gross annual salary of a first instance professional judge is of 104 755 euros (2 X the national average gross annual salary), which is more of twice higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is of 176 769 euros (3,4 x the national average gross annual salary), which is twice higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 70 years). Dismissal on the cause of gross misconduct or lasting physical or mental illness is decided by the Special Court of Indictment and Revision.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

Data related to the total number of non-judges staff working within the Danish system is not available. The non-judge staff include namely 221 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 83 643 048 euros (14,93 euros per capita)

(40 251 707 for criminal law cases and 43 391 341 for other than criminal law cases)

The legal aid is granted for representation in court and legal advice as well in criminal cases than in other than criminal cases. It could include the coverage of or the exemption from court fees. It could also be granted for fees related to enforcement judgments and for other costs associated to the proceedings in no criminal cases (it is up to the court to decide which expenses are covered by legal aid).

The total number of cases granted with legal aid per 100 000 inhabitants is of 52 (much lower than the EU average of 765 and the EU median of 551 cases per 100 000 inhabitants). The average amount of legal aid allocated per case is of 28 674€ euros (much higher than the EU average: 2 543 euros and than the EU median of 803 euros). The Danish strategy consists in favouring the amount of the legal aid granted to each individual case, rather than the number of cases subject to this regime.

  - **Court fees**

The annual income of court fees or taxes received by State is 98 520 187euros.

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in only in other than criminal cases. Nevertheless, exceptions do exist and in some civil cases, there is neither tax nor fee to be paid (paternity cases and custody cases).

  - **Lawyers**

In 2012, in Denmark, there were 6 021 lawyers (this category does not include legal advisors), which is 4% more than in 2010. Besides, the statistics do not include assistant attorneys.

This data represents 107 lawyers (without legal advisers) per 100 000 inhabitants (above but very close to the EU median of 106 lawyers per 100 000 inhabitants) and 17,3 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil and criminal cases but not in administrative ones.

As concerns civil cases, family members and others can under certain circumstances be endowed with the responsibility of legal representation.

As concerns administrative cases, there is no special court for administrative cases in Denmark. Consequently, anyone can represent a client *vis à vis* the authorities.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The principle is this of freely negotiated fees, in the frame of the relevant rules provided for by the legislation.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The clearance rate of the judicial system of Denmark reveals its performance namely in first and last instances and its capacity at these two levels to reduce the backlogs. By contrast, in second instance, the system is generating backlogs. As to the disposition time indicator, the functioning of the system is highly satisfactory at first and second instances and a little bit less performing in third instance.

    - Insolvency

The clearance rate for insolvency cases in first instance in Denmark is 110 %, which means that in respect of this category of cases, the system is highly performing and able to reduce backlogs. The disposition time for insolvency cases in first instance is 235 days.

    - Specific procedures for urgent matters

The Danish legislation provides for specific procedures for urgent matters only in criminal cases.

    - Simplified procedures

The legislation sets forth simplified procedures in civil cases (small disputes) and criminal cases (small offences). For these simplified procedures, judges could not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

In relation to petty cases (DKK 50.000, about 6709 €), it is the duty of the courts to instruct the parts how the cases proceed. The whole idea is that the cases can be dealt with without the presence of lawyers.

- Systems for measuring and evaluating the court performance

In Denmark, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, the length of proceedings and other elements such as the percentiles number of cases completed within different time brackets, *i.e.* 3 months, 6 months *etc*. exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. Activity is evaluated on a monthly basis.

In this respect, Denmark has defined performance and quality indicators among which the 4 main are: incoming cases, length of proceedings, closed cases and pending cases and backlogs.

The Danish system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Denmark, the possibility to resort to judicial mediation exists for civil and commercial cases as well as for family law cases.

There are 127 accredited mediators and in 2012 the number of judicial mediations was 1 147 (616 civil cases and 346 family cases). In the district courts there were 962 mediation cases divided on civil cases and family cases. In addition – included in the total number of cases, the two high courts had 185 mediation cases, but these cases are not divided on categories.

Denmark also knows other than judicial mediation, arbitration and other alternative dispute resolutions procedures.

- **The ICT tools of courts and for court users**

Denmark is developing an ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, e-mail, electronic data base of case-law, internet connection and electronic files (100%));

- administration and management (highest level as concerns financial information system, videoconferencing, case registration system and court management information system (100%));

- electronic communication and exchange of information between the courts and their environment (highest level as concerns website, videoconferencing and other electronic communication facilities (100%); total absence as concerns electronic web forms, follow-up of cases online, electronic registers, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims (0%)).

In Denmark, videoconferencing is used in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

In Denmark, the Danish Court Administration is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics only in an intranet website.
The system of collecting statistical data provides data concerning the number of cases in first instance (except administrative law cases), even in respect of some specific categories of cases (litigious divorce cases, employment dismissal and insolvency). As to the second instance and the third level of the Supreme Court, the system does not succeed to provide data for all types of selected cases. The same problem exists with regard to the length of particular procedures, such as employment dismissal cases and insolvency cases.

Denmark - Data tables for each indicator (2010/2012)

Denmark	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	5 560 628	5 602 628
2#1#1 Total of annual State pb expenditure State level	88 814 453 050	69 900 000 000
3 GDP Per capita GDP (in €)	42 446	43 738
4 Average gross annual salary in €	49 882	51 774
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	216 795 693	243 294 736
12#1#1 Total annual appr pb budget allocated to LA	87 896 311	83 643 048
13#1#1 An appr pb bd alloc_pb prosecution system	NAP	NA
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	216 795 693	243 294 736
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	148 501 965	157 585 434
6#2#3 Amount_Annnual appr bd of the courts_Computer	17 053 306	16 162 826
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses		10 076 344
6#2#5 Amount_An appr bd_courts alloc_Court buildings	33 408 917	43 388 631
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	2 012 585	2 106 506
6#2#8 Amount_Annual approved budget_courts alloc_Other	15 818 920	13 974 995
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	2 086 000 000	2 387 211 425
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	No
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	NAP
Constitu-tionnal court		NAP
Judicial manage-ment body		NA
State advocacy		No
Enforcement services		Yes
Notariat		Yes

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	No	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	Yes
Budgetary elements include or not_Other	No	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	5 560 628	5 602 628
Amount_An approved budget alloc whole justice	2 086 000 000	2 387 211 425
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	Yes	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	Yes	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	Yes	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	Yes	Yes
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	24	24
42#1#2 Specialised first instance courts	1	2
42#1#3 All the courts (geographic locations)	29	29

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	1	2
43#1#2 Nr of commercial courts	NAP	1
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NAP	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	NAP	1

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	NAP	NAP
45#1#2 Nr_1st instance courts competent_dismissal	NAP	NAP
45#1#3 Nr_1st instance courts competent_robbery	NAP	NAP

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	No
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	250 702	143 328
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	33 566	26 505
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	2 883	2 781
91#1#4 Pending cases_1 Jan _Enforcement cases	110 859	73 920
91#1#5 Pending cases_1 Jan _Land registry cases	66 296	1 333
91#1#6 Pending cases_1 Jan _Business reg cases	7 175	7 136
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	29 923	28 748
91#2#1 Incoming cases_Total_non crim cases	2 623 428	2 628 863
91#2#2 Incoming cases_Civil&com litig cases	63 428	46 213
91#2#3 Incoming cases_Civil&com nonlit cases	4 448	4 436
91#2#4 Incoming cases_Enforcement cases	425 647	367 464
91#2#5 Incoming cases_Land registry cases	2 118 153	2 071 492
91#2#6 Incoming cases_Business reg cases	11 312	14 694
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	124 834	124 021
91#3#1 Resolved cases_Total_non crim cases	2 799 017	2 656 912
91#3#2 Resolved cases_Civil&com litig cases	64 657	50 361
91#3#3 Resolved cases_Civil&com nonlit cases	4 894	4 591
91#3#4 Resolved cases_Enforcement cases	435 624	390 159
91#3#5 Resolved cases_Land registry cases	2 157 581	2 070 365
91#3#6 Resolved cases_Business reg cases	10 724	15 366
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	125 171	125 486
91#4#1 Pending cases_31 Dec _Total_non crim cases	205 969	120 108
91#4#2 Pending cases_31 Dec _Civil&com litig cases	32 292	22 804
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	3 730	2 662
91#4#4 Pending cases_31 Dec _Enforcement cases	105 215	54 886
91#4#5 Pending cases_31 Dec _Land registry cases	26 868	2 460
91#4#6 Pending cases_31 Dec _Business reg cases	7 817	6 852
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA

91#4#8 Pending cases_31 Dec _Other cases	30 047	27 580
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	107%	101%
CR Civil&com litig cases	102%	109%
CR Civil&com nonlit cases	110%	103%
CR Enforcement cases	102%	106%
CR Land registry cases	102%	100%
CR Business reg cases	95%	105%
CR Admin law cases		
CR Other cases	100%	101%
DT Total non DTim cases	27	17
DT Civil&com litig cases	182	165
DT Civil&com nonlit cases	278	212
DT Enforcement cases	88	51
DT Land registry cases	5	0
DT Business reg cases	266	163
DT Admin law cases		
DT Other cases	88	80
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-5%
CR Civil&com litig cases		7%
CR Civil&com nonlit cases		-6%
CR Enforcement cases		4%
CR Land registry cases		-2%
CR Business reg cases		10%
CR Admin law cases		
CR Other cases		1%
DT Total non DTim cases		-39%
DT Civil&com litig cases		-9%
DT Civil&com nonlit cases		-24%
DT Enforcement cases		-42%
DT Land registry cases		-90%
DT Business reg cases		-39%
DT Admin law cases		
DT Other cases		-8%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	2 472	2 257
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NAP
Pending Insolvency cases		6 300
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	5 116	5 219
101#2#2 Incoming cases_Employment dismissal	NA	NAP
Incoming Insolvency cases		8 199
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	5 376	5 497
101#3#2 Resolved cases_Employment dismissal	NA	NAP
Resolved Insolvency cases		9 024
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	2 241	2 000
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NAP
Pending Insolvency cases		5 820
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		110%
DT - Insolvency cases		235
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	2 059	2 751
97#1#2 Pending cases_1 Jan _Civil&com litig cases	2 059	2 751
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	6 869	7 805
97#2#2 Incoming cases_Civil&com litig cases	6 869	7 805
97#2#3 Incoming cases_Civil&com nonlit cases	NAP	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	6 636	7 363
97#3#2 Resolved cases_Civil&com litig cases	6 636	7 363
97#3#3 Resolved cases_Civil&com nonlit cases	NAP	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA

97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	2 744	3 193
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	2 744	3 193
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NAP	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	97%	94%
CR Civil&com litig cases	97%	94%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	151	158
DT Civil&com litig cases	151	158
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	352
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NAP
99#2#1 Incoming cases_Total _non crim law cs	310	324
99#2#2 Incoming cases_Civil litigious cs	209	NA
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NAP
99#2#4 Incoming cases_Enforcement cs	NA	NAP
99#2#5 Incoming cases_Land registry cs	NA	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	34	NA
99#2#8 Incoming cases_Other cs	67	NAP

99#3#1 Resolved cases_Total _non crim law cs	344	381
99#3#2 Resolved cases_Civil litigious cs	283	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NAP
99#3#4 Resolved cases_Enforcement cs	NA	NAP
99#3#5 Resolved cases_Land registry cs	NA	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	61	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	293
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	111%	118%
CR Civil&com litig cases	135%	
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases	91%	
DT Total non DTim cases		281
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	15,96%	21
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	0	0
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	172	150
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	274	270
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NAP
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		176
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA

Table 3.11. Caseload in the EU		
1 Number of inhabitants	5 560 628	5 602 628
91#2#1 Incoming cases_Total_non crim cases	2 623 428	2 628 863
91#2#2 Incoming cases_Civil&com litig cases	63 428	46 213
91#2#3 Incoming cases_Civil&com nonlit cases	4 448	4 436
91#2#4 Incoming cases_Enforcement cases	425 647	367 464
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	205 969	120 108
91#4#2 Pending cases_31 Dec _Civil&com litig cases	32 292	22 804
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	3 730	2 662
91#4#4 Pending cases_31 Dec _Enforcement cases	105 215	54 886
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	No	No
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	No

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No

88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	Yes	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	Yes

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	Yes	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	No	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	Yes	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	Yes	Yes
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		

38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	Yes	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	5 560 628	5 602 628
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	87 896 311	83 643 048
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	NA	NA
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	5 560 628	5 602 628
12#1#1 Total annual appr pb budget allocated to LA	87 896 311	83 643 048
20#1#1 Total Number of cases granted with legal aid	N/A	2 917
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	2 917

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	216 795 693	243 294 736

9 Annual income of court taxes received by the State	95 933 236	98 520 187
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	0 % of courts	0 % of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	0 % of courts	0 % of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	0 % of courts	100% of courts
64.1.9 Other electronic communication facilities	0 % of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	No	Yes
Indicator 7: Career and status of judges		

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	No training offered
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NAP
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	104 098	104 755
132#1#2 Gross An sal: Judge_Supr Ct	172 738	176 769
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	50 540	53 230
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	85 460	88 200
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		NA
132#2#2 Net An sal: Judge_Supr Ct		NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier		NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	49 882	51 774
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No

133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	No	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	x
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	NA	NA
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	NA
144#1#3 Discipl proc against judges_Prof inadequancy	NA	NA
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	NA	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		

145#1#1 Sanctions against judges_Total number	NA	0
145#1#2 Sanctions against judges_Reprimand	NA	0
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	NA	0
145#1#10 Sanctions against judges_Other	NA	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	29	29
47#1#2 Number of 1st instance presidents	26	26
47#1#3 Number of 2nd instance presidents	2	2
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	21	21
47#2#2 Number of 1st instance presidents_males	18	18
47#2#3 Number of 2nd instance presidents_males	2	2
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	8	8
47#3#2 Number of 1st instance presidents_females	8	8
47#3#3 Number of 2nd instance presidents_females	0	0
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		

48#1#1 Professional judges	NA	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NA	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 33 572,0	€ 12 103,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	No
164#2#2 Private mediator_Family law cases	No	No
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No

164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	5 560 628	5 602 628
166#1#2 Number of accredited mediators		127
167#2#1 Judicial mediation procedures_Total Nr		1 147
167#2#2 Judicial mediation procedures_Civil cases Nr		616
167#2#3 Judicial mediation procedures_Family cases Nr		346
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	5 560 628	5 602 628
46#1#1 Total Nr of professional judges	501	348
52#2#1 Nr_non-judge staff who are working in courts		
146 Total number of practicing lawyers	5 814	6 021
170 Number of enforcement agents		NA NA
52.2.2 Number Non-judge staff (Rechtspfleger)	275	221
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	5 814	6 021
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	501	348
1 Number of inhabitants	5 560 628	5 602 628
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes

149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	NA	NA
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine		
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No

178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts		
52#2#2 Number Non-judge staff (Rechtspfleger)	275	221
52#2#3 Nr_Non-judge staff assisting the judges		
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	No	No

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Estonia (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Estonia	1 286 479	6 977 616 000	13 495	€ 10 644

1. Presentation of the functioning of the judicial system

Estonia has a three-level court system. According to 2012 data, there are 4 courts of general jurisdiction of first instance that are divided in 17 courthouses that actually have 18 different locations; 2 specialised courts of first instance that are divided in 4 courthouses with 4 geographical locations; 2 courts of second instance with 2 geographical locations; 1 court of third instance (Supreme Court that reviews court judgments by way of cassation proceedings but is also the court of constitutional review).

Appeals against decisions of courts of first instance are heard by the courts of second instance. 2 courts of appeal are the courts of second instance (sometimes also called circuit courts or district courts). The courts of appeal are situated in Tartu and Tallinn. Estonia does not have any specialised court of first instance other than the administrative court. All these cases are dealt with by ordinary courts of first instance. The Supreme Court, situated in Tartu, is the court of the highest instance. A statement of claim is filed with the court of first instance, an appeal with the court of second instance and an appeal in cassation with the court of third or the highest instance. A matter shall be heard in the Supreme Court only after all previous court instances have been passed. The filing of an appeal is governed by respective codes of court procedures.

There are 16 first instance courts competent for a debt collection for small claims. In this respect there are several meanings for “small claims”:

- claims with a value not exceeding 2000 euros; all courts of general jurisdiction are competent to solve these cases;
- claims with a value not more than 6400 euros in payment order proceedings (since 2009, these claims can only be filed electronically and are resolved only in one courthouse).

The number of courts competent for small claims is given according to the first definition (4 courts of general jurisdiction of first instance that have 17 courthouses one of which resolves only the applications of payment order proceedings, all types of cases, including debt collection for small claims, dismissal and robbery are adjudicated in 16 courthouses).
There are 16 first instance courts competent for a dismissal.
The number of enforcement agents in Estonia is 49, which is 2% more than in 2010.
It represents 4enforcement agents per 100 000 inhabitants (lower but close to the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts’ users. They are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 41 842 522 euros

This figure includes the budgets intended to public prosecution services and legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 32,52 euros

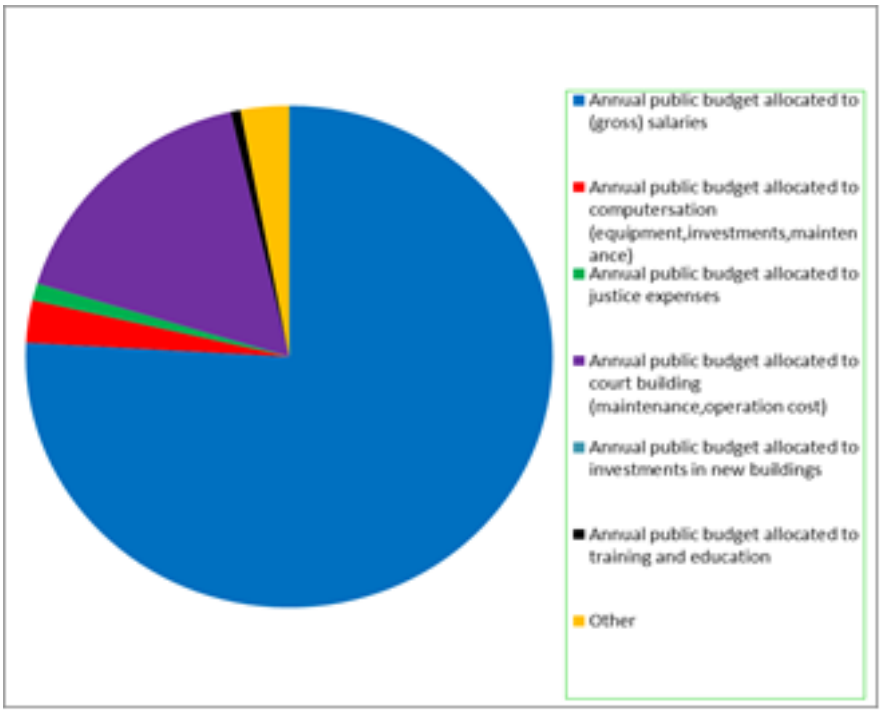
This ratio is considerably lower than the EU average (62,22) and below the EU median (47,43). Estonia belongs to the group of European States with the lowest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to gross salaries ;

- annual public budget allocated to court building (maintenance, operation cost). It should be noted that the budget allocated to computerization has increased a lot between 2010 and 2012 due to the large IT development projects like digital court file project, the new court information system that brought along the need to develop other information systems and registers connected to it, and many others projects.

- other (cost of health care, postal service, equipment *etc*; membership fees of international organizations; pensions of former Supreme Court justices).



- **Budget allocated to the whole justice system : 111 404 414 euros**

This budget includes the following budgetary elements: court; legal aid, public prosecution services; prison system; probation services; Council of the judiciary; Constitutional court; judicial management body; forensic services; judicial protection of juveniles; functioning of the Ministry of Justice and other (Centre of Registers and Information Systems which is the agency that provides e-services in the jurisdiction of the Ministry of Justice).

Between 2010 and 2012, the justice system cost per capita has increased by 18 %.

- **Human resources**

- Judges

According to 2012 data, the number of professional judges sitting in courts in Estonia is 228 which is 2% more than in 2010.

This represents 18 judges per 100 000 inhabitants (hardly lower than the EU median of 19 judges per 100 000 inhabitants).). The levels for the indicators of the Clearance Rate and the Disposition Time for this State on each of the three jurisdictional instances confirm the successful functioning of Estonian courts implying satisfactory adequacy between human resources and concrete needs.

Judges are recruited neither trough a competitive exam, nor through a specific recruitment procedure.

According to the Estonian constitution, for first and second instance courts, judges are nominated by the President of the Republic on the proposal of the Supreme Court en banc (General Assembly) and justices of the Supreme Court are nominated by the Parliament on the proposal of the Chief Justice. The latter is elected by the Parliament, on the proposal of the President of the Republic.

Judges are appointed to office on the basis of a public competition before an examination committee. Successful candidates who want to become first instance court judges are required to undergo initial training called the “preparatory service” (2 years, but the law provides for exceptions) and after that an exam (there are also exceptions).

Besides the initial one, general in-service training and in-service training for specialized judicial functions are compulsory.

The gross annual salary of a first instance professional judge is 35 321 euros (3,3 X the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 48 077 euros (4,5 x the national average gross annual salary), which is considerably lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is 68 years.
As of 1 July 2012, the Supreme Court en banc may, upon the consent of the Council for Administration of Courts and the judge and on the proposal of the president of the court, in exceptional cases increase the maximum age of the judge of a court of the first instance and of a court of appeal up to two years at a time. The maximum age of the judge may be increased in case of substantial public interest for proper functioning of the court.
A person may be released from the office of judge due to unsuitability for office only within three years after appointment to office if the judge has been declared unsuitable for office by a decision of the General Assembly of the Supreme Court. A judge who is convicted for a criminal offence is removed from office. The judge can be removed from office also by a decision of the Disciplinary Chamber of Judges.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Estonia there are 957 non-judges staff including:

- 63 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal;
- 220 non-judge staff whose task is to assist the judges such as registrars;
- 489 staff in charge of different administrative tasks and of the management of the courts;
- 138 technical staff ;
- 47 other staff (court interpreters)

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 2 857 850 euros (2,22 euros per capita)

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice. Legal aid can be granted for cases which are not brought to court but the budged allocated to it cannot be specified. It could include the coverage of or the exemption from court fees. It could be granted for fees related to enforcement judgments, as well as for other costs in criminal cases or in other than criminal cases. It could be granted at every stage of the procedure (even only for enforcement of a judicial decision).

In Estonia there are two types of aid/assistance:

1) state legal aid for all types of cases that is granted for defence, for representing a person in different proceedings (court proceedings but also in pre-trial proceedings, in re-litigation proceedings, in extrajudicial proceedings, in administrative proceedings, in enforcement proceedings, in judicial review proceedings), for drawing up legal documents and for other legal counseling;

2) procedural assistance for civil and administrative cases that allows the court to release a person for example from payment of the state (court) fees or expenses related to mandatory pre-trial proceedings, to conciliation proceedings, to enforcement proceedings or to essential costs of the proceedings (costs related to witnesses, experts, translations, evidence, inspections, delivery, determination of the value of the civil matter *etc.*).

The state legal aid is financed by the state budget but the procedural assistance is not granted on account of the state (with some exceptions).

Data related to the amount of legal aid granted to different categories of cases that could benefit of such aid are not available. In fact, the number of cases referred to court for which legal aid has been granted and number of cases for which legal aid has been granted for legal advice only cannot be separated.

Data related to the total number of cases granted with legal aid per 100 000 inhabitants are not available as well as data concerning the average amount of legal aid allocated per case.

However, the Estonian authorities indicated the total number of cases for which legal aid has been granted in 2012 which is of 17 031.

- **Court fees**

The annual income of court fees or taxes received by State is 7 219 348 euros and the share of court fees or taxes in the annual budget allocated to all courts is 17% (lower than the EU average of 21% but slightly above the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in other than criminal cases, but not for criminal cases.

- **Lawyers**

In Estonia, there are 846 lawyers (this category does not include legal advisors), which is 7% more than in 2010.

This data represents 66 lawyers (without legal advisors) per 100 000 inhabitants (considerably lower than the EU median of 106 lawyers per 100 000 inhabitants) and 3,7 lawyers per professional judges.

Lawyers have no monopoly on legal representation regardless of the category of cases (criminal, civil or administrative).

In civil proceedings of the first and second instance court and in all administrative court proceedings, a party in the proceeding may participate in person or through a representative. The representative may be: a lawyer; a person who has acquired Master's Degree in law (in civil proceedings) or who possesses a higher legal education (in administrative court proceedings); procurists in all court proceedings related to the economic activities of a participant in a proceeding; one plaintiff on the authorization of the co-plaintiffs or one defendant on the authorization of the co-defendants; ascendants, descendants and spouses of participants in proceedings; a public servant or employee of a participant in the proceeding if the court considers him or her to have sufficient expertise and experience to represent the participant in the proceeding; other persons whose right to act as a contractual representative is provided by law.

When the state legal aid is granted for the representation in the civil or administrative court proceeding, the representative is always a lawyer (appointed by the Estonian Bar Association).

In civil proceedings in the Supreme Court, the representation of a sworn lawyer is mandatory. However, it is possible to participate personally or through a lawyer in non-litigious civil proceedings in the Supreme Court.

In criminal proceedings, an accused person can have a contractual counsel or an appointed counsel. A contractual counsel can be a lawyer or with the permission of the body conducting the proceedings, any other person who has acquired Master's Degree in law. An appointed counsel can be only a lawyer.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The latter are freely negotiated and neither laws, nor Bar associations' standards provide for specific rules in this respect. There are only rules established by the Bar Association on the lawyers' fees of state legal aid.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The clearance rate evaluated as regards the judicial system of Estonia shows its capacity at all levels to deal with the incoming cases, almost without generating backlogs. In first instance, the system is even able to ensure a decrease of the existing backlogs.
According to the disposition time indicator, the Estonian judicial system complies with the requirement to resolve cases in a reasonable time, especially in first instance.

    - Insolvency

The clearance rate for insolvency cases in first instance in Estonia is 95%. The disposition time for insolvency cases in first instance is 104 days.

    - Specific procedures for urgent matters

The Estonian legislation provides for specific procedures for urgent matters regarding civil, criminal and administrative cases.

    - Simplified procedures

The Estonian legislation sets forth simplified procedures for civil cases (small disputes), criminal cases (small offences) and administrative cases. For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

In civil cases there are different types of simplified procedures: in justified cases, claims with a value not more than 2000 euros can be adjudicated by way of simplified proceedings at the discretion of the court; claims against another party arising from a private law relationship directed at the payment of a certain sum of money with a value not more than 6400 euros can be adjudicated by way of expedited procedure of payment order; at the request of the plaintiff, an action for payment of money arising from a bill of exchange or cheque, or an action for compulsory execution arising from a mortgage or maritime mortgage can be heard by way of documentary proceedings if all the facts in proof of the claim can be supported by documents and all necessary documents are annexed to the action or the plaintiff is able to submit them to the court within the term set thereby.

In administrative cases, the court may hear a matter in simplified proceedings if the infringement of the right for which the action seeks protection is a minor one (the money value does not exceed 200 euro). The court may also hear the matter in simplified proceedings if the parties and third parties expressly consent to this.

In criminal cases, there are many simplified procedures: alternative proceeding, settlement proceeding, summary proceeding and expedited proceeding.

- Systems for measuring and evaluating the court performance

In Estonia, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases; the number of decisions; the number of postponed cases; the length of proceedings and other elements such as results of proceedings, categories of cases, how many decisions are appealed and revoked, fully or partially, the waiting time, the "age" of pending (not solved) cases exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. The president (chairman) of the court gives once a year a statistical overview about the performance of the court to the Minister of Justice during the session of the Council for Administration of Courts.

In this respect, Estonia has defined performance and quality indicators among which the 4 main are: incoming cases, length of proceedings, closed cases and pending cases and backlogs.

The Estonian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
Quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Estonia, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissals and criminal cases.

In Estonia the concept of accredited mediators does not exist. As far as the mediation procedure differs significantly in civil, criminal and administrative court proceedings, no profession of accredited or registered mediators exists. The number could be given only regarding to some categories, for example the number of social support workers or the number of registered family mediators. But in all civil cases (family and employment cases included) the private mediator can be any person (private or public) whom the parties have entrusted the task of carrying out the mediation according to the Conciliation Act.

In civil proceedings, mediation procedure usually needs the consent of the parties but the court may order the parties to participate in the mediation proceeding if it is necessary in the interests of adjudication of the matter. A mediator can be a person whom the parties have entrusted the task of carrying out the mediation or a sworn lawyer, a notary or a mediation body of the government or a local authority. The judge is not a mediator but the role of the judge is very important in the mediation. He has to take all possible measures to settle a matter by a compromise or in another manner by agreement of the parties. For such purpose, the court may, among other, present a draft of a compromise contract to the parties or request that the parties appear before the court in person, or propose that the parties settle the dispute out of court or call upon the assistance of a mediator.

In the family cases regarding the access to the child, the court directs the parties to the family mediators.

In administrative court proceedings, the court may conduct mediation proceedings in which parties, with the assistance of a judge, settle their dispute by way of negotiations. The consent of the parties and third parties is needed.

For collective labour disputes there are public and local mediators (conciliators) who help the parties to labour disputes reach mutually satisfactory resolutions. The public and local mediators are impartial experts appointed to office by the Government of the Republic.

In criminal proceedings a Prosecutor's Office or court may send a suspect or accused and the victim, with their consent, to mediation proceedings. The provision of mediation service is ensured by the Social Insurance Board (government authority under the jurisdiction of the Ministry of Social Affairs) and mediation is carried out by victim support workers who have received relevant training.

Estonia also knows other than judicial mediation, as well as arbitration and conciliation procedures. As to the mediation other than judicial mediation, a system of conciliation for civil cases was created in 2010. It is officially translated as "conciliation" but it rather corresponds to the "mediation" defined in the explanatory note of CEPEJ. This mediation (conciliation) can be applied only in exceptional cases without the

involvement of the court (e.g settlement agreement that concerns a property claim and is reached between the parties as a result of conciliation proceedings conducted by a sworn lawyer or a notary has an enforceable title without the involvement of the court only when it is authenticated by a notary at the request of the parties).

- **The ICT tools of courts and for court users**

Estonia has developed a very complete ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, electronic files, e-mail and internet connection (100%);

- administration and management (highest level as concerns financial information system, videoconferencing, case registration system and court management information system (100%));

- electronic communication and exchange of information between the courts and their environment (highest level as concerns electronic web forms, website, follow-up of cases online, electronic registers, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims, videoconferencing and other electronic communication facilities (100%).

The everyday-tool of the judges and other court staff, Courts Information System, is connected to different electronic registers and information systems that are used by the state authorities or by the parties of the proceeding (prosecutors, lawyers *etc.*). There is a special online information system for citizens and their representatives, public portal of E-File, which is connected to the court information system and allows electronically submit procedural documents to courts and to observe the progress of the proceeding.

In Estonia, videoconferencing is used in in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

In Estonia, the Ministry of Justice is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
This institution publishes statistics on the functioning of each court on the internet.
In general, the system of collecting statistical data provides data as regards the number of cases and the length of proceedings. The sole data which are not available concern some specific categories of cases (namely the number of cases related to the enforcement of judgments at all jurisdictional levels and the average length of particular procedures such as litigious divorce cases, employment dismissal cases and insolvency in third instance).

5. Reforms

Estonia has introduced a quality system of the courts.
For this purpose, a working group was created in 2012 consisting of judges, experts of audit and other experts in order to elaborate a 3-phase quality standards process: –for the management of courts, for the administration of courts and of court proceedings. In addition, a system to grant the functioning of the quality standards (external evaluation system) had to be created. The general aim of the quality standards was formulated as follows: ensure that the judge can make the best quality judgment within a reasonable period of time, granting the dignity of the court staff and the satisfaction of the parties to the proceeding.
The quality standards for the management of the court have been approved by the Council for the Judiciary and introduced to the Court en banc. The quality standards for the administration of the court have been approved by the Council for the Judiciary but are waiting to be introduced to the Court en banc in February 2014. The quality standards for the administration of the court are guided by the principle that the parties involved in the administration of the courts do not interfere with the administration of justice.
The working group has also finished the preparation of the principles of the external evaluation system and the motions to amend the Courts Act in order to enable its implementation.

Estonia is making preparations to implement new Court Information System (KIS2) on 1 July 2014. The current Court Information System (KIS1) has been an information system for the first and second instance courts. Supreme Court has its own information system. Due to the use of two systems there have been problems of communication. The current Court Information System is also outdated and does not meet the users' needs. The new system connects two systems and all Estonian courts are going to use the same Court Information System (KIS2).
The main aim is to create a user-friendly system which will simplify the work of courts and enable the better administration of justice by reducing the workload of courts and the length of proceedings and by optimizing the administrative costs of courts. The new system will have several functionalities, for example the possibility of obtaining a quick review of the information required for the judge's work, including the review of judicial practice by different court instances. The new system can generate the forms for court documents where the system adds automatically all information available (contact details, case number, date *etc*.). It also has a new automated court case dividing system that takes into consideration case type, capacity of case, its influence on judges' workload and other factors. Based on that information the system will automatically divide the incoming cases between the judges. KIS2 is also interfaced with other systems via E-File (central database) like Population Register, Business Register, electronic Land Register, Criminal Case Management Register (Information system for prosecutors), Punishment Register, Public Portal of E-File etc. In addition, the Ministry will start a new IT-project in 2014 – The Digital Court File which will replace old paper files and hopefully with that project the Estonian courts can have paper-free proceedings.

Reforms regarding legal professionals:
The amendment to the Courts Act (into force on 1 January 2013) established a new position among court staff – the judicial clerk (kohtujurist). The judicial clerks are part of the non-judge staff along with the assistant judges (working mainly in the registration department and land registry department) and consultants. The position of judicial clerk was created to raise the qualification level of the non-judge staff working in the courts and thus improve the quality of the performance of courts, make the court proceedings more efficient and ensure reasonable length of the proceedings. Judicial clerks have to have acquired at least an officially certified Master's degree or a corresponding qualification in the field of law. Judicial clerks assist judges in the administration of justice. They participate in the preparation of the court cases and in court proceedings to the extent prescribed by court procedure law independently or under the supervision of the judge. The first judicial clerks were appointed to office in the beginning of 2013 within the pilot project of Harju County Court. The number of judicial clerks is increased gradually according to the availability of budgetary funds. A sufficient number of judicial clerks for the whole court system should be reached by 2018.

Estonia - Data tables for each indicator (2010/2012)

Estonia	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	1 340 194	1 286 479
2#1#1 Total of annual State pb expenditure State level	5 317 986 254	6 977 616 000
3 GDP Per capita GDP (in €)	10 674	13 495
4 Average gross annual salary in €	9 508	10 644
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	26 797 340	29 728 350
12#1#1 Total annual appr pb budget allocated to LA	2 982 213	2 857 850
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	26 797 340	29 728 350
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	20 629 784	22 560 006
6#2#3 Amount_Annnual appr bd of the courts_Computer	271 414	812 487
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	841 964	326 259
6#2#5 Amount_An appr bd_courts alloc_Court buildings	4 821 159	4 970 552
6#2#6 Amount_An appr bd_courts alloc invest_ new build		0
6#2#7 Amount_Annnual appr budget_courts alloc_Training	214 574	177 645
6#2#8 Amount_Annual approved budget_courts alloc_Other	18 445	881 401
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	98 519 256	111 404 414
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	Yes
Constitu-tionnal court		Yes
Judicial manage-ment body		Yes
State advocacy		NAP
Enforcement services		NAP
Notariat		NAP

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	NA
Budgetary elements include or not_Other	No	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	1 340 194	1 286 479
Amount_An approved budget alloc whole justice	98 519 256	111 404 414
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	Yes	Yes
14#2#2 Adoption_Court budget_Other ministry	Yes	Yes
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	Yes	Yes
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	NAP	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	Yes	Yes
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	4	4
42#1#2 Specialised first instance courts	2	2
42#1#3 All the courts (geographic locations)	22	22

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	2	2
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	NAP
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	2	2
43#1#8 Nr of insurance_soc welfare courts	NA	NAP
43#1#9 Nr of military courts	NA	NAP
43#1#10 Nr ofother specialised 1st instance courts	NA	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	4	16
45#1#2 Nr_1st instance courts competent_dismissal	4	16
45#1#3 Nr_1st instance courts competent_robbery	4	16

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	No
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	36 716	66 242
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	12 046	10 418
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	23 436	13 554
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NA	3 782
91#1#6 Pending cases_1 Jan _Business reg cases	NA	37 335
91#1#7 Pending cases_1 Jan _Admin law cases	1 174	1 153
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	75 865	265 301
91#2#2 Incoming cases_Civil&com litig cases	21 622	16 336
91#2#3 Incoming cases_Civil&com nonlit cases	50 687	44 136
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	83 804	91 218
91#2#6 Incoming cases_Business reg cases	NA	110 756
91#2#7 Incoming cases_Admin law cases	3 556	2 855
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	84 136	295 674
91#3#2 Resolved cases_Civil&com litig cases	21 107	18 370
91#3#3 Resolved cases_Civil&com nonlit cases	58 786	46 041
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	83 795	92 043
91#3#6 Resolved cases_Business reg cases	NA	136 207
91#3#7 Resolved cases_Admin law cases	3 243	3 013
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	27 675	35 558
91#4#2 Pending cases_31 Dec _Civil&com litig cases	12 425	8 393
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	13 949	11 434
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	9	2 957
91#4#6 Pending cases_31 Dec _Business reg cases	NA	11 884

91#4#7 Pending cases_31 Dec _Admin law cases	1 301	890
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	111%	111%
CR Civil&com litig cases	98%	112%
CR Civil&com nonlit cases	116%	104%
CR Enforcement cases		
CR Land registry cases	100%	101%
CR Business reg cases		123%
CR Admin law cases	91%	106%
CR Other cases		
DT Total non DTim cases	120	44
DT Civil&com litig cases	215	167
DT Civil&com nonlit cases	87	91
DT Enforcement cases		
DT Land registry cases	0	12
DT Business reg cases		32
DT Admin law cases	146	108
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		0%
CR Civil&com litig cases		15%
CR Civil&com nonlit cases		-10%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		16%
CR Other cases		
DT Total non DTim cases		-63%
DT Civil&com litig cases		-22%
DT Civil&com nonlit cases		5%
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-26%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	245	263
101#1#2 Pending cases_1 Jan _Employment dismissal	559	283
Pending Insolvency cases		289

101#1#3 Pending cases_1 Jan _Robbery cases	51	65
101#1#4 Pending cases_1 Jan _Intentional homicide	11	4
101#2#1 Incoming cases_Litigious divorce cs	530	652
101#2#2 Incoming cases_Employment dismissal	682	331
Incoming Insolvency cases		1 152
101#2#3 Incoming cases_Robbery cases	225	193
101#2#4 Incoming cases_Intentional homicide	20	15
101#3#1 Resolved cases_Litigious divorce cs	498	598
101#3#2 Resolved cases_Employment dismissal	714	320
Resolved Insolvency cases		1 099
101#3#3 Resolved cases_Robbery cases	229	212
101#3#4 Resolved cases_Intentional homicide	24	17
101#4#1 Pending cases_31 Dec _Litigious divorce cs	273	316
101#4#2 Pending cases_31 Dec _Employment dismissal	485	277
Pending Insolvency cases		312
101#4#3 Pending cases_31 Dec _Robbery cases	47	39
101#4#4 Pending cases_31 Dec _Intentional homicide	7	2
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		95%
DT - Insolvency cases		104
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	1 269	1 284
97#1#2 Pending cases_1 Jan _Civil&com litig cases	743	533
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	117	115
97#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	409	636
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	4 266	4 143
97#2#2 Incoming cases_Civil&com litig cases	1 907	1 825
97#2#3 Incoming cases_Civil&com nonlit cases	942	898
97#2#4 Incoming cases_Enforcement cases	NAP	NA
97#2#5 Incoming cases_Land registry cases	NA	NAP
97#2#6 Incoming cases_ Business reg cases	NA	NAP
97#2#7 Incoming cases_Admin law cases	1 417	1 420
97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	4 370	4 048
97#3#2 Resolved cases_Civil&com litig cases	2 069	1 822
97#3#3 Resolved cases_Civil&com nonlit cases	938	899
97#3#4 Resolved cases_Enforcement cases	NAP	NA
97#3#5 Resolved cases_Land registry cases	NA	NAP
97#3#6 Resolved cases_ Business reg cases	NA	NAP

97#3#7 Resolved cases_Admin law cases	1 318	1 327
97#3#8 Resolved cases_Other cases	NAP	NAP
97#4#1 Pending cases on 31 Dec _Total_non crim cs	1 160	1 374
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	580	536
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	76	114
97#4#4 Pending cases on 31 Dec _Enforcement cases	NAP	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	504	724
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	102%	98%
CR Civil&com litig cases	108%	100%
CR Civil&com nonlit cases	100%	100%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	93%	93%
CR Other cases		
DT Total non DTim cases	97	124
DT Civil&com litig cases	102	107
DT Civil&com nonlit cases	30	46
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	140	199
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	51	58
99#1#2 Pending cases_1 Jan _Civil litigious cs	27	41
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	2	NA
99#1#5 Pending cases_1 Jan _Land registry cs	0	NAP
99#1#6 Pending cases_1 Jan _Business register cs	0	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	22	17
99#1#8 Pending cases_1 Jan _Other cs	NAP	NAP
99#2#1 Incoming cases_Total _non crim law cs	294	273
99#2#2 Incoming cases_Civil litigious cs	175	183
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	12	NA
99#2#5 Incoming cases_Land registry cs	3	NAP
99#2#6 Incoming cases_Business register cs	1	NAP
99#2#7 Incoming cases_Administrative law cs	103	90

99#2#8 Incoming cases_Other cs	NAP	NAP
99#3#1 Resolved cases_Total _non crim law cs	257	263
99#3#2 Resolved cases_Civil litigious cs	148	187
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	10	NA
99#3#5 Resolved cases_Land registry cs	3	NAP
99#3#6 Resolved cases_Business register cs	1	NAP
99#3#7 Resolved cases_Administrative law cs	95	76
99#3#8 Resolved cases_Other cs	NAP	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	88	68
99#4#2 Pending cases_31 Dec _Civil litigious cs	54	36
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	4	NA
99#4#5 Pending cases_31 Dec _Land registry cs	0	NAP
99#4#6 Pending cases_31 Dec _Business register cs	0	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	30	32
99#4#8 Pending cases_31 Dec _Other cs	NAP	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	87%	96%
CR Civil&com litig cases	85%	102%
CR Civil&com nonlit cases		
CR Enforcement cases	83%	
CR Land registry cases	100%	
CR Business reg cases	100%	
CR Admin law cases	92%	84%
CR Other cases		
DT Total non DTim cases	125	94
DT Civil&com litig cases	133	70
DT Civil&com nonlit cases		
DT Enforcement cases	146	
DT Land registry cases	0	
DT Business reg cases	0	
DT Admin law cases	115	154
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	2,6	1
102#1#2 %_decisions subj to appeal_Empl dismissal	19	20
% decisions subj to appeal Insolvency		14
102#1#3 %_decisions subj to appeal_Robbery cases	29	36
102#1#4 %_decisions subj to appeal_Intent homicide	81	53
102#2#1 % pending cases>3 years_Lit divorce cs	0,4	1
102#2#2 % pending cases>3 years_Empl dismissal	1,5	0

% pending cases>3 years Insolvency		2
102#2#3 % pending cases>3 years_Robbery cases	0	0
102#2#4 % pending cases>3 years_Intent homicide	4	0
102#3#1 1st inst average length_Lit divorce cs	191	180
102#3#2 1st inst average length_Empl dismissal	274	295
1st inst average length Insolvency		100
102#3#3 1st inst average length_Robbery cases	154	93
102#3#4 1st inst average length_Intent homicide	340	132
102#4#1 2nd inst average length_Lit divorce cs	134	56
102#4#2 2nd inst average length_Empl dismissal	176	143
2nd inst average length Insolvency		48
102#4#3 2nd inst average length_Robbery cases	62	61
102#4#4 2nd inst average length_Intent homicide	93	58
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	1 340 194	1 286 479
91#2#1 Incoming cases_Total_non crim cases	75 865	265 301
91#2#2 Incoming cases_Civil&com litig cases	21 622	16 336
91#2#3 Incoming cases_Civil&com nonlit cases	50 687	44 136
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	3 556	2 855
91#4#1 Pending cases_31 Dec _Total_non crim cases	27 675	35 558
91#4#2 Pending cases_31 Dec _Civil&com litig cases	12 425	8 393
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	13 949	11 434
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	1 301	890
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	Yes

88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NA	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NA	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NA	NA
186#1#4 Notification_dec_parties_same city as Ct_more	NA	NA

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	Yes	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	No
71#1#6 Qlty ind_% cs processed_single sitting judge	Yes	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	Yes	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	No
President of the courts		Yes
75#1#4 Other 2010	No	Yes
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		

38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	No	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	No	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	No	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	1 340 194	1 286 479
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	2 982 213	2 857 850
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	No	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	No	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	1 340 194	1 286 479
12#1#1 Total annual appr pb budget allocated to LA	2 982 213	2 857 850
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	26 797 340	29 728 350

9 Annual income of court taxes received by the State	12 909 414	7 219 348
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	No training offered	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	NAP
131#2#1 One instit for judges_Continuous training	Yes	Yes
131#2#2 One instit for prosecutors_Continuous training	Yes	NAP
131#2#3 One instit for judges&proc_Continuous training	No	NAP
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	No	NAP
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NAP
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	31 992	35 321
132#1#2 Gross An sal: Judge_Supr Ct	43 992	48 077
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	15 108	16 620
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	34 512	39 733
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	25 632	27 376
132#2#2 Net An sal: Judge_Supr Ct	35 112	37 924
132#2#3 Net An sal: Pb prosecutor_beg_carrier	11 845	12 972
132#2#4 Net An sal: Pb prosecutor_Supr Ct	26 591	30 526
4 Average gross annual salary in €	9 508	10 644
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No

133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	68
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	3	3
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	8	1
144#1#2 Discipl proc against judges_Breach_pro ethics	1	0
144#1#3 Discipl proc against judges_Prof inadequancy	4	1
144#1#4 Discipl proc against judges_Criminal offence	3	0
144#1#5 Discipl proc against judges_Other	0	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	Yes
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	Yes
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	Yes	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	Yes	Yes
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No

Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	2	0
145#1#2 Sanctions against judges_Reprimand	1	0
145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	NAP	0
145#1#5 Sanctions against judges_Fine	0	0
145#1#6 Sanctions against judges_Temp reduction_sal	1	0
145#1#7 Sanctions against judges_Position downgrade	NAP	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	0
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	0	0

Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA

Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	9	9
47#1#2 Number of 1st instance presidents	6	6
47#1#3 Number of 2nd instance presidents	2	2
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	7	4
47#2#2 Number of 1st instance presidents_males	4	2
47#2#3 Number of 2nd instance presidents_males	2	1
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	2	5
47#3#2 Number of 1st instance presidents_females	2	4
47#3#3 Number of 2nd instance presidents_females	0	1
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as

such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NA	No
49#2#1 Number of non-professional judges_Gross figure		€ 802,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	Yes	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	No
164#3#1 Public authority_Civil and com cases	No	Yes
164#3#2 Public authority_Family law cases	No	Yes
164#3#3 Public authority_Administrative cases	No	No

164#3#4 Public authority_Employment dismissals	No	Yes
164#3#5 Public authority_Criminal cases	No	Yes
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	Yes
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	1 340 194	1 286 479
166#1#2 Number of accredited mediators	79	NAP
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	1 340 194	1 286 479
46#1#1 Total Nr of professional judges	224	228
52#2#1 Nr_non-judge staff who are working in courts	976	957(828)
146 Total number of practicing lawyers	788	846
170 Number of enforcement agents		48 49
52.2.2 Number Non-judge staff (Rechtspfleger)	67	63(58)
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	788	846
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	224	228
1 Number of inhabitants	1 340 194	1 286 479

Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	Yes
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	Yes	Yes
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	48	49
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		3
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		2
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		1
187#2#4 Nr_Discipl proc against EA_Criminal offence		0
187#2#5 Nr_Discipl proc against EA_Other		0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		2
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		1
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		0
188#2#5 Nr_Sanctions pronounced against EA_Fine		1
188#2#6 Nr_Sanctions pronounced against EA_Other		0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No

178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	No
180#1#4 Qty standarts established by_Other 2010	No	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	976	957(828)
52#2#2 Number Non-judge staff (Rechtspfleger)	67	63(58)
52#2#3 Nr_Non-judge staff assisting the judges	468	220(186)
52#2#4 Number_Staff in charge of administrative tasks	339	489(466)
52#2#5 Number of Technical staff	91	138(75)
52#2#6 Number of Other non-judge staff	11	47
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	No
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Finland (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Finland	5 426 674	52 353 408 000	35 571	€ 38 472

1. Presentation of the functioning of the judicial system

According to 2012 data, in Finland, there are 27 courts of first instance with general jurisdiction (legal entities), and 11 specialised courts of first instance (legal entities) including 1 commercial court, 1 labour court, 8 administrative courts and 1 insurance and social welfare court. There are 6 courts of appeal and at the highest level the Supreme Court and the Supreme Administrative Court.
Finland is divided into a number of judicial districts, each with a District Court (käräjäoikeus). The districts vary greatly in size, both in terms of population and of area. A District Court is made up of a Chief Judge (laamanni) and a number of other professional judges (käräjätuomari). In civil cases, the proceedings start with the pre-trial phase of the procedure, after which the case is adjourned to the main hearing.
The second instance in an ordinary case is the Court of Appeal (hovioikeus). All decisions by the District Courts may be appealed to the Court of Appeal where cases are heard by three judges.
The third and final instance is the Supreme Court (korkein oikeus), which has its seat in Helsinki. The Supreme Court hears both civil and criminal appeals, but cases are admitted only under certain conditions.
Administrative jurisdiction: A general right of administrative appeal exists in Finland. This right can only be restricted by a specific legislative provision to that effect. An appeal is usually first heard by a regional Administrative Court (hallinto-oikeus). The administrative courts hear tax, municipal, construction, social welfare, health care and alien cases as well as other administrative cases. In certain of these, the appeal must be preceded by a complaint to a separate lower appellate body. The Supreme Administrative Court (korkein hallinto-oikeus) finally decides the legality of the acts of the authorities. The bulk of its case-load consists of appeals against the decisions of the Administrative Courts.
There are three special courts: the Market Court (markkinaoikeus) hears i.a. disputes regarding public acquisition, competition between firms and improper marketing; the Labour Court (työtuomioistuin) hears disputes relating to collective agreements on employment relationships and on civil service relationships. Its decisions are not subject to appeal; the Insurance Court (vakuutusoikeus) considers certain cases falling within the field of social insurance, e.g. occupational accident insurance and pensions. In certain cases related to accident insurance, the decisions of the Insurance Court are open to appeal before the Supreme Court, subject to leave by the Supreme Court.
There are 27 first instance court competent for a debt collection for small claims (small claims do not exist as a legal term in Finland; undisputed civil matters can be dealt with in a summary proceeding) and 27 first instance court competent for a dismissal.

According to 2012 data, the number of enforcement agents in Finland is 719, which is 2% less than in 2010. More specifically, there are altogether 84 bailiffs and 635 associate bailiffs in 22 district enforcement offices.
It represents 13 enforcement agents per 100 000 inhabitants (considerably higher than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 6 and 10 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 362 713 356 euros

This figure includes the budget intended to public prosecution services and legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 66,84 euros

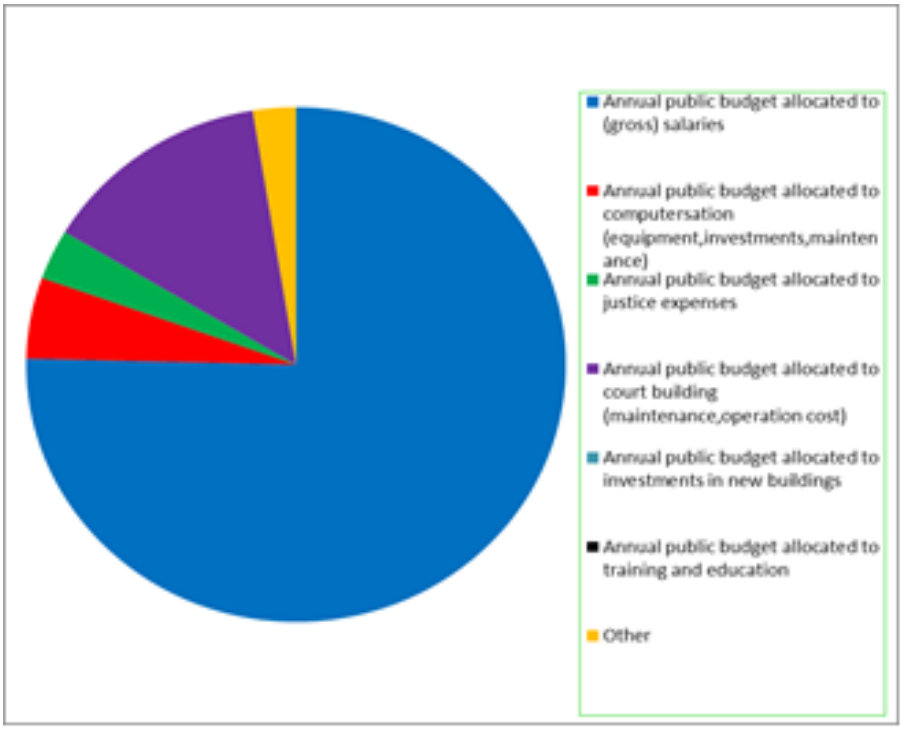
This ratio is slightly higher than the EU average (62,22) and considerably higher than the EU median (47,43).

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries ;

- annual public budget allocated to court building (maintenance, operation cost);

- annual public budget allocated to computerisation (equipment, investments, maintenance).



- **Budget allocated to the whole justice system: 855 857 000 euros**

This budget includes the following budgetary elements: court; legal aid; public prosecution services; prison system; probation services; judicial management body; state advocacy; enforcement services; functioning of the Ministry of Justice and other (election expenditure; some other offices under the administrative sector of the Ministry of Justice like legal Register Centre, Office of the Bankruptcy Ombudsman, Office of the Data Protection Ombudsman, Council for Crime Prevention, Safety Investigation Authority, National Research Institute of Legal Policy and ICT Service Centre for Judicial Administration).

Between 2010 and 2012, the justice system cost per capita has increased by 7%.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Finland is 981 which is 1% more than in 2010.

This represents 18 judges per 100 000 inhabitants (hardly below the EU median of 19 judges per 100 000 inhabitants). In the light of the analyse of both indicators, clearance rate and disposition time, the Finish judicial system appears rather performing which permits to conclude that the adequacy between human resources and concrete needs is ensured.

Judges are recruited neither trough a competitive exam, nor through a specific recruitment procedure.

At present, the typical career of a judge in Finland proceeds as follows: university degree in law – judicial traineeship at a District Court (general training, one year at a District Court or 6 months at a District Court and 6 months at Administrative Court/Court of Appeal) – work as an Assistant Junior Secretary at a Court of Appeal or Administrative Court – possible temporary service as a District Judge, Justice of a Court of Appeal or Administrative Judge – appointment to a tenured judgeship.

For now, all types of training are optional. Nevertheless, in 2012 the President of the National Office for the Judiciary has decided to implement compulsory regular training for specialised judicial functions such as juvenile crimes, economic crimes, traffic crimes, drug abuse and trafficking cases (the trainings were organized in 2012 and carried out in 2013).

The gross annual salary of a first instance professional judge is 61 336 euros (1,6 X the national average gross annual salary), which is considerably higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 128 700 euros (3,3 x the national average gross annual salary), which is meaningfully higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 68 years).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

    - Non-judge staff

In Finland, there are 2 214 non-judges staff including: 1447 office staff, 264 summoners, 129 trainee district judges, 9 junior district judges and 365 referendaries.

3. Efficiency and quality of the judicial system

- **Access to justice**

    - **Legal aid**

Total approved public budget to legal aid: 67 697 000 euros (12,47 euros per capita)

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice. It could include the coverage of or the exemption from court fees (in fact, the court charges and other similar payments are waived for a recipient of legal aid). It could be granted for fees related to enforcement judgments, as well as for other costs in criminal cases or in other than criminal cases.

Legal aid covers the first attempt to collect outstanding claims by way of distraint. For the second attempt a new legal aid decision is needed.

The total number of cases granted with legal aid per 100 000 inhabitants is 797 (hardly higher than the EU average of 765 and considerably above the EU median of 551). The average amount of legal aid allocated per case is 1 565 euros (considerably lower than the EU average of 2 543 euros per case but almost twice higher than the EU median of 803 euros per case).

    - **Court fees**

The annual income of court fees or taxes received by State is 33 833 367 euros and the share of court fees or taxes in the annual budget allocated to all courts is 9% (meaningfully lower than the EU average of 21% and considerably below the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in the following situations: other than criminal cases, but not for criminal cases.

- **Lawyers**

In Finland, there are 1 935 lawyers (this category does not include the legal advisors, but only members of the Finnish Bar Association who are entitled to use the professional titles "asianajaja" or "advokat" ("advocate")), which is 2% more than in 2010.

This data represents 36 lawyers (without legal advisers) per 100 000 inhabitants (meaningfully below the EU median of 106 lawyers per 100 000 inhabitants) and 2.0 lawyers per professional judges.

Lawyers have no monopoly on legal representation, regardless of the nature of the case. An advocate, a public legal aid attorney or counsel who has obtained the license referred to in the Licensed Counsel Act is allowed to represent a client in the court, subject to some exceptions. According to the Code of Judicial Procedure, an applicant other than a public authority have to employ the services of an attorney or counsel in a case before the Supreme Court that concerns procedural fault or the annulment of a final judgment.

In administrative courts anyone that is not bankrupt and whose legal competence has not been restricted may act as a counsel.

Concerning the lawyers' fees, an easy access to prior information – transparent and accountable - on the foreseeable amount of fees is organized. The legislation does not provide for rules on lawyers' fees. The principle is this of free negotiations. Nevertheless, some rules on lawyers' fees are contained in the Bar associations standards. So, a lawyer is obliged to estimate his fee to the client. Fees are regulated by the Bar only through the code of conduct for advocates stating that the lawyer's fee must be reasonable.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate (as concerns the total number of criminal cases) indicates that the system is rather performing before the highest court with a clearance rate close to 100%. It is less performing in first instance. In second instance, the system is able to deal with cases while decreasing existing backlogs. As to the disposition time with regard to the same category (total number of non-criminal cases), it proves once again the high performance of the system given the fact that the length of proceedings in first and second instances does not exceed 6 months and in third instance – one year.

In addition, when comparing the figures 2010 and 2012, there is a significant difference in the total number of incoming cases other than criminal. Reason for that is the 27 % increase of the number of uncontested payment orders (undisputed civil matters).
Concerning total incoming cases: The number of uncontested payment orders (undisputed civil matters) in the year 2010 was 301007 and in the year 2012 the number of uncontested payment orders was 437832. So the number of uncontested payment orders has increased over 45%. That explains the difference between this exercise and the previous exercise.

  - Insolvency

The clearance rate for insolvency cases in first instance in Finland is 97%. The disposition time for insolvency cases in first instance is 250 days.

  - Specific procedures for urgent matters

The Finish legislation does not provide for specific procedures for urgent matters in any type of cases.

Under the administrative law there are several acts including urgency provisions. When necessary and when it is enacted in a law, the cases are processed urgently, but there are not specific procedures for urgent matters.

- Simplified procedures

The Finish legislation sets forth simplified procedures for civil cases (small disputes), criminal cases (small offences) and administrative cases.

- Systems for measuring and evaluating the court performance

In Finland, individual courts are required to prepare an annual activity report**.**

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings exists within the courts.

All Courts of Law maintain statistics of the above mentioned items in operational case management systems and the Court Administration Unit of the Ministry of Justice can use these figures through reporting system.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists

In this respect, Finland has defined performance and quality indicators among which the 4 main are: length of proceedings; closed cases; pending cases and backlogs and productivity of judges and court staff.

The Finish system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
Quality standards are defined with regard to the whole judicial system.
There are annual negotiations between all courts and the Ministry of Justice. In Finland, there is one Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi (launched in 1999) covering both civil and criminal cases. The main working method consists of systematic discussions among the judges and also between the judges and stakeholders. The development work is steered by the development committee of the quality project. The established reports are presented at the Quality Conference, they are discussed, and quality objectives based on the reports are set for the following year. The Report of Quality, containing the final reports, is published every year. There is a similar quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. It consists of working methods of two kinds: cooperation with the University of Helsinki and working groups. The reports of the working groups are presented at the conference called "Day of Jurisdiction". In addition there is a cooperation project between administrative courts.

- **Alternative dispute resolutions**

In Finland, there are judicial mediation for civil and commercial cases, family law cases, employment dismissals cases and criminal cases.

There are no accredited mediators in Finland and data concerning the number of judicial mediation for 2012 is not available.

Finland knows other than judicial mediation and also arbitration, conciliation and other alternative procedures.

In normal civil proceedings a judge has to promote a settlement and in practice Finnish judges are active mediators during the preparation of a civil case. In civil cases initiated by the large application for summons (regular disputed civil cases) 32 % of cases were settled during the preparation in year 2012 (Act on Court Annexed Mediation in civil cases). Disputes can also be mediated at court, as an alternative to civil proceedings. The judge serves as a facilitator of the process.

From the beginning of the year 2011 an experiment in a new kind of mediation procedure in child custody cases has been carried out in few District Courts. In this experiment a psychologist or a social worker assists the judge in the mediation process.

There is also a mediation service in criminal cases (Act on Conciliation in Criminal and Certain Civil Cases). The general management, supervision and monitoring of conciliation services fall within the jurisdiction of the Ministry of Social Affairs and Health.

Family conciliation in Finland is most often offered by the municipal social welfare authorities and the Family Counseling Centres of the Church. There are no regular statistics kept on family conciliation.

In addition to mediation services mentioned above there are also many different advisory services which can act as an alternative dispute resolution. Some Finnish examples are municipal consumer advisory service, financial advice and debtors' advice.

- **The ICT tools of courts and for court users**

Finland has developed a very complete ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case law, electronic files, e-mail, internet connection (100%));

- for administration and management (highest level as concerns financial information system, videoconferencing, case registration system and court management information system (100%));

- and for electronic communication and exchange of information between the courts and their environment (highest level as concerns electronic web forms, website, electronic registers, electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims, videoconferencing and other electronic communication facilities (electronic applications for legal aid), (100%); total absence as concerns follow-up of cases online (0%)).

In Finland, videoconferencing is used in in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

According to the Criminal Procedure Act, in criminal cases a preparatory hearing may be arranged by the use of videoconferencing or by telephone if the court deems that this is appropriate. Also in cases concerning imprisonment the defendant may be heard with the use of a videoconference.

In civil, administrative and criminal cases a witness, another person to be heard for probative purposes or a party may be heard in the main hearing without his or her appearance in person with the use of a videoconference or other appropriate technical means of communication, where the persons participating in the hearing have an audio and video link with one another, if the court deems that this is suitable.

4. National data collection system

In Finland, the Statistics Finland is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
This institution publishes statistics on the functioning of each court on the internet. Its task consists to compile statistics and reports concerning social conditions, collect and maintain data files on society, provide information service and promote the use of the statistics, conduct studies and surveys related to statistics compilation and develop statistical methodology, develop the national statistical service in co-operation with other Government officials, participate in Finland's international statistical co-operation and co-ordinate it. In fact, also the Ministry of Justice collects statistical data regarding the functioning of courts and judiciary via automated case-management systems of courts and different automated statistics systems.
The system of collecting statistical data provides data concerning the number of cases with regard to all selected categories at all procedural levels (except administrative law cases in second instance). As to the specific procedures (litigious divorce cases, employment dismissal cases, insolvency), data concerning the number of cases as well as the average length of these proceedings in first instance, are available. By contrast, the average length of these proceedings in second and last instances, are not available.

5. Reforms

Reforms regarding courts: the next reform concerns the developing of the structure of the Court of Appeal Network and the Administrative Court Network.

Reforms regarding court fees: the Act on charges collected by the courts will be amended in 2014. The proposed change is that litigants will be required to pay a court fee to start a proceeding. Currently the charges are collected once the proceedings have been completed.

Reforms regarding the enforcement of court decisions: for the foreseeable future the next reform is the development of the structure of the Enforcement offices.

Finland – Data tables for each indicator (2010/2012)

Finland	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	5 375 276	5 426 674
2#1#1 Total of annual State pb expenditure State level	51 745 195 000	52 353 408 000
3 GDP Per capita GDP (in €)	33 608	35 571
4 Average gross annual salary in €	36 516	38 472
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	243 066 350	249 704 356
12#1#1 Total annual appr pb budget allocated to LA	58 100 000	67 697 000
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	243 066 350	249 704 356
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	184 667 056	188 215 108
6#2#3 Amount_Annnual appr bd of the courts_Computer	11 967 040	12 726 529
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	8 124 195	7 850 083
6#2#5 Amount_An appr bd_courts alloc_Court buildings	31 586 338	34 483 581
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training		
6#2#8 Amount_Annual approved budget_courts alloc_Other	6 721 721	6 429 055
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	792 410 000	855 857 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	NAP	NAP
Constitu-tionnal court		NAP
Judicial manage-ment body		Yes
State advocacy		Yes
Enforcement services		Yes
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	NAP	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	5 375 276	5 426 674
Amount_An approved budget alloc whole justice	792 410 000	855 857 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	NAP	NAP
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	NAP	NAP
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	NAP	NAP
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	NAP	NAP
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	Yes	Yes

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	Yes	Yes
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	27	27
42#1#2 Specialised first instance courts	11	11
42#1#3 All the courts (geographic locations)	82	82

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	11	11
43#1#2 Nr of commercial courts	1	1
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	1	1
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	8	8
43#1#8 Nr of insurance_soc welfare courts	1	1

43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	NAP	NAP
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	NAP	27
45#1#2 Nr_1st instance courts competent_dismissal	27	27
45#1#3 Nr_1st instance courts competent_robbery	27	27
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		No
[106.1] - Does the public prosecutor also have a role in insolvency cases?		No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	107 120	111 788
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	6 431	9 829
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	75 952	75 099
91#1#4 Pending cases_1 Jan _Enforcement cases	350	347
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	19 863	19 203
91#1#8 Pending cases_1 Jan _Other cases	4 524	7 310
91#2#1 Incoming cases_Total_non crim cases	389 479	524 352
91#2#2 Incoming cases_Civil&com litig cases	10 845	10 320
91#2#3 Incoming cases_Civil&com nonlit cases	337 125	475 607
91#2#4 Incoming cases_Enforcement cases	1 055	1 157
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	31 397	27 579
91#2#8 Incoming cases_Other cases	9 057	9 689
91#3#1 Resolved cases_Total_non crim cases	391 908	497 063
91#3#2 Resolved cases_Civil&com litig cases	10 112	10 653
91#3#3 Resolved cases_Civil&com nonlit cases	340 973	447 961
91#3#4 Resolved cases_Enforcement cases	1 055	1 140
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	31 043	27 852
91#3#8 Resolved cases_Other cases	8 725	9 457
91#4#1 Pending cases_31 Dec _Total_non crim cases	104 691	139 077
91#4#2 Pending cases_31 Dec _Civil&com litig cases	7 164	9 496
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	72 104	102 745
91#4#4 Pending cases_31 Dec _Enforcement cases	350	364

91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	20 217	18 930
91#4#8 Pending cases_31 Dec _Other cases	4 856	7 542
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	101%	95%
CR Civil&com litig cases	93%	103%
CR Civil&com nonlit cases	101%	94%
CR Enforcement cases	100%	99%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	99%	101%
CR Other cases	96%	98%
DT Total non DTim cases	98	102
DT Civil&com litig cases	259	325
DT Civil&com nonlit cases	77	84
DT Enforcement cases	121	117
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	238	248
DT Other cases	203	291
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-6%
CR Civil&com litig cases		11%
CR Civil&com nonlit cases		-7%
CR Enforcement cases		-1%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		2%
CR Other cases		1%
DT Total non DTim cases		5%
DT Civil&com litig cases		26%
DT Civil&com nonlit cases		8%
DT Enforcement cases		-4%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		4%
DT Other cases		43%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	12 057	11 706

101#1#2 Pending cases_1 Jan _Employment dismissal	477	559
Pending Insolvency cases		2 135
101#1#3 Pending cases_1 Jan _Robbery cases	117	106
101#1#4 Pending cases_1 Jan _Intentional homicide	17	18
101#2#1 Incoming cases_Litigious divorce cs	17 287	17 075
101#2#2 Incoming cases_Employment dismissal	654	577
Incoming Insolvency cases		3 359
101#2#3 Incoming cases_Robbery cases	456	498
101#2#4 Incoming cases_Intentional homicide	93	60
101#3#1 Resolved cases_Litigious divorce cs	18 302	17 696
101#3#2 Resolved cases_Employment dismissal	630	647
Resolved Insolvency cases		3 261
101#3#3 Resolved cases_Robbery cases	371	380
101#3#4 Resolved cases_Intentional homicide	79	61
101#4#1 Pending cases_31 Dec _Litigious divorce cs	11 042	11 085
101#4#2 Pending cases_31 Dec _Employment dismissal	501	489
Pending Insolvency cases		2 233
101#4#3 Pending cases_31 Dec _Robbery cases	202	224
101#4#4 Pending cases_31 Dec _Intentional homicide	31	17
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		97%
DT - Insolvency cases		250
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	1 873	1 997
97#1#2 Pending cases_1 Jan _Civil&com litig cases	1 344	1 748
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	321	131
97#1#4 Pending cases_1 Jan _Enforcement cases	72	87
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	136	31
97#2#1 Incoming cases_Total_non crim cases	3 838	3 633
97#2#2 Incoming cases_Civil&com litig cases	2 045	2 731
97#2#3 Incoming cases_Civil&com nonlit cases	1 175	569
97#2#4 Incoming cases_Enforcement cases	246	249
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	372	84
97#3#1 Resolved cases_Total_non crim cases	3 880	3 812
97#3#2 Resolved cases_Civil&com litig cases	2 102	2 920
97#3#3 Resolved cases_Civil&com nonlit cases	1 161	595
97#3#4 Resolved cases_Enforcement cases	244	239

97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	373	58
97#4#1 Pending cases on 31 Dec _Total_non crim cs	1 831	1 818
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	1 287	1 559
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	335	105
97#4#4 Pending cases on 31 Dec _Enforcement cases	74	97
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	135	57
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	101%	105%
CR Civil&com litig cases	103%	107%
CR Civil&com nonlit cases	99%	105%
CR Enforcement cases	99%	96%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases	100%	69%
DT Total non DTim cases	172	174
DT Civil&com litig cases	223	195
DT Civil&com nonlit cases	105	64
DT Enforcement cases	111	148
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases	132	359
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	4 730
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	364
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	3 788	3 941
99#1#8 Pending cases_1 Jan _Other cs	NA	425
99#2#1 Incoming cases_Total _non crim law cs	NA	5 509
99#2#2 Incoming cases_Civil litigious cs	NA	960
99#2#3 Incoming cases_Civil non_litigious cs	NA	NAP
99#2#4 Incoming cases_Enforcement cs	NA	NAP
99#2#5 Incoming cases_Land registry cs	NAP	NAP

99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	4 587	3 947
99#2#8 Incoming cases_Other cs	NA	602
99#3#1 Resolved cases_Total _non crim law cs	5 729	5 388
99#3#2 Resolved cases_Civil litigious cs	1 072	841
99#3#3 Resolved cases_Civil non_litigious cs	285	NAP
99#3#4 Resolved cases_Enforcement cs	60	NAP
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	4 202	3 928
99#3#8 Resolved cases_Other cs	110	619
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	4 851
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	483
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	4 173	3 960
99#4#8 Pending cases_31 Dec _Other cs	NA	408
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases		98%
CR Civil&com litig cases		88%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	92%	100%
CR Other cases		103%
DT Total non DTim cases		329
DT Civil&com litig cases		210
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	362	368
DT Other cases		241
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	0,25	0
102#1#2 %_decisions subj to appeal_Empl dismissal	52	52
% decisions subj to appeal Insolvency		1
102#1#3 %_decisions subj to appeal_Robbery cases	51	NA
102#1#4 %_decisions subj to appeal_Intent homicide	73	NA

102#2#1 % pending cases>3 years_Lit divorce cs	0	0
102#2#2 % pending cases>3 years_Empl dismissal	0	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	0	NA
102#2#4 % pending cases>3 years_Intent homicide	0	NA
102#3#1 1st inst average length_Lit divorce cs	242	240
102#3#2 1st inst average length_Empl dismissal	270	291
1st inst average length Insolvency		219
102#3#3 1st inst average length_Robbery cases	150	150
102#3#4 1st inst average length_Intent homicide	111	123
102#4#1 2nd inst average length_Lit divorce cs	77	NA
102#4#2 2nd inst average length_Empl dismissal	312	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	222	NA
102#4#4 2nd inst average length_Intent homicide	211	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	5 375 276	5 426 674
91#2#1 Incoming cases_Total_non crim cases	389 479	524 352
91#2#2 Incoming cases_Civil&com litig cases	10 845	10 320
91#2#3 Incoming cases_Civil&com nonlit cases	337 125	475 607
91#2#4 Incoming cases_Enforcement cases	1 055	1 157
91#2#7 Incoming cases_Admin law cases	31 397	27 579
91#4#1 Pending cases_31 Dec _Total_non crim cases	104 691	139 077
91#4#2 Pending cases_31 Dec _Civil&com litig cases	7 164	9 496
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	72 104	102 745
91#4#4 Pending cases_31 Dec _Enforcement cases	350	364
91#4#7 Pending cases_31 Dec _Admin law cases	20 217	18 930
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	No	No
87#1#2 Urgent matters_Criminal cases	No	No
87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes

88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	Yes
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	Yes

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity

of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	Yes	Yes
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	No	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	Yes	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	5 375 276	5 426 674
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	58 100 000	67 697 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	5 375 276	5 426 674
12#1#1 Total annual appr pb budget allocated to LA	58 100 000	67 697 000
20#1#1 Total Number of cases granted with legal aid	83 703	43 255
20#1#2 Nr of criminal cases granted with legal aid	37 493	30 863
20#1#3 Nr non criminal cases granted with legal aid	46 210	12 392

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	34 794

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	243 066 350	249 704 356
9 Annual income of court taxes received by the State	31 284 003	33 833 367
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes

65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Optional	Optional
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	NAP	NAP
131#1#2 One instit for prosecutors_Initial training	NAP	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	NAP	NAP
131#2#1 One instit for judges_Continuous training	NAP	NAP
131#2#2 One instit for prosecutors_Continuous training	NAP	NAP
131#2#3 One instit for judges&proc_Continuous training	NAP	NAP
131#3#1 One instit for judges_Init&Cont trainings	NAP	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	NAP	NAP
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NAP
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	57 250	61 336
132#1#2 Gross An sal: Judge_Supr Ct	120 912	128 700
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	45 048	47 508
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	77 376	82 018
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	40 250	43 123
132#2#2 Net An sal: Judge_Supr Ct	73 800	78 553
132#2#3 Net An sal: Pb prosecutor_beg_carrier	33 200	35 013
132#2#4 Net An sal: Pb prosecutor_Supr Ct	51 400	54 484
4 Average gross annual salary in €	36 516	38 472
Table 7.6. Additional benefits for judges (Q 133)		

133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	68
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	590	642
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	NA
144#1#3 Discipl proc against judges_Prof inadequancy	NA	NA
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	NA	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	Yes	Yes
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	Yes	Yes
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	Yes	Yes
142#1#6 Auth for discipl power on judges_Parliament	No	No

142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	Yes	Yes
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	56	13
145#1#2 Sanctions against judges_Reprimand	1	0
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	NA	0
145#1#10 Sanctions against judges_Other	55	13
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	46	46
47#1#2 Number of 1st instance presidents	38	38
47#1#3 Number of 2nd instance presidents	6	6
47#1#4 Number of supreme court presidents	2	2
47#2#1 Total Nr of court presidents_males	36	36
47#2#2 Number of 1st instance presidents_males	29	29
47#2#3 Number of 2nd instance presidents_males	6	6
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	10	10
47#3#2 Number of 1st instance presidents_females	9	9
47#3#3 Number of 2nd instance presidents_females	0	0
47#3#4 Number of supreme court presidents_females	1	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate		

NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 3 689,0	€ 2 202,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No

164#3#1 Public authority_Civil and com cases	Yes	Yes
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	Yes	Yes
164#3#5 Public authority_Criminal cases	Yes	Yes
164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	Yes	Yes
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	5 375 276	5 426 674
166#1#2 Number of accredited mediators		NAP
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	5 375 276	5 426 674
46#1#1 Total Nr of professional judges	967	981
52#2#1 Nr_non-judge staff who are working in courts	2 285	2 214
146 Total number of practicing lawyers	1 893	1 935
170 Number of enforcement agents	736	719
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	1 893	1 935
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No

46#1#1 Total Nr of professional judges	967	981
1 Number of inhabitants	5 375 276	5 426 674
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	736	719
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	207	251
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		251
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	22	33
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	2	1
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	0
188#2#6 Nr_Sanctions pronounced against EA_Other	20	32

Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	2 285	2 214
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges		
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)

66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

France (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
France	65 585 857	421 200 000 000	31 059	€ 34 100

1. Presentation of the functioning of the judicial system

In France, justice services are provided by two autonomous branches of the courts: ordinary courts, which have jurisdiction over civil and criminal matters, and administrative courts, which have jurisdiction over administrative law, which governs the relationships between public administration and citizens.
According to 2012 data, the ordinary justice administration is organised in a three-level structure which includes: 778 first instance courts of general jurisdiction, 35 courts of appeal, which decide both on facts and the law; and the Court of cassation, which provides for the possibility of an appeal, but only on points of law.
Ordinary justice administration comprises also 1156 specialized courts of first instance, such as: 143 commercial courts; 216 labour courts (210 *prud'hommes* and 6 labour courts);115 insurance courts; 3 first instance courts specialized in criminal matters; 3 local courts attached to police courts; 155 juvenile courts; 26 disability litigation courts; 281 Joint tenancies Courts; 50 Courts of the enforcement of sentences; 106 Courts of Military Pensions; 1 Court for navigation on the Rhine; 14 Courts of maritime trade; 1 Court of First Instance for the navigation of the Moselle.
The administrative justice is organised on a three-level structure which includes: 42 administrative courts, 8 administrative courts of appeal and one Supreme Court for administrative law which decides over appeals on points of law on judgments issued by the courts of appeal and rules as a court of first and last instance on specific cases.
There are 309 first instance court competent for a debt collection for small claims (amount lower than 4 000 euros; between € 4 000 and € 10 000, the district court has jurisdiction) and 216 first instance court competent for a dismissal (the labour courts have jurisdiction).
The number of enforcement agents in France is 3 209, which is 1% less than in 2010.
It represents 5 enforcement agents per 100 000 inhabitants (which coincides with the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 4 014 305 137 euros

This figure includes the budget intended to public prosecution services and to legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 61,21 euros

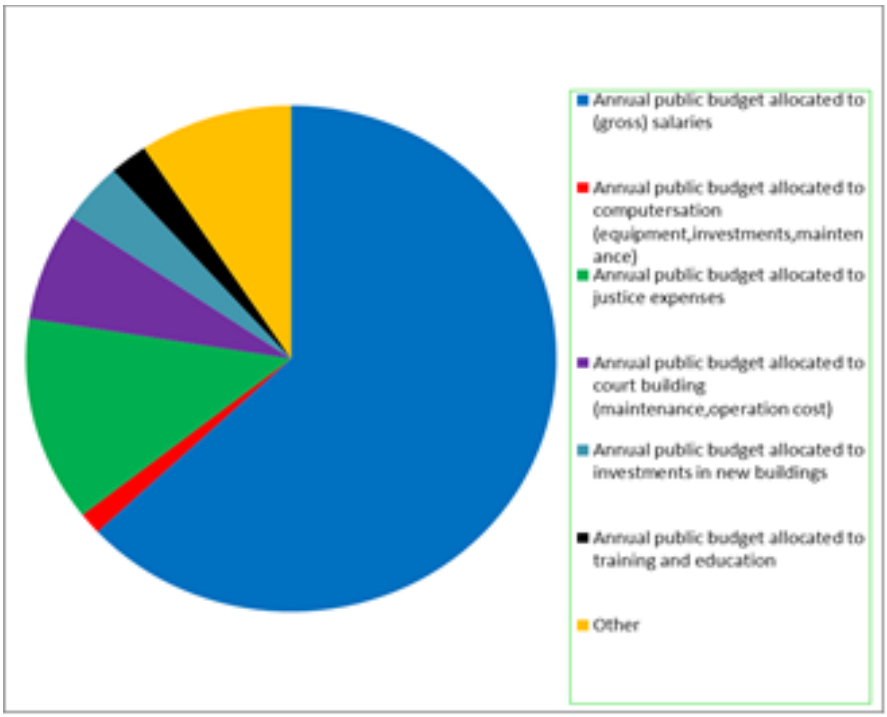
This ratio is hardly below the EU average (62,22) and considerably higher than the EU median (47,43). France is a country which traditionally dedicates a considerable part of its budget to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries;

- annual public budget allocated to justice expenses;

- other (an assessment of the cost of transfer of persons under escort, cost for the guards of courtrooms, and the cost of prosecuting officers supported by the Ministry of the Interior (203 million euros); an assessment of the rental value of judicial buildings made available to the court by the local authorities (69 million euros); € 69.5 million corresponding to the contribution of the central government for the operation of courts (including legislative directions).



- **Budget allocated to the whole justice system : 8 087 936 029 euros**

This budget includes the following budgetary elements: court; legal aid; public prosecution services; prison system; probation services; Council of the judiciary; judicial management body; judicial protection of juveniles; functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita has increased by 7%.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in France is 7 021 which is 1% more than in 2010.

This represents 11 judges per 100 000 inhabitants (less than the EU median of 19 judges per inhabitants). Data provided above are calculated in full-time equivalent and concern offices effectively occupied in the administrative and judicial courts as of 31.12.2012. The analyse of the levels for the indicators of the clearance rate and the disposition time (as to the total number of non-criminal cases) leads to the conclusion

of a performing judicial system in the frame of which human resources seem to be in adequacy with the concrete needs.

Judges are recruited trough a competitive exam.

The initial and the in-service training are under the responsibility of the *Ecole Nationale de la Magistrature*. The initial compulsory training of magistrates is of 6 months since 2007. The initial training for *auditeurs de justice* is of 31 months. Since 2007, the general in-service training is also compulsory (minimum 5 days per year) and there is a compulsory in-service training for specialised judicial functions (15/20 days during the first two months). A specific training is also compulsory for the new heads of courts.

The gross annual salary of a first instance professional judge is 36 793 euros (1.1 X the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 110 082 euros (3.2 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 67 years). There could be some exceptions.
Nevertheless, there is a 3 year probation period before appointment for life.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In France there are 21 758 non-judges staff including:

- 17 663 non-judge staff whose task is to assist the judges such as registrars,
- 1 352 staff in charge of different administrative tasks and of the management of the courts,
- 964 technical staff
- 1 779 other staff

Data concerning administrative courts are contained in the category « other »: because of the polyvalence of the non judge-staff, the distribution between the indicated categories is impossible (1505,5 in full time equivalent) . With regard to the *Conseil d'Etat*, the number of non judge-staff in full time equivalent is 274 (151 women/130 men, unavailable in full time equivalent for the distribution men/women).

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 367 180 000 euros (5,60 euros per capita)

According to 2012 data, 308 120 000 euros have been granted to cases brought to court; 88 730 000 euros have been granted to criminal law cases; 219 390 000 euros have been granted to other than criminal law cases; 59 060 000 euros have been granted to non-litigious cases or cases or cases not brought to court.

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice.

Legal aid could include the coverage of or the exemption from court fees. Legal aid could be granted for fees related to enforcement judgments. Legal aid may be granted to the beneficiary of legal aid to cover the fees of public or corporate officers (bailiffs, notaries in particular) as well as expert fees.

The total number of cases granted with legal aid per 100 000 inhabitants is 1 396 (almost twice higher than the EU average of 765 and considerably above the EU median of 551). The average amount of legal aid allocated per case is 401 euros (meaningfully lower than the EU average: 2 543 euros and twice lower than the EU median of 803 euros). France is favouring the number of cases that can aspire to legal aid instead of the amount granted to each individual case.

  - **Court fees**

Litigants are not required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction regardless of the category of cases.

Nevertheless, a contribution to legal aid of the amount of € 35 was introduced by the Law of 29 July 1991 Amending Finance with effect from 1 October 2011. This measure was designed to supplement the funding of legal aid.

- **Lawyers**

In France, there are 56 176 lawyers (this category does not include legal advisors), which is 9% more than in 2010. This data has been provided on the 1 of January 2012.

This data represents 86 lawyers (without legal advisers) per 100 000 inhabitants (lower than the EU median of 106 lawyers per 100 000 inhabitants) and 8 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil, criminal and administrative cases.The law provides for exceptions to the rule of monopoly of lawyers on legal representations: for example syndicates or their representatives before the labour tribunals.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The legislation and the Rules on lawyers' fees established by the Bar associations' standards provide for rules on lawyers' fees.

The lawyer's fees are freely negotiated, *i. e.*, the lawyer and his/her client are free to sign or not an agreement of fees. Such an agreement is compulsory in the event of determination of complementary fees according to the outcome of the legal assistance

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate and the disposition time (with regard to the total number of non-criminal cases) reveals the French judicial system as a performing one in first and second instances, able to deal with cases without increasing backlogs and in the frame of one year.

  - Insolvency

The clearance rate for insolvency cases in first instance in France is of 86%. For bankruptcies, corporate failures (opening of insolvency proceedings, opening an immediate liquidation, reorganization plans…) were chosen.

Data regarding the disposition time for insolvency cases in first instance are not available.

  - Specific procedures for urgent matters

The French legislation provides for specific procedures for urgent matters regarding civil, criminal and administrative cases.

In civil matters, interim measures or rehabilitation that is necessary either to prevent imminent injury or to prevent a manifestly unlawful trouble may be prescribed for all measures that do not encounter any serious challenge, and even in the presence of a serious dispute. In addition, urgent action may be taken by the judge *ex parte*, upon request, when circumstances require. To obtain any Authority of *res judicata*, it is also possible in case of emergency to notify the Chairman of court proceedings on a fixed day, in which the parties are allowed to assign another hearing date. When required by law, the parties may apply to the court (in a similar way in the procedure of "*référé*") which provides a Decision authority of *res judicata* quickly.

Administrative matters: interim suspension (Article L. 521-1 of the Code of Administrative Justice) interim parole (Article L. 521-2 of the Code of Administrative Justice) interim or conservatory "appropriate measures" (Article L. 521-3 of the Code of administrative Justice).

- Simplified procedures

The French legislation sets forth simplified procedures for civil cases (small disputes), criminal cases (small offences) and administrative cases.

For example, in civil matters: simplified payment order procedure (Articles 1424-1 and further of the Code of Civil Procedure); injunction proceedings; European procedure for small claims (articles 1382 and further of the Code of Civil Procedure). Finally, the rules of procedure before the courts who deal with simple cases allow a simplified access to justice: in essence, a referral is possible by a simple request for applications under 4000 euros; applications up to € 10,000 are considered following an oral hearing. These rules exist, whatever the nature of the application, before many special courts (family court, labor courts, commercial courts, etc...).

In administrative matters: Article R. 611-8 of the Code of Administrative Justice, Article R. 222-1 of the Code of Administrative Justice) Decree of August 13, 2013, decree of 23 December 2011.

- Systems for measuring and evaluating the court performance

In France, individual courts are required to prepare an annual activity report.

In the frame of a collaboration system of management and in order to be granted operating means and tools, each court has to fulfill a document addressed to the Ministry of Justice containing data concerning the number of decisions delivered, the number of cases actually considered by courts, the number of judges and administration staff and the performance goals to achieve. This document is not available on the intranet web site and solely servants of the Ministry endowed with the responsibility to carry out the collaboration system of management have access to these figures by means of special software. With regard to the administrative courts, all these indicators are followed, except the number of postponed cases.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, the length of proceedings and other elements (stock status by age criterion) exist within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists.

In this respect, France has defined performance and quality indicators among which the 4 main are: length of proceedings; closed cases; pending cases and backlogs and productivity of judges and court staff.

The French system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system.
An annual evaluation takes place with regard to administrative and judicial courts.

As concerns the judicial justice, there is an in-service evaluation but also an external evaluation ensured by the Information Center Pharos. The latter provides analyses of performance and comparative studies between all respective courts.

The DGME which has become the General Secretary for the Modernisation of the Public Action, service of the Prime Minister, is empowered to define and implement the MAP (modernization of the public action) in the frame of the State services, included the judicial institutions. The aim is to improve the functioning of the courts as well as this of courts' administration. The main program remains "Marianne" that determines standards of quality in the area of the justice (initiated in 2009). In 2012, 44% of the courts have been involved in this project. The method of labelling was rejected for budgetary reasons.

- **Alternative dispute resolutions**

In France, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissals and criminal cases.

Concerning the nature of family mediation, it is stated that this specific category of mediation can only be exercised by individuals holding a state diploma. Family mediation is supported by public funding of family allowance, especially when implemented directly by the parties. Furthermore, and although it is not systematic, family mediation is often held in the court premises. Mediation in civil matters may be ordered by a judge or freely chosen by the parties. The mediator activity is free and run by the players in the profession except in family matters. In addition to mediation, strictly speaking, there is in France a particular category of mediation: conciliation. This activity is provided by justice conciliators who are officers of the public justice service, attached to the Courts, and exercising their activity voluntarily.

In administrative matters, different alternative dispute resolution (mediation, conciliation, transaction) are open, subject to certain restrictions (for example, the judge cannot approve a transaction if it encounters reasons of public order or constitutes a public person liberality).

In Criminal Matters: Alternative procedures including prosecution and criminal composition allow judicial intervention in the near of the commission of the offense and a diverse penal treatment and particularly well suited to small and medium delinquency period. In the criminal field, the law of 5 March 2007 on the prevention of delinquency, on the one hand, created two new courses as may be decided as a punishment or as a measure alternative to prosecution (awareness of the dangers of the use of narcotic drugs and parental responsibility) , on the other hand, extended composition criminal minors over thirteen years.

There are no accredited mediators and the total number of judicial mediation for 2012 is not available (civil cases: 2 954; family cases: 2 740; criminal cases: 15 231).
France knows other than judicial mediation and also arbitration, conciliation and other alternative procedures (the participative procedure inspired by the Anglo-Saxon law; it implies a conclusion of agreement between parties before the trial and only approved by a judge).

- **The ICT tools of courts and for court users**

France is developing a quite complete ICT system for:

- for direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, e-mail and internet connection (100%); above the average as concerns electronic files (+50%));

- administration and management (highest level as concerns financial information system, videoconferencing, case registration system and court management information system (100%));

- electronic communication and exchange of information between the courts and their environment (highest level as concerns electronic web forms and website (100%); under the average as concerns follow-up of cases online, electronic registers, electronic processing of small claims, videoconferencing and other electronic communication facilities (-50%); low level as concerns electronic processing of undisputed debt recovery and electronic submission of claims (-10%)).

In France, videoconferencing is used in in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

In France, the Ministry of Justice and the High Administrative Court (*Conseil d'Etat*) are the centralized institutions that are responsible for collecting statistical data regarding the functioning of the courts and judiciary.
These institutions publish statistics on the functioning of each court on the internet.
The system of collecting statistical data provides data related to the number of cases in first instance in respect of all selected categories of cases, except specific procedures (litigious divorce cases, employment dismissal cases, insolvency). As to the second instance, the system does not permit to obtain certain data such as data concerning enforcement cases or business registry cases. In last instance data could not be collected except for certain categories of cases. As to the length of specific procedures (litigious divorce

cases, employment dismissal cases, insolvency) the main problem ensues from the percentage of pending cases exceeding a 3 year period.

5. Reforms

Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities:

The French government has submitted to Parliament in May 2013, a text providing for the introduction in French law of an action group in consumer disputes and competition law violations. This text was adopted by the National Assembly and the Senate, and its' in second reading by the Senate took place in January 2014. The text concerns the possibility for nationally-approved consumer associations to bring actions for material damage suffered by consumers in similar situations due to a professional's breach of legal or contractual obligations or of competition law. The judge will then decide on the professional's liability, define the group and the amount of compensation to which consumers are entitled. Once the decision is final, it is published and consumers can then join the group with the appointed association for their effective compensation. In case of difficulties or if some are not compensated, the matter may be again referred to a judge in order to liquidate the damages of the relevant consumers.
This action would introduce the possibility of acting on behalf of persons who are not involved in the proceedings and allow them to regroup financial means together in order to ask for compensation, even in cases where the damage is minimal, which can be a deterrent factor for individuals wanting to initiate legal proceedings.

On 6 November 2012, the Government issued the 35 measures of the National Pact for growth, competitiveness and employment. Measure number 33 provides the renewal of commercial justice in order to make it more effective. A study is underway regarding in particular the establishment of specialized courts (for more complex cases) and the composition of the formations of the Court (the possibility of extending the court system of professional judges sitting with lay judges to more than just a few commercial courts is currently being studied).
Decree No. 2012-1218 of 2 November 2012 regarding the criminal reform in the maritime field provides for the establishment by decree no later than 1 January 2015 of maritime courts with exclusive jurisdiction over maritime torts defined in Article 2 of this decree. These maritime courts shall be composed of three judges, including the president and two assessors from the maritime world. Pending regulatory provisions that will establish the list, the seat and the jurisdiction of the maritime courts, existing commercial maritime courts will continue to sit in the composition of ordinary law criminal courts, in accordance with the 2 July 2010 decision of the Constitutional Council.
Following a report submitted in February 2013, the Minister of Justice decided to reinstall the Court of first instance of Saint Gaudens, to reopen the Court of first instance of Saumur and to relocate the Court of first instance of Tulle. Detached chambers will also be created in Dole, Guingamp and Marmande to enhance access to justice and to rebalance the distribution of jurisdictions on the national territory. This reform, through the Executive Order No. 2013-1258 of 27 December 2013 amending the judiciary, will enter into force on 1 September 2014.

France – Data tables for each indicator (2010/2012)

France	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	65 026 885	65 585 857
2#1#1 Total of annual State pb expenditure State level	682 700 000 000	421 200 000 000
3 GDP Per capita GDP (in €)	29 805	31 059
4 Average gross annual salary in €	33 512	34 100
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	3 574 350 963	3 647 125 137
12#1#1 Total annual appr pb budget allocated to LA	361 197 138	367 180 000
13#1#1 An appr pb bd alloc_pb prosecution system	NAP	NAP
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	3 574 350 963	3 647 125 137
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	2 174 257 350	2 298 785 554
6#2#3 Amount_Annnual appr bd of the courts_Computer	48 085 112	50 457 182
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	475 409 713	478 570 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	273 692 554	252 782 592
6#2#6 Amount_An appr bd_courts alloc invest_ new build	157 210 031	140 770 000
6#2#7 Amount_Annnual appr budget_courts alloc_Training	72 585 033	84 275 231
6#2#8 Amount_Annual approved budget_courts alloc_Other	373 111 170	341 484 578
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	No
Amount_An approved budget alloc whole justice	7 517 535 561	8 087 936 029
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		NA
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	65 026 885	65 585 857
Amount_An approved budget alloc whole justice	7 517 535 561	8 087 936 029
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	Yes	Yes
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	774	778
42#1#2 Specialised first instance courts	1 157	1 156
42#1#3 All the courts (geographic locations)	630	640

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	1 157	1 156
43#1#2 Nr of commercial courts	143	143
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	216	216
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	42	42
43#1#8 Nr of insurance_soc welfare courts	115	115
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	641	640

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	307	309
45#1#2 Nr_1st instance courts competent_dismissal	216	216
45#1#3 Nr_1st instance courts competent_robbery	165	165

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	1 566 570	1 654 187
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	1 318 782	1 415 720
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	9 677	10 829
91#1#4 Pending cases_1 Jan _Enforcement cases	53 194	58 279
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	184 917	169 359
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	2 294 650	2 185 753
91#2#2 Incoming cases_Civil&com litig cases	1 793 299	1 688 929
91#2#3 Incoming cases_Civil&com nonlit cases	100 863	91 935
91#2#4 Incoming cases_Enforcement cases	225 111	226 398
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	175 377	178 491
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	2 269 210	2 189 186
91#3#2 Resolved cases_Civil&com litig cases	1 764 255	1 675 838
91#3#3 Resolved cases_Civil&com nonlit cases	100 609	93 417
91#3#4 Resolved cases_Enforcement cases	217 298	229 551
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	187 048	190 380
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 592 010	1 650 754
91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 347 826	1 428 811
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	9 931	9 347
91#4#4 Pending cases_31 Dec _Enforcement cases	61 007	55 126
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	173 246	157 470

91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	99%	100%
CR Civil&com litig cases	98%	99%
CR Civil&com nonlit cases	100%	102%
CR Enforcement cases	97%	101%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	107%	107%
CR Other cases		
DT Total non DTim cases	256	275
DT Civil&com litig cases	279	311
DT Civil&com nonlit cases	36	37
DT Enforcement cases	102	88
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	338	302
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		1%
CR Civil&com litig cases		1%
CR Civil&com nonlit cases		2%
CR Enforcement cases		5%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		0%
CR Other cases		
DT Total non DTim cases		7%
DT Civil&com litig cases		12%
DT Civil&com nonlit cases		1%
DT Enforcement cases		-14%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-11%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	103 566	92 864
101#2#2 Incoming cases_Employment dismissal	141 469	124 434
Incoming Insolvency cases		55 561
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	98 209	92 659
101#3#2 Resolved cases_Employment dismissal	130 981	130 478
Resolved Insolvency cases		47 942
101#3#3 Resolved cases_Robbery cases	4 871	4 224
101#3#4 Resolved cases_Intentional homicide	437	400
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		86%
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	248 666	264 198
97#1#2 Pending cases_1 Jan _Civil&com litig cases	219 459	224 664
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	11 211
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	29 207	28 323
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	271 375	265 158
97#2#2 Incoming cases_Civil&com litig cases	243 967	206 339
97#2#3 Incoming cases_Civil&com nonlit cases	NA	30 325
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	27 408	28 494
97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	261 361	263 746
97#3#2 Resolved cases_Civil&com litig cases	233 577	204 319
97#3#3 Resolved cases_Civil&com nonlit cases	NA	30 258
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	27 784	29 169

97#3#8 Resolved cases_Other cases	NAP	NAP
97#4#1 Pending cases on 31 Dec _Total_non crim cs	258 680	265 610
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	229 849	226 684
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	11 278
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	28 831	27 648
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	96%	99%
CR Civil&com litig cases	96%	99%
CR Civil&com nonlit cases		100%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	101%	102%
CR Other cases		
DT Total non DTim cases	361	368
DT Civil&com litig cases	359	405
DT Civil&com nonlit cases		136
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	379	346
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	25 957	27 533
99#1#2 Pending cases_1 Jan _Civil litigious cs	18 105	20 666
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	7 852	6 867
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	29 727	30 833
99#2#2 Incoming cases_Civil litigious cs	20 353	21 798
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	9 374	9 035
99#2#8 Incoming cases_Other cs	NA	NA

99#3#1 Resolved cases_Total _non crim law cs	29 797	30 005
99#3#2 Resolved cases_Civil litigious cs	19 855	20 874
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	9 942	9 131
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	25 887	28 361
99#4#2 Pending cases_31 Dec _Civil litigious cs	18 603	21 590
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	7 284	6 771
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	100%	97%
CR Civil&com litig cases	98%	96%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	106%	101%
CR Other cases		
DT Total non DTim cases	317	345
DT Civil&com litig cases	342	378
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	267	271
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	11,6	11
102#1#2 %_decisions subj to appeal_Empl dismissal	66,3	64
% decisions subj to appeal Insolvency		3
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	585	636
102#3#2 1st inst average length_Empl dismissal	389	543
1st inst average length Insolvency		690
102#3#3 1st inst average length_Robbery cases	278	259
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	331	380
102#4#2 2nd inst average length_Empl dismissal	423	466
2nd inst average length Insolvency		358
102#4#3 2nd inst average length_Robbery cases	247	317
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NAP
3rd inst average length_Empl dismissal		NAP
3rd inst average length Insolvency		NAP
3rd inst average length_Robbery cases		NAP
3rd inst average length_Intent homicide		NAP
Average total length_Lit divorce cs		676
Average total length_Empl dismissal		838
Average total length Insolvency		701
Average total length_Robbery cases		295
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	65 026 885	65 585 857
91#2#1 Incoming cases_Total_non crim cases	2 294 650	2 185 753
91#2#2 Incoming cases_Civil&com litig cases	1 793 299	1 688 929
91#2#3 Incoming cases_Civil&com nonlit cases	100 863	91 935
91#2#4 Incoming cases_Enforcement cases	225 111	226 398
91#2#7 Incoming cases_Admin law cases	175 377	178 491
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 592 010	1 650 754
91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 347 826	1 428 811
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	9 931	9 347
91#4#4 Pending cases_31 Dec _Enforcement cases	61 007	55 126
91#4#7 Pending cases_31 Dec _Admin law cases	173 246	157 470
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges		No

deliver an oral judgement with a written order and dispense with a full reasoned judgement?		
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NA	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NA	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NA	NA
186#1#4 Notification_dec_parties_same city as Ct_more	NA	NA
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		Yes
Indicator 4: The efficiency and the quality of the judicial system		
Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	Yes
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes

78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		Yes
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No

38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	Yes	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	65 026 885	65 585 857
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	361 197 138	367 180 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		59 060 000

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	65 026 885	65 585 857
12#1#1 Total annual appr pb budget allocated to LA	361 197 138	367 180 000
20#1#1 Total Number of cases granted with legal aid	911 873	915 563
20#1#2 Nr of criminal cases granted with legal aid	394 120	374 737
20#1#3 Nr non criminal cases granted with legal aid	517 753	540 826

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NAP

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	3 574 350 963	3 647 125 137
9 Annual income of court taxes received by the State	NAP	NAP

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	No	No
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	+50% of courts	+50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	-50% of courts	-50% of courts
64.1.4 Electronic registers	-50% of courts	-50% of courts
64.1.5 Electronic processing of small claims	-50% of courts	-50% of courts
64.1.6 Electronic processing of undisputed debt recovery	-10% of courts	-10% of courts
64.1.7 Electronic submission of claims	-10% of courts	-10% of courts
64.1.8 Videoconferencing	-50% of courts	-50% of courts
64.1.9 Other electronic communication facilities	-50% of courts	-50% of courts

Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes

110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	Compulsory	Compulsory
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	40 660	36 793
132#1#2 Gross An sal: Judge_Supr Ct	113 478	110 082
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	40 660	37 798
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	113 478	110 082
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	31 599	31 196
132#2#2 Net An sal: Judge_Supr Ct	92 961	93 762
132#2#3 Net An sal: Pb prosecutor_beg_carrier	31 939	32 112
132#2#4 Net An sal: Pb prosecutor_Supr Ct	92 961	93 762
4 Average gross annual salary in €	33 512	34 100
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No

Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	67 ans
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	3	3
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	8	4
144#1#2 Discipl proc against judges_Breach_pro ethics	2	3
144#1#3 Discipl proc against judges_Prof inadequancy	3	1
144#1#4 Discipl proc against judges_Criminal offence	2	0
144#1#5 Discipl proc against judges_Other	NA	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	Yes	Yes
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	11	7
145#1#2 Sanctions against judges_Reprimand	0	3
145#1#3 Sanctions against judges_Suspension	0	2

145#1#4 Sanctions against judges_Removal of cases	4	1
145#1#5 Sanctions against judges_Fine	NAP	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	NAP	NAP
145#1#7 Sanctions against judges_Position downgrade	1	0
145#1#8 Sanctions against judges_Transfer_another geo loc	6	1
145#1#9 Sanctions against judges_Dismissal	0	NAP
145#1#10 Sanctions against judges_Other	0	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	248	245
47#1#2 Number of 1st instance presidents	201	196
47#1#3 Number of 2nd instance presidents	45	47
47#1#4 Number of supreme court presidents	2	2
47#2#1 Total Nr of court presidents_males	178	175
47#2#2 Number of 1st instance presidents_males	143	139
47#2#3 Number of 2nd instance presidents_males	33	34
47#2#4 Number of supreme court presidents_males	2	2
47#3#1 Total Nr of court presidents_females	70	70
47#3#2 Number of 1st instance presidents_females	58	57
47#3#3 Number of 2nd instance presidents_females	12	13
47#3#4 Number of supreme court presidents_females	NA	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	Yes	Yes

48#2#1 Nr_professional judges_gross figure	€ 578,0	€ 428,0
48#1#2 Professional judges	NA	Yes
48#2#2 Nr_professional judges_full-time equivalent		€ 214,0
49#1#1 Non-professional judges	Yes	No
49#2#1 Number of non-professional judges_Gross figure	€ 28 859,0	€ 24 932,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	Yes	Yes
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	Yes	Yes

164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	Yes	Yes
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	65 026 885	65 585 857
166#1#2 Number of accredited mediators		NAP
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		2 954
167#2#3 Judicial mediation procedures_Family cases Nr		2 740
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		15 231
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	65 026 885	65 585 857
46#1#1 Total Nr of professional judges	6 945	7021.3
52#2#1 Nr_non-judge staff who are working in courts	21 105	21 758
146 Total number of practicing lawyers	51 758	56 176
170 Number of enforcement agents		3 237 3 209
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	51 758	56 176
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	6 945	7021.3
1 Number of inhabitants	65 026 885	65 585 857
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes

149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	3 237	3 209
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	Yes	Yes
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine		
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes

178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	Yes	Yes
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	21 105	21 758
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	18 189	17663(15517)
52#2#4 Number_Staff in charge of administrative tasks	1 500	1352(1060)
52#2#5 Number of Technical staff	927	964(190)
52#2#6 Number of Other non-judge staff	489	1 779
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

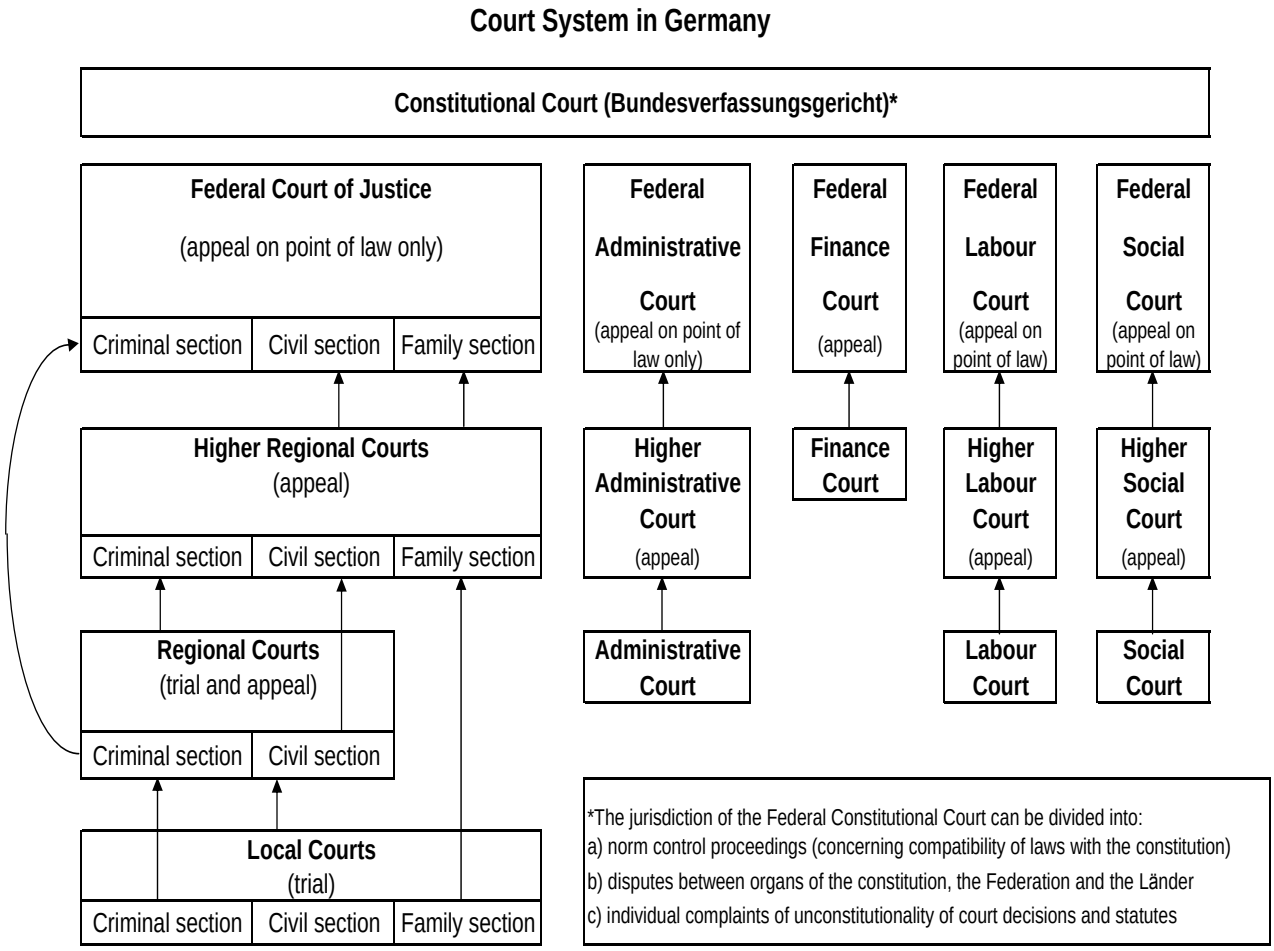
Germany

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Germany	80 233 100	356 353 000 000	32 550	€ 44 991

1. Presentation of the functioning of the judicial system



The appeal system in criminal, civil and family cases is complicated:

Criminal cases: Appeals from local courts to regional courts, further appeal to higher regional courts
Appeals from regional courts (trials, first instance) only to federal court of justice

Civil cases: Appeals from local courts to regional courts, no further appeal
Appeals from regional courts (first instance) to higher regional courts, further appeal to federal court of justice

Family cases: Appeals from local courts to higher regional courts, further appeal to federal court of justice

(Appeals to federal court of justice are subject to further conditions)

Germany has 7 enforcement agents per 100 000 inhabitants (higher than the EU median of 5 enforcement agents per 100 000 inhabitants).

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 9 170 186 780 euros.

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 114,29 euros.

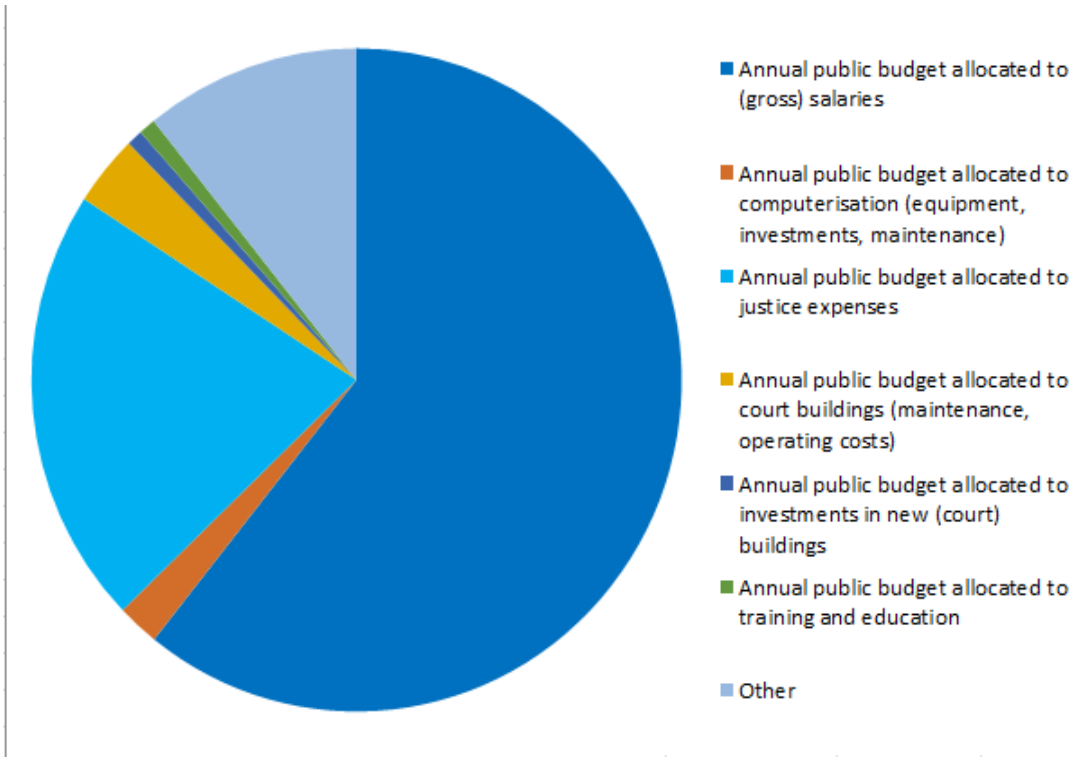
This ratio is higher than the EU average (62,22) and higher than the EU median (47,43). Germany belongs to the group of European States with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

-Annual public budget allocated to (gross) salaries

-Annual public budget allocated to justice expenses

-Other



- **Budget allocated to the whole justice system : 13 392 212 369 euros**

Between 2010 and 2012, the justice system cost per capita has increased by 2 %.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Germany is 19 832 which is equal to the 2010 numbers.

This represents 25 judges per 100 000 inhabitants (more than the EU median of 19 judges per inhabitant).

An initial training for judges is compulsory.

    - Non-judge staff

In Germany there are 53 649 non-judges staff including:

- 8 461 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 29 144 non-judge staff whose task is to assist the judges such as registrars,
- 7 478 staff in charge of different administrative tasks and of the management of the courts,
- 1 281 technical staff
- 7 286 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

    - **Lawyers**

In Germany, there are 160 880 lawyers (this category does not include the legal advisors), which is 3 % more than in 2010.

This data represent 201 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 8,1 lawyers per professional judges.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT)

The clearance rates which could be evaluated in first instance concerning certain categories reveal a sound situation. According to the disposition time indicator, except in respect of the business registry cases, the system is able to deal with cases in less than a year (civil and commercial litigious cases, administrative law cases) or in less than two years (other cases).

    - Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance in Germany are not available.

- Systems for measuring and evaluating the court performance

In Germany, individual courts are required to prepare an annual activity report**.**

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the length of proceedings and monitoring of other elements exists within the courts.

- **Alternative dispute resolutions**

Germany knows mediation, arbitration, other than judicial mediation and conciliation.

- **The ICT tools of courts and for court users**

Germany is developing an ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, e-mail and internet connection (100%); low level as concerns electronic files (-10%).

- administration and management (highest level as concerns case registration system and financial information system (100%), above the average as concerns court management information system and videoconferencing +50%);

- electronic communication and exchange of information between the courts and their environment (highest level as concerns website, follow-up of cases online, electronic registers (100%); above the average as concerns electronic web forms (+50%);

- low level as concerns electronic web forms, , electronic processing of small claims and videoconferencing (-10%); other electronic communication facilities (+50%); below the average as concerns videoconferencing (-50%) and low level as concerns electronic processing of small claims (-10% of courts).

Videoconferencing is used in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

Greece (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Greece	11 062 508	Data non available	17 161	Data non available

1. Presentation of the functioning of the judicial system

According to the Greek Constitution there are three categories of courts: civil, criminal and administrative.

According to 2012 data, there are 402 first instance courts of general jurisdiction in Greece. There are no specialized first instance courts. The Supreme Court of the civil and penal justice is the Court of Cassation, while the Supreme Court of the administrative justice is the Council of State. Hence, Greek judges belong to one of these two branches. Civil cases are judged at first instance by the District Courts or the Courts of First Instance, according to the estimated value of the matter disputed at law. At second instance, cases are decided on by the Courts of First Instance or the Courts of Appeal, again according to the estimated value of the matter disputed at law. At third instance, cases are judged by the Court of Cassation. Cases concerning employment dismissal follow a special procedure and are dealt with at first instance by the Department of Labour Disputes of the Single-Member First Instance Court and on appeal by the competent Court of Appeal. If the judicial control of an administrative act pertain its merit, the administrative acts must be appealed against with the legal remedies of the recourse or of the suit and are of Administrative Courts jurisdiction (of First Instance and of Appeal). In the other cases they must be appealed against with the legal remedy of the writ of annulment and are under the jurisdiction either of the Council of State or of the Administrative Court of Appeal.

There are 155 first instance courts competent for a debt collection for small claims. Basically, there are 155 Magistrate Courts, where small claims up to 5.000 euro are discussed according to law 3994/2011.
According to 2012 data, the number of enforcement agents in Greece is 2 110, which is exactly the same figure than in 2010.
It represents 19 enforcement agents per 100 000 inhabitants (meaningfully higher than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is more than 30 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 450 970 924 euros

This figure includes the budget intended to public prosecution services and the legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 40,77euros

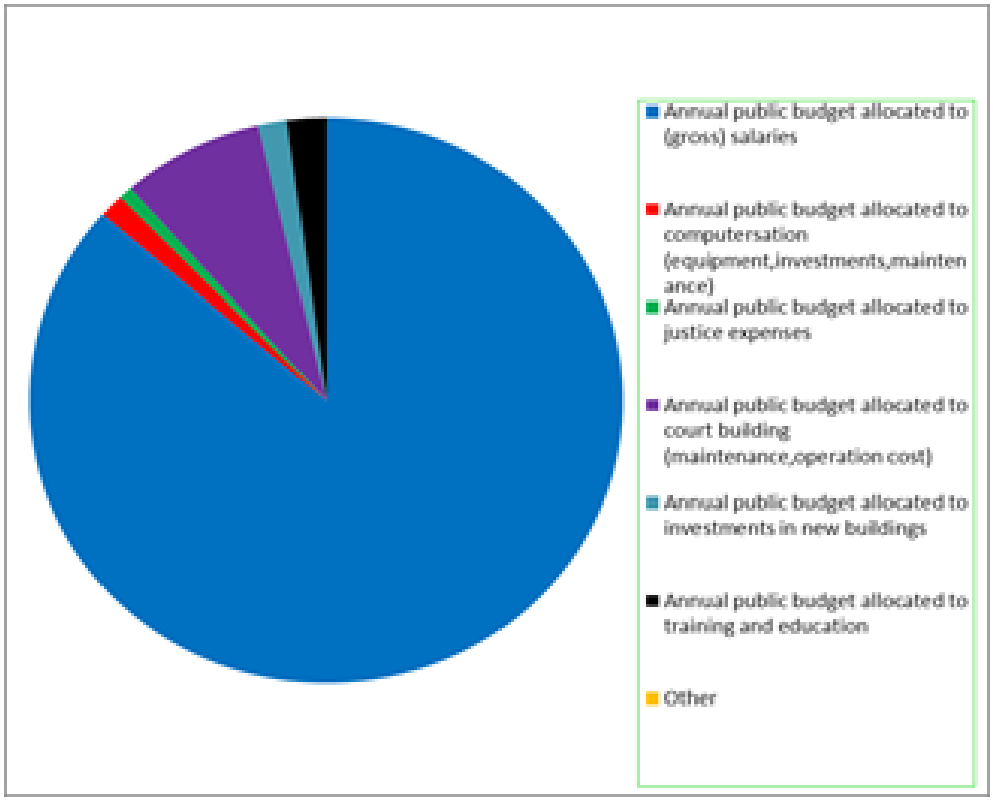
This ratio is considerably lower than the EU average (62,22) and below the EU median (47,43).

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to gross salaries ;

- annual public budget allocated to court building (maintenance, operation code);

- annual public budget allocated to training and education.



- **Budget allocated to the whole justice system : 641 115 896 euros**

This budget includes the following budgetary elements: court; legal aid; public prosecution services; prison system; probation services; Council of the Judiciary; judicial management body; notariat; forensic services; judicial protection of juveniles and functioning of the Ministry of Justice. The budget for the refugees and asylum seekers is drawn by the Ministry of Public Order and Citizen Protection. The budget for the State Advocacy - which in Greece we call Legal Council of State-is drawn by the Ministry of Finance.

Between 2010 and 2012, the justice system cost per capita has decreased by 8%.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Greece is of 2 574 which is 22% less than in 2010. (The total number given refers to the judicial officials of the civil-penal and administrative courts (688 Magistrates are not included; Court of Auditors' Judges are also not included)).

This represent 23 judges per 100 000 inhabitants (more than the EU median of 19 judges per 100 000 inhabitants). Despite this ratio situated above the European median, the levels for the indicators of the clearance rate and the disposition time show the incapacity of the system to deal with incoming cases in a reasonable timeframe avoiding constitution of backlogs (except before the highest instance court as to the latter parameter).

Judges are recruited trough a competitive exam.

The initial training is compulsory as well as the general in-service training, the in-service training for specialised judicial functions (*e.g*. judge for economic or administrative issues) and the in-service training for the use of computer facilities in courts.

The gross annual salary of a first instance professional judge is 30 160 euros (the ratio with regard to the national average gross annual salary is not available), which is considerably lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 57 009 euros (the ratio with regard to the national average gross annual salary is not available), which is considerably lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is of 67 years). Nevertheless, there is a 1.5 year probation period before appointment for life.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Greece there are 5 327 non-judges staff.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 8 300 000 euros (0,75 euros per capita)

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice.

Data concerning the total number of cases granted with legal aid per 100 000 inhabitants as well as data concerning the average amount of legal aid allocated per case are not available.

  - **Court fees**

The annual income of court fees or taxes received by State is of 99 050 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 22% (hardly above the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in the following situations: criminal cases and other than criminal cases.

  - **Lawyers**

In Greece, there are 42 113 lawyers (this category does not include legal advisors), which is 1% more than in 2010.

This data represents 381 lawyers (without legal advisers) per 100 000 inhabitants (meaningfully higher than the EU median of 106 lawyers per 100 000 inhabitants) and 16,4 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil, criminal and administrative cases.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The legislation provides for rules on lawyers' fees which are freely negotiated.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The level for the indicator of the clearance rate of the Greek judicial system in first and second instances shows a generation of backlogs. By contrast, before the highest instance court, the system enables judges to deal with incoming cases while backlogs are decreasing. The disposition time indicator reveals, especially in second instance, excessive length of proceedings.

"It should be noted that the answers correspond to the data provided to the Ministry of Justice, Transparency and Human Rights by Magistrate Courts, Courts of First Instance and Courts of Appeal. Note that:1) The Ministry of Justice, Transparency and Human Rights cannot verify the legitimacy of the answers, due to the lack of IT system; 2) Recent law changes have altered the jurisdiction of courts, so the numbers with the previous period cannot be compared."

    - Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance in Greece are not available.

    - Specific procedures for urgent matters

The Greek legislation provides for specific procedures for urgent matters regarding civil, criminal and administrative cases (interim proceedings for civil cases; in criminal matters proceedings for crimes caught in the very act; interim relief for administrative cases).

    - Simplified procedures

The Greek legislation sets forth simplified procedures for simplified procedures for civil cases (small disputes), criminal cases (small offences) and administrative cases. For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Greece, individual courts are required to prepare an annual activity report. Nevertheless, this requirement is not set forth by laws.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases and the length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists**.** Evaluation is based on the annual inspection performed by the Courts Inspectors and the Courts Disciplinary Council of the Supreme Court, Areios Pagos.

In this respect, Greece has defined performance and quality indicators among which the 4 main are: length of proceedings; closed cases; productivity of judges and court staff; enforcement of penal decisions.

The Greek system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are not set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system. Quality standards/systems have been set by the High Council of Judiciary and they have been included in Law 1756/1988.

- **Alternative dispute resolutions**

In Greece, the possibility to resort to judicial mediation exists for civil and commercial cases, family law cases, employment dismissals cases and criminal cases.

Greece knows other than judicial mediation and also arbitration, conciliation and other alternative procedures (quasi-judicial administrative applications in tax disputes).

- **The ICT tools of courts and for court users**

Greece is developing an ICT system for:

- direct assistance of the judges/court clerk (below the average as concerns word processing, electronic data base of case-law, electronic files, e-mail and internet connection (-50%)).

- administration and management (below the average as concerns case registration system and court management information system; low level as concerns financial information system and videoconferencing (-10%));

- electronic communication and exchange of information between the courts and their environment (low level as concerns electronic web forms, website, follow-up of cases online, electronic registers, electronic processing of small claims and videoconferencing (-10%); above the average as concerns other electronic communication facilities (+50%);

In Greece, the videoconferencing is used neither in criminal cases, nor in other than criminal cases.

4. National data collection system

Formally there is no centralized institution for collecting statistical data regarding the functioning of the courts and the judiciary in Greece. However, the Ministry of Justice, Transparency and Human Rights now acts with its coordinating role to collect the relevant data in a more systematic way and with a view to updating the national system of collecting data, so that it meets international needs and standards.
Statistics on the functioning of each court are published on their internet websites.
The system of collecting statistical data is functioning in a manner which does not allow obtaining data in respect of all selected categories of cases, especially as concerns the specific proceedings (litigious divorce cases, employment dismissal cases, insolvency) in first instance. Data related to the length of proceedings are also unavailable.

Greece - Data tables for each indicator (2010/2012)

Greece	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	11 309 885	11 062 508
2#1#1 Total of annual State pb expenditure State level	114 213 000	NA
3 GDP Per capita GDP (in €)	20 108	17 161
4 Average gross annual salary in €	24 460	NA
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	621 000 911	442 670 924
12#1#1 Total annual appr pb budget allocated to LA	2 500 000	8 300 000
13#1#1 An appr pb bd alloc_pb prosecution system	NA	NA
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	621 000 911	442 670 924
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	597 275 000	382 542 800
6#2#3 Amount_Annnual appr bd of the courts_Computer	330 000	5 947 969
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	3 400 000	3 316 045
6#2#5 Amount_An appr bd_courts alloc_Court buildings	10 416 000	34 564 099
6#2#6 Amount_An appr bd_courts alloc invest_ new build	9 379 911	6 903 321
6#2#7 Amount_Annnual appr budget_courts alloc_Training	200 000	9 396 689
6#2#8 Amount_Annual approved budget_courts alloc_Other		0
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	714 721 911	641 115 896
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		NAP
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		NAP
Notariat		Yes

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	NAP	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	11 309 885	11 062 508
Amount_An approved budget alloc whole justice	714 721 911	641 115 896
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	Yes	Yes
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	Yes	No
14#4#3 Evaluation_Court budget_Parliament	Yes	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	462	402
42#1#2 Specialised first instance courts	4	NAP
42#1#3 All the courts (geographic locations)	462	402

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	NAP	NAP
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	NAP
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NA	NAP
43#1#8 Nr of insurance_soc welfare courts	NA	NAP

43#1#9 Nr of military courts	NA	NAP
43#1#10 Nr ofother specialised 1st instance courts	NA	NAP
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	NAP	155
45#1#2 Nr_1st instance courts competent_dismissal	NAP	NA
45#1#3 Nr_1st instance courts competent_robbery	NAP	NA
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?		No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)
Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

91#1#1 Pending cases_1 Jan _Total_non crim cases	567 685	616 391
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	159 031	205 198
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	408 654	411 193
91#1#8 Pending cases_1 Jan _Other cases	NA	NA
91#2#1 Incoming cases_Total_non crim cases	551 700	709 644
91#2#2 Incoming cases_Civil&com litig cases	455 831	645 339
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	NA	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	95 869	64 305
91#2#8 Incoming cases_Other cases	NA	NA
91#3#1 Resolved cases_Total_non crim cases	436 484	464 392
91#3#2 Resolved cases_Civil&com litig cases	359 607	372 296
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	NA	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	76 877	92 096
91#3#8 Resolved cases_Other cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	609 306	861 643
91#4#2 Pending cases_31 Dec _Civil&com litig cases	187 360	478 241
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA

91#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	421 946	383 402
91#4#8 Pending cases_31 Dec _Other cases	NA	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91) Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.		
CR Total non crim cases	79%	65%
CR Civil&com litig cases	79%	58%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	80%	143%
CR Other cases		
DT Total non DTim cases	510	677
DT Civil&com litig cases	190	469
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	2 003	1 520
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91) Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment		

dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	NA	NA
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	NA	NA
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97) Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.		
97#1#1 Pending cases_1 Jan _Total_non crim cases	64 525	89 875
97#1#2 Pending cases_1 Jan _Civil&com litig cases	29 935	38 192
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	34 590	51 683
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	65 305	53 496
97#2#2 Incoming cases_Civil&com litig cases	43 526	25 360
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	21 779	28 136
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	48 484	39 203

97#3#2 Resolved cases_Civil&com litig cases	34 162	19 711
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	14 322	19 492
97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	69 009	105 371
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	27 898	45 044
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	41 111	60 327
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97) Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared		
CR Total non crim cases	74%	73%
CR Civil&com litig cases	78%	78%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	66%	69%
CR Other cases		
DT Total non DTim cases	520	981
DT Civil&com litig cases	298	834
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	1 048	1 130
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99) Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	980
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	980
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NA

99#2#1 Incoming cases_Total _non crim law cs	NA	1 712
99#2#2 Incoming cases_Civil litigious cs	NA	1 712
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	NA
99#3#1 Resolved cases_Total _non crim law cs	NA	1 851
99#3#2 Resolved cases_Civil litigious cs	NA	1 851
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	1 754
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	1 754
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA

Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)

Due to the lack of IT system and due to some recent law changes, the numbers with the previous period cannot be compared.

CR Total non crim cases	108%
CR Civil&com litig cases	108%
CR Civil&com nonlit cases	
CR Enforcement cases	
CR Land registry cases	
CR Business reg cases	
CR Admin law cases	
CR Other cases	
DT Total non DTim cases	346
DT Civil&com litig cases	346
DT Civil&com nonlit cases	
DT Enforcement cases	
DT Land registry cases	
DT Business reg cases	
DT Admin law cases	
DT Other cases	

Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	11 309 885	11 062 508
91#2#1 Incoming cases_Total_non crim cases	551 700	709 644
91#2#2 Incoming cases_Civil&com litig cases	455 831	645 339
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	95 869	64 305
91#4#1 Pending cases_31 Dec _Total_non crim cases	609 306	861 643
91#4#2 Pending cases_31 Dec _Civil&com litig cases	187 360	478 241
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	421 946	383 402

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	Yes

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	Yes	Yes
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)

67 Are courts required_prepare_annual activity report	No	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	Yes	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	No	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	No
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	Yes
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	Yes	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No

President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	No	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No
Indicator 5: Legal aid and court fees		
Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	11 309 885	11 062 508
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	2 500 000	8 300 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA
Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	No	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes
Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes
Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	11 309 885	11 062 508
12#1#1 Total annual appr pb budget allocated to LA	2 500 000	8 300 000
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA

20#1#3 Nr non criminal cases granted with legal aid	NA	NA
Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)		
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NA
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	621 000 911	442 670 924
9 Annual income of court taxes received by the State	88 340 000	99 050 000
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	Yes	Yes
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	-50% of courts	-50% of courts
62.1.2 Electronic data base of jurisprudence	-50% of courts	-50% of courts
62.1.3 Electronic files	-50% of courts	-50% of courts
62.1.4 E-mail	-50% of courts	-50% of courts
62.1.5 Internet connection	-50% of courts	-50% of courts
63.1.1 Case registration system	-50% of courts	-50% of courts
63.1.2 Court management information system	-50% of courts	-50% of courts
63.1.3 Financial information system	-10% of courts	-10% of courts
63.1.4 Videoconferencing	-10% of courts	-10% of courts
64.1.1 Electronic Web forms	-10% of courts	-10% of courts
64.1.2 Website	-10% of courts	-10% of courts
64.1.3 Follow-up of cases online	0 % of courts	-10% of courts
64.1.4 Electronic registers	-10% of courts	-10% of courts
64.1.5 Electronic processing of small claims	0 % of courts	-10% of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	-10% of courts
64.1.7 Electronic submission of claims	0 % of courts	-10% of courts

64.1.8 Videoconferencing	0 % of courts	-10% of courts
64.1.9 Other electronic communication facilities	-10% of courts	+50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	No	No
65#2#1 Court hearing held in police station and/or prison	No	No
65#3#1 Legislation_using videoconferencing in courts	No	No
65#4#1 Use of videoconferencing in other than crim cases	No	No

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	No training offered	No training offered
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Compulsory
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	Yes	Yes
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	34 193	30 160
132#1#2 Gross An sal: Judge_Supr Ct	101 652	57 009
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	34 193	30 160
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	101 652	57 009

132#2#1 Net An sal: 1st inst prof jud_beg_carrier	29 640	22 070
132#2#2 Net An sal: Judge_Supr Ct	91 200	47 030
132#2#3 Net An sal: Pb prosecutor_beg_carrier	29 640	22 070
132#2#4 Net An sal: Pb prosecutor_Supr Ct	91 200	47 030
4 Average gross annual salary in €	24 460	NA
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	Yes
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	67
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	Yes	
122#1#2 Duration of the probation period	2	2
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	51	18
144#1#2 Discipl proc against judges_Breach_pro ethics	38	16
144#1#3 Discipl proc against judges_Prof inadequancy	13	2
144#1#4 Discipl proc against judges_Criminal offence	NAP	0
144#1#5 Discipl proc against judges_Other	NAP	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		

142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	Yes
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	8	13
145#1#2 Sanctions against judges_Reprimand	5	1
145#1#3 Sanctions against judges_Suspension	1	1
145#1#4 Sanctions against judges_Removal of cases	NAP	0
145#1#5 Sanctions against judges_Fine	1	9
145#1#6 Sanctions against judges_Temp reduction_sal	NAP	0
145#1#7 Sanctions against judges_Position downgrade	NAP	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	0
145#1#9 Sanctions against judges_Dismissal	1	0
145#1#10 Sanctions against judges_Other	NAP	2
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_impartial	Yes	Yes
85C Number of successful challenges (in a year)		
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	563	573
47#1#2 Number of 1st instance presidents	398	402
47#1#3 Number of 2nd instance presidents	162	169
47#1#4 Number of supreme court presidents	3	2
47#2#1 Total Nr of court presidents_males	185	174
47#2#2 Number of 1st instance presidents_males	101	88
47#2#3 Number of 2nd instance presidents_males	81	85
47#2#4 Number of supreme court presidents_males	3	1
47#3#1 Total Nr of court presidents_females	378	399
47#3#2 Number of 1st instance presidents_females	297	314
47#3#3 Number of 2nd instance presidents_females	81	84
47#3#4 Number of supreme court presidents_females	NA	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the		

situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		€ 0,0
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods		
Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	No	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		

164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	Yes
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	Yes
164#4#2 Judge_Family law cases	No	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	Yes	Yes

Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	11 309 885	11 062 508
166#1#2 Number of accredited mediators		NA
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	11 309 885	11 062 508
46#1#1 Total Nr of professional judges	3 313	2 574
52#2#1 Nr_non-judge staff who are working in courts	6 760	5 327
146 Total number of practicing lawyers	41 794	42 113

170 Number of enforcement agents		2 110	2 110
52.2.2 Number Non-judge staff (Rechtspfleger)			
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)			
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)			
146 Total number of practicing lawyers	41 794	42 113	
148 Number of legal advisors	NAP	NA	
147 Does "Nr of lawyers" include “legal advisors”?	No	No	
46#1#1 Total Nr of professional judges	3 313	2 574	
1 Number of inhabitants	11 309 885	11 062 508	
Table 9.5. Monopoly of legal representation (Q 149)			
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes	
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes	
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes	
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes	
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No	
Table 9.6. Lawyers’ fees (Q 154, 155, 156)			
154 Can users establish what lawyers' fees will be?	Yes	Yes	
155 Lawyers' fees are_freely negotiated	Yes	Yes	
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes	
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No	
156#1#3 Providing rules_lawyers' fees_Nobody	No	No	
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)			
170 Number of enforcement agents	2 110	2 110	
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)			
178#1#1 Auth resp_supervision_EA_Professional body	No	No	
178#1#2 Auth resp_supervision_EA_Judge	No	Yes	
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes	
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes	
178#1#5 Auth resp_supervision of EA_Other	No	No	
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)			
187#2#1 Nr_Discipl proceedings against EA_Total	51	20	
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	45	0	
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		15	
187#2#4 Nr_Discipl proc against EA_Criminal offence	6	5	

187#2#5 Nr_Discipl proc against EA_Other		0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	15	20
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		0
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	5	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	1	5
188#2#5 Nr_Sanctions pronounced against EA_Fine	9	15
188#2#6 Nr_Sanctions pronounced against EA_Other		0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	Yes
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	6 760	5 327
52#2#2 Number Non-judge staff (Rechtspfleger)		

52#2#3 Nr_Non-judge staff assisting the judges		
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	No	No
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	No	Yes

Hungary (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Hungary	9 908 798	51 573 528 468	9 800	€ 9 137

1. Presentation of the functioning of the judicial system

In Hungary the judicial system is structured in the following way: there are 131 generally competent district courts in first instance out of which the district courts in the seat of the regional courts have special competences in many cases. There are 20 administrative and labour courts in first instance, 20 regional courts – dealing with cases in first instance as well as appeals coming from administrative and labour courts in second instance; 5 regional courts of appeal – dealing with first instance cases coming from regional courts, third instance in criminal cases; the Curia (Supreme Court) – reviews legal remedies, appeals, adopts uniformity decisions, which are binding for all other courts, analyses final decisions to examine and explore judicial practice, publishes decisions on principles. The Curia passes decisions in cases where local government decrees violate legal rules, and reverse them, passes decisions in cases where the local government fails to legislate as laid down in the act on local governments.
There are 111 first instance courts competent for a debt collection for small claims (claims not exceeding one million HUF (3.413 EUR), under the jurisdiction of the local courts) and 20 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in Hungary is of 198 (this figure includes 9 permanent substitutes), which is 8% more than in 2010.
Concerning the enforcement fees, transparency and easy access are granted to courts' users. They are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 6 and 10 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 452 447 662 euros

This figure includes the budget intended to public prosecution services and legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 45,66 euros

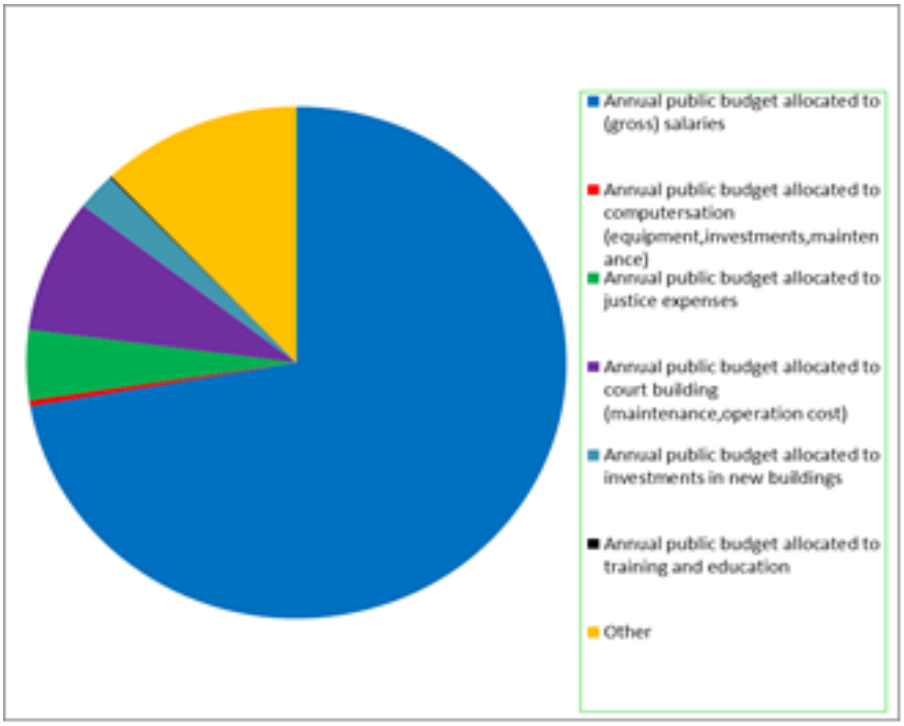
This ratio is lower than the EU average (62,22) and below but close to the EU median (47,43).

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries;

- annual public budget allocated to court building (maintenance, operation cost);

- other (for example, income taxes, health insurance, social insurance for the staff, functional costs including maintenance of office buildings and 2.5 % reserve).



- **Budget allocated to the whole justice system: 1 609 052 020 euros**

Just as in 2010, the number includes the Ministry's total budget, as well as public administration and justice.

More specifically, this budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, Council of the judiciary, judicial management body and functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita has increased by 1%.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Hungary is of 2 767 which is 4% less than in 2010.

This represents 28 judges per 100 000 inhabitants (considerably higher than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited trough a competitive exam. The applicants will be ranked by the Judicial Councils of the Courts on the basis of the objective criteria specified in the Act. The president of the High Court and of the tribunal will submit the proposal for appointment to the president of National Office for the Judiciary in line with the ranking, or by deterring from the ranking –with an attached reasoning. The president of NOJ may select the person proposed for appointment from among the persons ranked first, second or third on the list (if it is not the first ranked person, a written notification to the NJC is necessary). He submits proposal to the President of the Republic who should be appointed as a judge.

An initial training and an in-service training for specialised judicial functions are compulsory.

The gross annual salary of a first instance professional judge is 17 644 euros (1,9 X the national average gross annual salary), which is meaningfully lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 35289 euros (3,9 x the national average gross annual salary), which is meaningfully lower than the EU average (88 218 euros).

Judges are appointed to office for an undetermined period. There is a 3 year probation period before appointment for life. The compulsory retirement age is of 70 years. In 2012, the European Commission decided to launch infringement proceedings against Hungary concerning legislation adopted in 2011 lowering the mandatory retirement age for judges, prosecutors and public notaries from 70 to 62 years within a very short transition period According to the Court of Justice of the European Union judgment (case C-286/12), the forced early retirement of hundreds of judges and prosecutors in the course of 2012 as well notaries in 2014, under a new Hungarian law, constituted unjustified age discrimination. The Hungarian authorities took the necessary measures to bring legislation in line with EU law. By a new law adopted by the Hungarian Parliament on 11 March 2013 the retirement age for judges, prosecutors and notaries is lowered to 65 over a period of 10 years, The new law also provides for the right for all judges and prosecutors who had been forced to retire before to be reinstated in their posts, with no need to bring a case to court. Moreover, they will be compensated for remuneration lost during the period they were not working.

A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Hungary there are 8 142 non-judges staff including:

- 767 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal;
- 2 406 non-judge staff whose task is to assist the judges such as registrars;
- 4 969 other staff (persons who have passed the professional legal examination may be appointed to court secretaries; in cases defined by law the court secretaries shall perform the duties of the judge).

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 907 974 euros (0,09 euros per capita)

Detailed data are not provided. The difference between the two cycles is due to the fact that each year this budget is developed.

The legal aid is granted in criminal cases and other than criminal cases for representation in court and legal advice.

Legal aid does not include the full coverage of court fees, but only the fee for the appointed lawyer. This kind of legal aid is granted by the justice service's decision based upon either the evaluation of the client's overall income and assets or the personal exemption of costs and fees, which is granted by the court. The legal aid system consists of covering court fees and the service of an attorney at law for free.

Legal aid could be granted for fees related to enforcement judgments.

The total number of cases granted with legal aid per 100 000 inhabitants is 75 (extremely below the EU average of 765 and the EU median of 551). The average amount of legal aid allocated per case is € 122 euros (extremely lower than the EU average of 2 543 euros and meaningfully below the EU median of 803 euros).

  - **Court fees**

The annual income of court fees or taxes received by State is 14 897 692 euros and the share of court fees or taxes in the annual budget allocated to all courts is 3% (extremely below the EU average of 21% and meaningfully lower than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for starting a proceeding at a court of general jurisdiction in other than criminal cases.

The Act XCIII of 1990 on Duty Allowances in Court Proceedings specifies the exemptions from charges of court fees in civil and criminal proceedings, as well as cases of partial exemption.

- **Lawyers**

In Hungary, there are 13 000 lawyers (this category does not include legal advisors), which is 7% more than in 2010.

The figures are the yearly average in 2012. Including approx. 100 employed lawyers and 20 European counsels registered in Hungary, but not including approx. 2,000 articling lawyers, not yet admitted to the bar.

This data represent 131 lawyers (without legal advisers) per 100 000 inhabitants (higher than the EU median of 106 lawyers per 100 000 inhabitants) and 4,7lawyers per professional judges.

Lawyers have monopoly on legal representation in criminal cases with regard to the defendants.

They have a monopoly of representation in civil cases before the appeal courts and the Curia (Supreme Court), but not before local and county courts. The regulation of civil procedures (Section 73/A of Act III of 1952 on the Code of Civil Procedure) prescribes legal representation in the following cases:

- for the parties submitting an appeal against a judgment in proceedings before the Court of Appeal as well as rulings made on the merits of the case or an appeal or petition for review specified by law in proceedings before the Supreme Court;

- in other cases defined by law (*e.g*. company law);

There is of course the possibility of submitting the application by another authorized representative (a lawyer, for example) appointed by the party or its legal representative. If, however, the law provides otherwise and for example for the law makes personal participation obligatory in the relevant action, it is not possible to proceed via an authorized representative. The rules concerning the authorized representative, are laid down in the Act on the Code of Civil Procedure.

The parties to administrative proceedings can be represented by any person having the mandate of the parties.

Concerning the lawyers' fees, transparency and easy access to prior information on the foreseeable amount of lawyers' fees are guaranteed. The legislation provides for rules on lawyers' fees which are freely negotiated. Basically, the law applicable on legal fees serves only as guidance for the courts, without being mandatory. As a general rule, the legal fees shall be agreed upon between the client and the lawyer before accepting the mandate. Excessive legal fees may be subject to disciplinary procedure. If no settlement is reached, the fee is decided by the court on the basis provided in law (5% of the claimed amount and at least 10,000 HUF). The parties can ask the judge to apply the fee stipulated by law if they do not want the settlement to become public.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

In the light of the analyse of the levels for the indicators of the clearance rate and the disposition time in first instance, the system appears performing (the clearance rate is of 100% or even higher with regard to all categories of cases and the disposition time reveals that cases are resolved in less than 6 months at this level except for other than criminal cases).

Similar conclusions are to be made in second instance concerning the selected categories, except the clearance rate related to civil and commercial non litigious cases which is of 98%.

In last instance, the system appears clearly less performing: increase of the length of proceedings even if it does not still exceed one year; the clearance rate is between 61% and 96% in accordance with the respective categories, except this of “other than criminal cases” which reveals the capacity of the system to face the case-flow and decrease backlogs.

- Insolvency

The clearance rate for insolvency cases in first instance in Hungary is 109%. The disposition time for insolvency cases in first instance is138 days. According to these indicators, the system is performing in dealing with this category of cases.

- Specific procedures for urgent matters

The Hungarian legislation specific procedures for urgent matters regarding civil, criminal and administrative cases.

For example, according to the Code on Civil Procedure, courts may handle actions for media remedy, actions for termination or limitation of enforcement, in special administrative cases in priority proceedings. In small claim procedure the deadlines are shorter than the general deadlines. Act III of 1952 on the Code of Civil Procedure provides for two types of legal measures to ensure that an opposed claim can be satisfied: interim injunction and provisional enforcement, which provide protection before the legally-binding ruling has been made. This is supplemented by the precautionary measure provided by Act LIII of 1994 on Enforcement

- Simplified procedures

The Hungarian legislation sets forth simplified procedures for civil cases (small disputes), criminal cases (small offences) and administrative cases. For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

For example, in civil cases the procedures related to the order for payment have a simplified and non-contentious nature; the court upon the unilateral claim of the entitled person summons the debtor – without granting him/her a hearing and omitting the procedure of proof – to comply with what has been put forward in the claim or to raise an objection against it. There are also special small claims procedures.

- Systems for measuring and evaluating the court performance

In Hungary, individual courts are required to prepare an annual activity report**.**

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, the length of proceedings and other elements (individual judge statistics, statistics on the reasons of the postponed trials, number of trial days, number of trialled cases, number of cases scheduled for one day, cases under process of an individual judge) exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists.

In this respect, Hungary has defined performance and quality indicators among which the 4 main are: incoming cases, length of proceedings, closed cases and pending cases and backlogs.

The Hungarian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are also set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system.

The court case load statistics are made from monthly, quarterly, six-monthly and annual data. The courts of appeal shall make a professional note on every case of first instance and analyse especially the following: wrong or right implementation of the substantive law, procedural law and the rules of court; quality of the preparation of trials; quality of the trial procedure; grounding of the application of coercive measures; the timeliness of the setting of the trial; the timeliness of the transcription of sentences; quality of the drafting of resolutions. The so earned conclusions are summarized and yearly reported to the judges of first instance.
The teams for analysing the judicial practice of the courts at the Curia evaluate the adjudicating activities of the courts on a given field and periodically report on the observations to the judicial organisation.

- **Alternative dispute resolutions**

In Hungary, the possibility to resort to judicial mediation exists for civil and commercial cases, family law cases, employment dismissals cases and criminal cases.

There are 1 606 accredited mediators in 2012. A registered mediator can be any natural or legal person, who fulfils the requirements (concerning university degree, mediation training etc.) set up by the law.

Data related to the total number of judicial mediation is not available. (6410 criminal cases; there are around 1.500 - 2.000 civil mediation cases each year).

The law as it stands does not make it compulsory for parties to use alternative dispute resolution mechanisms to settle disputes. Mediation is not free of charge; payment is subject to agreement between the mediator and the parties. Under the Mediation Act, on termination of the mediation proceedings the parties may bring their dispute to court, since agreements made in mediation proceedings are not officially enforceable. If the parties participate in mediation after the first hearing and the agreement reached is ratified by the presiding judge only half of the applicable duties are payable. If the parties participate in mediation prior to the civil proceedings only an amount of duty - reduced by the mediator's fee+ VAT, but by no more than 50.000 HUF - must be paid, which cannot be less than 50% of the original amount of duty.

Hungary knows other than judicial mediation and also arbitration, conciliation and other alternative procedures.

For example, the Council for the reconciliation of interests is a permanently operating macro-level, national forum for tripartite cooperation of representatives of workers, employers and the government. Its aim is the exploration of the interests of employers, employees and the government and efforts, reaching agreements, preventing and arranging national conflicts, exchanging information, monitoring the recommendations and alternatives. Besides, the mandate of the Conciliation board implies resolution of disputes between the customer and the business organization with a settlement. Unless otherwise provided by the law, the permanent court of arbitration attached to the Hungarian Chamber of Commerce and Industry acts as the permanent court of arbitration in international cases. Since 2004, there is a Permanent Court of Arbitration for Sport.

The regime of the alternative dispute resolution procedures is mainly governed by Parliamentary Acts.

- **The ICT tools of courts and for court users**

Hungary is developing a quite complete ICT system for:

- direct assistance of the judges/court clerk (highest level as concerns word processing, electronic data base of case-law, e-mail and internet connection (100%); below the average as concerns electronic files (-50%));

- administration and management (highest level as concerns financial information system, case registration system and court management information system (100%); total absence as concerns videoconferencing (0%));

- electronic communication and exchange of information between the courts and their environment (highest level as concerns website, electronic registers, other electronic communication facilities and videoconferencing (100%); above the average as concerns electronic web forms and electronic submission of claims (+50%); total absence as concerns follow-up of cases online, electronic processing of small claims and electronic processing of undisputed debt recovery (0%).

In Hungary, videoconferencing is used in in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station and/or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist (legal basis: Act on Criminal Procedure (Section 244/A (1), Section 244/B (1), Section 244/C (1), Section 244/D (1)).

4. National data collection system

In Hungary the Department of Statistics within the Division of Administration of Courts of National Office for the Judiciary is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. This institution publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data seems to be able to provide data concerning the number of cases (except some of the selected categories of cases such as the total of non-criminal cases or enforcement cases in last instance) as well as data related to the number of cases in respect to specific procedures (litigious divorce cases, employment dismissal cases, insolvency). By contrast, data concerning the average length of these specific procedures are not available.

5. Reforms

Integrated administrative and labour courts were set up from 1 January 2013. The preparation for their establishment started in 2012. Administrative and labour courts shall proceed in the first instance:

- in cases reviewing administrative decisions,
- in cases regarding employment relationships and legal relationships of an employment nature, and
- in other cases referred to them by law.

According to the new organisational structure, the judicial system in the field of public administration and labour has been changed. As provided in the Act, as from 1 January 2013, administrative and labour courts will be set up on the basis of the organisational system of labour courts that has also enjoyed independence so far.
Even today, labour courts acting on the local court level operate in part as administrative courts.
The field of administrative law and the labour courts have an exemplary cooperation even today – due to the special nature of the cases they handle. This would surely be a great help in their structural reform.
Further changes in this field will be implemented in the form of setting up the so called regional judicial divisions of public administration and labour, guaranteeing professional background beyond the borders of the tribunals for the judges involved in the relevant field, and a wide foundation for the establishment of the uniformity of law.

Reforms regarding access to justice and legal aid:

Current changes of the system of legal aid in Hungary mainly focus on the compliance with the European and Hungarian regulations concerning immigration and the asylum procedure.
E-justice
The electronic administration of court procedures will be instituted with financing from the European Union and the European Regional Development Fund.
The aim of the project is the development of electronic registration and access to documents that come into existence during the judicial actions. As a result the operation of justice could be more effective.
The purpose of the project is to increase electronic communication between citizens and courts, to allow, in an electronic form:

* the submission of petitions by the parties and concerned authorities;
* the delivery of documents by the courts to the parties;
* the storage of documents;
* the access to decisions of the courts, presented anonymously.

Reforms regarding the High Judicial Council:

Summary of the President of the National Office for the Judiciary (NOJ)
Annual report 2012
http://www.birosag.hu/sites/default/files/allomanyok/translators/english/vegleges_forditas_osszefoglalo_2012_evi_obhe_beszamolo_osszefoglalo_en.pdf
Reforms concerning civil laws: The New Civil code will enter into force on 15 March 2014 l

Reforms regarding mediation and other ADR:

On the basis of the decision of the National Council for Jurisdiction, a National Mediation Pilot Program took place from 1st of March 2009 till 28th of February 2010, with the contribution of the National Mediation Association, in order to examine the application, and/or efficiency of mediation in the course of civil procedures. The program justified − among others −, that the intention of the parties, that is, the settlement of dispute has been increased by the mere recommendation of the mediation.
In the case of judicial mediation, the procedure is initiated on the basis of mutual agreement of the parties. The mediator (separately from the judge) proceeds, under secrecy, while the judge controls the mediation procedure namely that the content of the mutual agreement is suitable for the approval of the court. During the period of mediation, the judge does not adopt a decision on the merits of the case, and there is no double procedure simultaneously (procedure at the court and the mediator).
Legal instruments of the judicial shepherd (mediation), appear in the legislation, which encourage the parties to choose the mediation procedure voluntarily. Among these, the most significant are the modifications to the Civil Procedure Code, the Act on Charges, and the Act on the Service of Judicial Employees. The detailed rules in relation to judicial mediation are provided by the Order 14/2002 (VIII.1.) of the Minister of Justice, the Rules on Judicial Case Management, and the Rules issued by the President of the National Office for the Judiciary.
In October 2012 the judicial mediators have been appointed in six general courts.
The Civil Code (Act V of 2013) will enter into force on 15 March 2014, and it will include the rules of court mediation in cases of divorce, child custody and guardianship authority.

Reforms regarding justice for children:

The Government of Hungary has declared 2012 the year of Child-centred Justice. A working group was established by the National Office for Judiciary for the development of the concept of child-centred justice, where the respect and efficient enforcement of children's rights are ensured at all levels. Member states of the EU have to ensure the enforcement of children's right, and take their interests into consideration above all in cases concerning them. These rights may not be refused or restricted under any circumstances.
Other foreseen reforms:
The Act on justice information is under preparation. This act will determine what data and which documents could be disclosed at hearings and at earlier stages of proceedings. It will also stipulate how that information could be used by stakeholders.

Hungary – Data tables for each indicator (2010/2012)

Hungary	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	9 986 000	9 908 798
2#1#1 Total of annual State pb expenditure State level	48 875 848 664	51 573 528 468
3 GDP Per capita GDP (in €)	9 712	9 800
4 Average gross annual salary in €	9 291	9 137
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	259 501 133	325 687 695
12#1#1 Total annual appr pb budget allocated to LA	304 823	907 974
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	259 501 133	325 687 695
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	209 393 222	235 373 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	7 532 956	1 195 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	16 030 255	14 426 154
6#2#5 Amount_An appr bd_courts alloc_Court buildings	26 297 344	27 507 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build		7 692 308
6#2#7 Amount_Annnual appr budget_courts alloc_Training	247 356	318 785
6#2#8 Amount_Annual approved budget_courts alloc_Other		39 175 448
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	1 604 399 373	1 609 052 020
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	NA

Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		NAP
Enforcement services		No
Notariat		No
Forensic services		NA
Budgetary elements include or not_Jud_prot_juven	No	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	Yes	NA
Budgetary elements include or not_Other	Yes	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	9 986 000	9 908 798
Amount_An approved budget alloc whole justice	1 604 399 373	1 609 052 020
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	No	No
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	Yes	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	Yes
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	Yes	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	Yes

14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	No
14#4#8 Evaluation_Court budget_Other	No	No

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)

42#1#1 First instance courts of general juridiction	131	131
42#1#2 Specialised first instance courts	20	20
42#1#3 All the courts (geographic locations)	157	157

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	20	20
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	20	20
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NA	NA
43#1#8 Nr of insurance_soc welfare courts	NA	NAP
43#1#9 Nr of military courts	NA	NAP
43#1#10 Nr ofother specialised 1st instance courts	NA	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	111	111
45#1#2 Nr_1st instance courts competent_dismissal	20	20
45#1#3 Nr_1st instance courts competent_robbery	131	131

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	207 740	NA
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	92 979	142 113
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	57 747	12 263
91#1#4 Pending cases_1 Jan _Enforcement cases	888	39 522
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	6 951	6 483

91#1#8 Pending cases_1 Jan _Other cases	49 175	56 882
91#2#1 Incoming cases_Total_non crim cases	682 727	1 129 126
91#2#2 Incoming cases_Civil&com litig cases	200 922	432 443
91#2#3 Incoming cases_Civil&com nonlit cases	400 514	69 781
91#2#4 Incoming cases_Enforcement cases	3 397	177 075
91#2#5 Incoming cases_Land registry cases	NA	NAP
91#2#6 Incoming cases_Business reg cases	333 205	385 241
91#2#7 Incoming cases_Admin law cases	14 360	12 595
91#2#8 Incoming cases_Other cases	63 534	51 991
91#3#1 Resolved cases_Total_non crim cases	732 325	1 176 429
91#3#2 Resolved cases_Civil&com litig cases	204 275	454 369
91#3#3 Resolved cases_Civil&com nonlit cases	461 650	69 946
91#3#4 Resolved cases_Enforcement cases	3 278	192 368
91#3#5 Resolved cases_Land registry cases	NA	NAP
91#3#6 Resolved cases_Business reg cases	354 237	394 348
91#3#7 Resolved cases_Admin law cases	13 727	13 599
91#3#8 Resolved cases_Other cases	59 395	51 799
91#4#1 Pending cases_31 Dec _Total_non crim cases	158 142	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	89 626	120 187
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	6 611	12 098
91#4#4 Pending cases_31 Dec _Enforcement cases	1 007	24 229
91#4#5 Pending cases_31 Dec _Land registry cases	NA	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	7 584	5 479
91#4#8 Pending cases_31 Dec _Other cases	53 314	57 074
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	107%	104%
CR Civil&com litig cases	102%	105%
CR Civil&com nonlit cases	115%	100%
CR Enforcement cases	96%	109%
CR Land registry cases		
CR Business reg cases	106%	102%
CR Admin law cases	96%	108%
CR Other cases	93%	100%
DT Total non DTim cases	79	
DT Civil&com litig cases	160	97
DT Civil&com nonlit cases	5	63
DT Enforcement cases	112	46
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	202	147

DT Other cases	328	402
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-3%
CR Civil&com litig cases		3%
CR Civil&com nonlit cases		-13%
CR Enforcement cases		13%
CR Land registry cases		
CR Business reg cases		-4%
CR Admin law cases		13%
CR Other cases		7%
DT Total non DTim cases		
DT Civil&com litig cases		-40%
DT Civil&com nonlit cases		1108%
DT Enforcement cases		-59%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-27%
DT Other cases		23%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	14 506	16 416
101#1#2 Pending cases_1 Jan _Employment dismissal	2 974	3 389
Pending Insolvency cases		62
101#1#3 Pending cases_1 Jan _Robbery cases	NA	1 282
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	370
101#2#1 Incoming cases_Litigious divorce cs	33 608	27 394
101#2#2 Incoming cases_Employment dismissal	5 146	5 119
Incoming Insolvency cases		124
101#2#3 Incoming cases_Robbery cases	NA	2 184
101#2#4 Incoming cases_Intentional homicide	NA	491
101#3#1 Resolved cases_Litigious divorce cs	34 043	30 676
101#3#2 Resolved cases_Employment dismissal	4 849	5 364
Resolved Insolvency cases		135
101#3#3 Resolved cases_Robbery cases	NA	2 118
101#3#4 Resolved cases_Intentional homicide	NA	532
101#4#1 Pending cases_31 Dec _Litigious divorce cs	14 143	13 134
101#4#2 Pending cases_31 Dec _Employment dismissal	3 271	3 144
Pending Insolvency cases		51
101#4#3 Pending cases_31 Dec _Robbery cases	NA	1 348
101#4#4 Pending cases_31 Dec _Intentional	NA	329

homicide		
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		109%
DT - Insolvency cases		138
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	13 083	14 630
97#1#2 Pending cases_1 Jan _Civil&com litig cases	7 278	8 318
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	3 696	4 040
97#1#4 Pending cases_1 Jan _Enforcement cases	123	177
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	95	45
97#1#7 Pending cases_1 Jan _Admin law cases	186	460
97#1#8 Pending cases_1 Jan _Other cases	1 705	1 590
97#2#1 Incoming cases_Total_non crim cases	53 039	52 532
97#2#2 Incoming cases_Civil&com litig cases	24 554	23 451
97#2#3 Incoming cases_Civil&com nonlit cases	19 666	19 728
97#2#4 Incoming cases_Enforcement cases	558	664
97#2#5 Incoming cases_Land registry cases	NA	NAP
97#2#6 Incoming cases_ Business reg cases	301	203
97#2#7 Incoming cases_Admin law cases	739	1 761
97#2#8 Incoming cases_Other cases	7 181	6 725
97#3#1 Resolved cases_Total_non crim cases	52 829	52 936
97#3#2 Resolved cases_Civil&com litig cases	24 026	23 668
97#3#3 Resolved cases_Civil&com nonlit cases	19 732	19 409
97#3#4 Resolved cases_Enforcement cases	551	661
97#3#5 Resolved cases_Land registry cases	NA	NAP
97#3#6 Resolved cases_ Business reg cases	343	205
97#3#7 Resolved cases_Admin law cases	714	1 909
97#3#8 Resolved cases_Other cases	7 183	7 084
97#4#1 Pending cases on 31 Dec _Total_non crim cs	13 293	14 226
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	7 526	8 101
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	3 630	4 359
97#4#4 Pending cases on 31 Dec _Enforcement cases	130	180
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	53	43
97#4#7 Pending cases on 31 Dec _Admin law cases	251	312
97#4#8 Pending cases on 31 Dec _Other cases	1 703	1 231

Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	100%	101%
CR Civil&com litig cases	98%	101%
CR Civil&com nonlit cases	100%	98%
CR Enforcement cases	99%	100%
CR Land registry cases		
CR Business reg cases	114%	101%
CR Admin law cases	97%	108%
CR Other cases	100%	105%
DT Total non DTim cases	92	98
DT Civil&com litig cases	114	125
DT Civil&com nonlit cases	67	82
DT Enforcement cases	86	99
DT Land registry cases		
DT Business reg cases	56	77
DT Admin law cases	128	60
DT Other cases	87	63
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	3 030	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	1 005	1 240
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	15	25
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NAP
99#1#6 Pending cases_1 Jan _Business register cs	15	6
99#1#7 Pending cases_1 Jan _Administrative law cs	934	1 048
99#1#8 Pending cases_1 Jan _Other cs	1 061	830
99#2#1 Incoming cases_Total _non crim law cs	6 395	NA
99#2#2 Incoming cases_Civil litigious cs	2 673	2 571
99#2#3 Incoming cases_Civil non_litigious cs	412	374
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NAP
99#2#6 Incoming cases_Business register cs	22	31
99#2#7 Incoming cases_Administrative law cs	1 991	1 824
99#2#8 Incoming cases_Other cs	1 297	979
99#3#1 Resolved cases_Total _non crim law cs	6 291	NA
99#3#2 Resolved cases_Civil litigious cs	2 618	2 426
99#3#3 Resolved cases_Civil non_litigious cs	421	360
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NAP
99#3#6 Resolved cases_Business register cs	31	19
99#3#7 Resolved cases_Administrative law cs	1 900	1 625

99#3#8 Resolved cases_Other cs	1 321	1 074
99#4#1 Pending cases_31 Dec _Total _non crim law cs	3 134	NA
99#4#2 Pending cases_31 Dec _Civil litigious cs	1 060	1 385
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	6	39
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NAP
99#4#6 Pending cases_31 Dec _Business register cs	6	18
99#4#7 Pending cases_31 Dec _Administrative law cs	1 025	1 247
99#4#8 Pending cases_31 Dec _Other cs	1 037	735
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	98%	
CR Civil&com litig cases	98%	94%
CR Civil&com nonlit cases	102%	96%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases	141%	61%
CR Admin law cases	95%	89%
CR Other cases	102%	110%
DT Total non DTim cases	182	
DT Civil&com litig cases	148	208
DT Civil&com nonlit cases	5	40
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases	71	346
DT Admin law cases	197	280
DT Other cases	287	250
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	3	3
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA

102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NAP
3rd inst average length_Empl dismissal		NAP
3rd inst average length Insolvency		NAP
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA

Table 3.11. Caseload in the EU		
1 Number of inhabitants	9 986 000	9 908 798
91#2#1 Incoming cases_Total_non crim cases	682 727	1 129 126
91#2#2 Incoming cases_Civil&com litig cases	200 922	432 443
91#2#3 Incoming cases_Civil&com nonlit cases	400 514	69 781
91#2#4 Incoming cases_Enforcement cases	3 397	177 075
91#2#7 Incoming cases_Admin law cases	14 360	12 595
91#4#1 Pending cases_31 Dec _Total_non crim cases	158 142	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	89 626	120 187
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	6 611	12 098
91#4#4 Pending cases_31 Dec _Enforcement cases	1 007	24 229
91#4#7 Pending cases_31 Dec _Admin law cases	7 584	5 479

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes

88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	Yes
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	Yes

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes

68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		Yes
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice)	No	No

2010		
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		Yes
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	No	Yes
38#1#7 Measure trust with_Surveys aimed at victims	No	Yes
Indicator 5: Legal aid and court fees		
Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	9 986 000	9 908 798
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	304 823	907 974
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA
Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes
Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	Yes

19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No
Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	9 986 000	9 908 798
12#1#1 Total annual appr pb budget allocated to LA	304 823	907 974
20#1#1 Total Number of cases granted with legal aid	8 003	7 460
20#1#2 Nr of criminal cases granted with legal aid	276	226
20#1#3 Nr non criminal cases granted with legal aid	7 727	7 234
Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)		
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		12 414
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	259 501 133	325 687 695
9 Annual income of court taxes received by the State	11 217 800	14 897 692
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		

Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	-50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	0 % of courts	0 % of courts
64.1.1 Electronic Web forms	+50% of courts	+50% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	-10% of courts	0 % of courts
64.1.7 Electronic submission of claims	+50% of courts	+50% of courts
64.1.8 Videoconferencing	0 % of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Compulsory

127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	Yes	Yes
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		Yes
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	18 252	17 644
132#1#2 Gross An sal: Judge_Supr Ct	37 986	35 289
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	16 852	17 644
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	35 067	34 121
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	10 647	11 152
132#2#2 Net An sal: Judge_Supr Ct	19 864	25 476
132#2#3 Net An sal: Pb prosecutor_beg_carrier	9 828	11 152
132#2#4 Net An sal: Pb prosecutor_Supr Ct	18 336	21 235
4 Average gross annual salary in €	9 291	9 137
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin	Yes	Yes

benefit		
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	3	3
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	14	11
144#1#2 Discipl proc against judges_Breach_pro ethics	4	6
144#1#3 Discipl proc against judges_Prof inadequancy	10	5
144#1#4 Discipl proc against judges_Criminal offence	NA	9
144#1#5 Discipl proc against judges_Other	NA	3
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on	No	No

judges_Parliament		
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	8	2
145#1#2 Sanctions against judges_Reprimand	3	2
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	4	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	1	0
145#1#10 Sanctions against judges_Other	NA	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	137	157
47#1#2 Number of 1st instance presidents	111	131
47#1#3 Number of 2nd instance presidents	25	25
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	81	74
47#2#2 Number of 1st instance presidents_males	62	57
47#2#3 Number of 2nd instance presidents_males	18	16
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	56	83
47#3#2 Number of 1st instance presidents_females	49	74
47#3#3 Number of 2nd instance presidents_females	7	9
47#3#4 Number of supreme court presidents_females	NA	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 4 382,0	€ 4 563,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		

164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	Yes
164#3#1 Public authority_Civil and com cases	Yes	Yes
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	Yes	Yes
164#3#5 Public authority_Criminal cases	Yes	Yes
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	9 986 000	9 908 798
166#1#2 Number of accredited mediators	1 185	1 606
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		6 410

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)

Table 9.1. bis Number of judges per 100,000

inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	9 986 000	9 908 798
46#1#1 Total Nr of professional judges	2 891	2 767
52#2#1 Nr_non-judge staff who are working in courts	7 713	8 142
146 Total number of practicing lawyers	12 099	13 000
170 Number of enforcement agents	183	198 (189 enforcement agents and 9 permanent substitutes)
52.2.2 Number Non-judge staff (Rechtspfleger)	59	767
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	12 099	13 000
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	2 891	2 767
1 Number of inhabitants	9 986 000	9 908 798
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	Yes	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	183	198 (189 enforcement agents and 9 permanent substitutes)
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		

178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	7	12
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	3	10
187#2#4 Nr_Discipl proc against EA_Criminal offence	1	2
187#2#5 Nr_Discipl proc against EA_Other	3	
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	7	12
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	0	3
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	4	3
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	1	1
188#2#5 Nr_Sanctions pronounced against EA_Fine	2	5
188#2#6 Nr_Sanctions pronounced against EA_Other	0	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of	No	No

Justice 2010		
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	7 713	8 142
52#2#2 Number Non-judge staff (Rechtspfleger)	590	767
52#2#3 Nr_Non-judge staff assisting the judges	3 413	2 406
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff	3 710	
52#2#6 Number of Other non-judge staff		4 969
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Ireland (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Ireland	4 591 087	69 812 000 000	35 752	€ 33 358

1. Presentation of the functioning of the judicial system

The number venues in which the District courts sit has been significantly reduced in recent years. According to 2012 data, there are currently 96 District Court venues outside Dublin which is reduced from in excess of 250 prior to the establishment of the Courts Service in 1998. A number of Circuit Court venues have also been closed. In 2012 a comprehensive review of all court venues throughout the country was completed. The assessment of each individual venue includes a comprehensive consultation process. Closure of further venues will be a matter for the Courts Service Board. In Ireland, there are:
- First instance courts: High Court (one court with nationwide jurisdiction), Circuit Court (one court limited as to territorial and substantive jurisdiction) and District Court (one court limited as to territorial and substantive jurisdiction);
- Second instance courts: the High Court mentioned above exercises appellate jurisdiction from the Circuit Court, the Circuit Court mentioned above exercises appellate jurisdiction from the District Court;
- Supreme Court is the Court of final appeal

The Constitution outlines the structure of the court system in Ireland by expressly establishing the Supreme Court, a court of final appeal, and the High Court, a court of first instance with full jurisdiction in all criminal and civil matters. Provision is also made in Article 34.3.4 for the establishment of courts of local and limited jurisdiction, on the basis of which the Circuit Court and the District Court, which are organised on a regional basis, were established by statute.
The District Court is a court of local and limited jurisdiction, having the authority to deal only with certain matters arising within its functional area. The District Court's jurisdictional powers are conferred upon it by statute and it may not, therefore, deal with any matters which fall outside its statutory remit. In civil matters, the District Court has jurisdiction to deal with claims which are not in excess of €6,348.69. In matters of family law, the District Court has jurisdiction in matters concerning maintenance, custody of, and access to, children and may make orders pertaining to domestic violence. The Circuit Court is also a court of local and limited jurisdiction, with appellate jurisdiction of all matters arising in the District Court. The Circuit Court has jurisdiction in civil matters where the claim exceeds the jurisdiction of the District Court but where it is not in excess of €38,092.14. In family law matters, the Circuit Court may grant orders of divorce, judicial separation and nullity as well as any ancillary orders. In criminal matters, the Circuit Court has jurisdiction to deal with all offences except those over which the Central Criminal Court has jurisdiction. Criminal trials in the Circuit Court are heard by a judge sitting with a jury.
There are 102 first instance courts competent for a debt collection for small claims. Small claims encompass consumer small claims and business small claims. The monetary value of a small claim may not exceed €2,000.
According to 2012 data, the number of enforcement agents in Ireland is 35, which is 13 % less than in 2010.
It represents 1 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are of easy access and transparent for the court users and they are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 230 777 000 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 50,27 euros.

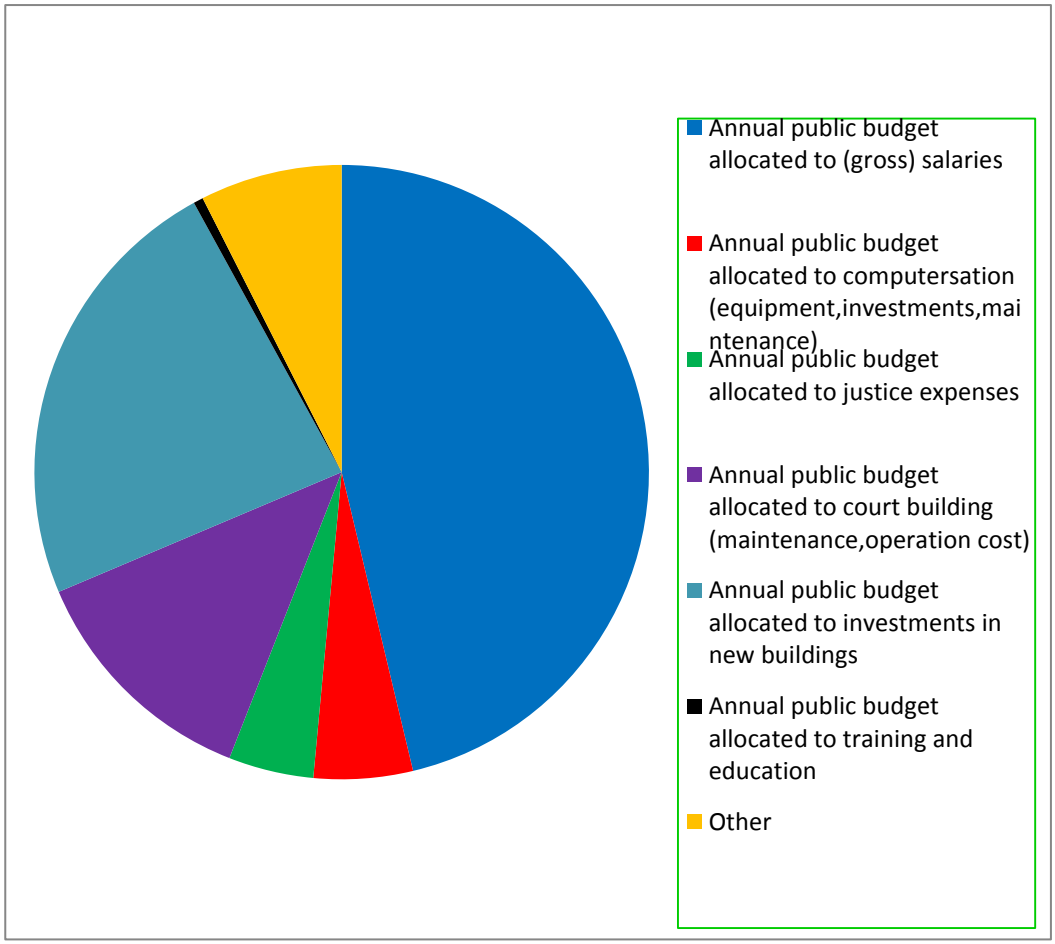
This ratio is lower than the EU average (62,22) / higher than the EU median (47,43).

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries

-annual public budget allocated to investments in new buildings

-annual public budget allocated to court building (maintenance, operation cost)



- **Budget allocated to the whole justice system : 2 346 727 000 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, constitutional court, state advocacy, enforcement services, forensic services, functioning of the Ministry of Justice, and refugees and asylum seekers services.

Between 2010 and 2012, the justice system cost per capita has decreased by 8 %.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Ireland is 144 which is 2 % less than in 2010.

This represents 3 judges per 100 000 inhabitants (less than the EU median of 19 judges per inhabitant).

Judges are recruited through a specific recruitment procedure. Judges are appointed to office by the President of Ireland on the advice of the Government. The Judicial Appointments Advisory Board was established pursuant to the Courts and Court Officers Act, 1995. The purpose of the Board is to identify persons and inform the Government of the suitability of those persons for appointment to judicial office. A person appointed to be a member of the Board by virtue of a nomination by the Chairman of the Bar Council or by the President of the Law Society and persons appointed by the Minister are members of the Board for a period not exceeding three years and any such persons so appointed shall be eligible for re-appointment to the Board.

An initial training is compulsory, along with an in-service general training, in-service training for specialised judicial functions, and in-service training for the use of computer facilities in the court.

The gross annual salary of a first instance professional judge is 122 512 euros (3,7 X the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 197 272 euros (5,9 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period (the compulsory retirement age is 70).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

    - Non-judge staff

In Ireland there are 945 non-judges staff including:

- 31 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 787 non-judge staff whose task is to assist the judges such as registrars,
- 125 staff in charge of different administrative tasks and of the management of the courts,
- 2 technical staff

3. Efficiency and quality of the judicial system

- **Access to justice**

    - **Legal aid**

Total approved public budget to legal aid: 83 159 000 euros (18,11 euros per capita)

The legal aid is granted for representation in court and legal advice in both criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 1 319 (higher than the EU average of 765 and higher than the EU median of 551). The average amount of legal aid allocated per case is 1 373 euros (less than the EU average: 2 543 euros but more than the EU median of 803 euros). The strategy chosen by Ireland consists in favouring the number of cases which can aspire to legal aid, while the amount granted to each individual case remains above the European median.

    - **Court fees**

The annual income of court fees or taxes received by State is 43 720 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 19% (less than the EU average of 21% /more than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In Ireland, there are 11 055 lawyers (this category does not include the legal advisors), which is 1 % more than in 2010.

This data represents 241 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 76,8 lawyers per professional judges.

Lawyers have no monopoly on legal representation.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees, which are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The clearance rate and the disposition time in first instance are not available due to the manner in which statistics are recorded in the Irish system. For second instance, data are not available. The only clearance rate and disposition time that could be evaluated are related to civil and commercial litigious cases for highest instance court. According to these indicators, the system does not appear performing: it generates backlogs (the clearance rate is of 42%) and does not allow to deal with cases in a reasonable timeframe (846 days).

  - Insolvency

The clearance rate and disposition time for insolvency cases in first instance in Ireland are not available due to the manner in which statistics are recorded in the Irish system.

  - The Irish legislation provides for specific procedures for urgent matters in civil and criminal cases and sets forth simplified procedures for small disputes for civil cases and small offenses for criminal cases. For these simplified procedures, judges may deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Ireland, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning incoming cases and the number of decisions **exists** within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist**.** Ireland has defined performance and quality indicators among which the 4 main are: Incoming cases; Enforcement of penal decisions; Satisfaction of court staff; Satisfaction of court users (regarding the services delivered by the courts).

The Irish system does not organize the monitoring of backlogs and cases that are not processed within a reasonable timeframe.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are not set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Ireland, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases and criminal cases.

There are 35 accredited mediators.

Ireland also knows other than judicial mediation, arbitration, conciliation and other alternative dispute resolutions.

- **The ICT tools of courts and for court users**

Ireland has developed a quite complete ICT system:

- for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail, internet connection): 100% of courts

-for administration and management: case registration system and financial information system: 100% of courts; court management information system: less than 10% of courts; videoconferencing: less than 50% of courts)

-for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts vary a lot (from less than 10% of courts for the electronic submission of claims, to 100 **%** of courts for electronic web forms.

Videoconferencing is used in all type of cases (criminal and other than criminal cases). In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. The Judge is always in the courtroom. The accused may be heard through video link with the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

4. National data collection system

Courts Service Information Office collects statistical data.
This institution publishes statistics on the functioning of each court on the internet.
For 2012, data concerning the number of cases in first instance are not available due to the manner of which the statistics are recorded in the Irish system. Besides, few data are available as regards second and last instances. Finally, no data in respect of the length of particular proceedings (litigious divorce cases, employment dismissal cases, insolvency) could be provided.

5. Reforms

Reforms regarding courts:

The number venues in which the District courts sit has been significantly reduced in recent years. There are currently 96 District Court venues outside Dublin which is reduced from in excess of 250 prior to the establishment of the Courts Service in 1998. A number of Circuit Court venues have also been closed. In 2012 a comprehensive review of all court venues throughout the country was completed. The assessment of each individual venue includes a comprehensive consultation process. Closure of further venues will be a matter for the Courts Service Board.

On the 4th October 2013 the Irish electorate approved by Referendum an amendment to the Constitution to enable the establishment of a Court of Appeal, which will be placed immediately below the Supreme Court in the jurisdictional hierarchy, effectively assuming the existing appellate jurisdiction of the Supreme Court and the existing appellate jurisdictions of the Court of Criminal Appeal and the Courts-Martial Appeals Court. The Supreme Court will have appellate jurisdiction from decisions of the Court of Appeal where the Supreme

Court determines that if the decision involves a matter of general public importance or it is necessary in the interests of justice, that there be an appeal to the Supreme Court, and from decisions of the High Court in exceptional circumstances involving a matter of general public importance and/or the interests of justice.

The establishment of the Court of Appeal will enable the Supreme Court to concentrate on cases which are appropriate for consideration by it as the Court of Final Appeal under the Constitution.

Reforms regarding criminal Legal Aid:

A new Criminal Legal Aid Bill is planned to update and strengthen the system of granting criminal Legal aid including transferring responsibility for the administration of the Scheme from the Department of Justice and Equality to the Legal Aid Board. Consideration is being given to including in the Bill provisions to, inter alia, better regulate the taking of statements of means, increase the sanction for false declarations, allow the Legal Aid Board to verify the means of applicants and to prosecute cases of abuse. Provisions to give power to the Legal Aid Board to recover the costs of criminal Legal Aid or to make application to a court to revoke a criminal legal aid certificate are also under consideration. These provisions must have regard to a person's rights to the presumption of innocence, to a fair trial and to be given legal aid, where appropriate.

Reforms regarding the High Judicial Council:

The Programme for Government undertakes to "legislate to establish a Judicial Council, with lay representation, to provide an effective mechanism for dealing with complaints against judges" and this commitment is being given expression in the form of the proposed Judicial Council Bill. As well as providing for the establishment of a Judicial Council charged, inter alia, with the promotion of excellence and high standards of conduct by judges, the proposed Bill is aimed at providing a means of investigating allegations of judicial misconduct supported by the establishment of a Judicial Conduct Committee which will have lay representation. Work on the drafting of the new Bill continues and the Bill will be published early in 2014.

Reforms regarding Legal Services Regulation:

A Legal Services Regulation Bill is under preparation and remains a priority under both the Programme for Government and as an ongoing structural reform being delivered under the EU/IMF/ECB Troika programme is set to provide for the establishment of a new Legal Services Regulatory Authority that will be independent of the Government, the Law Society and the Bar Council in its appointment as well as in the discharge of its functions. The Bill will also establish an independent complaints framework to deal with allegations of professional misconduct to which the public will have direct access - at present such complaints are made through the professional bodies. There will also be an independent Legal Practitioners' Disciplinary Tribunal to deal with allegations of serious misconduct by both solicitors and barristers. This will end the duplication of disciplinary structures between the two professional bodies.

These changes are being augmented by a more modern, consumer friendly and transparent legal costs regime under the Office of the Legal Costs Adjudicator that will take over the duties of the existing Taxing-Master. The Bill sets out, for the first time in legislation, a set of Legal Costs Principles, and the determinations of the Legal Costs Adjudicator will be made public. The Bill will also open the legal services sector to new business models that will provide new opportunities for legal services providers while also providing greater choice and competition for the benefit of consumers.

Reforms regarding Judicial Appointments:

A public consultation process has commenced in relation to the system of judicial appointments. Judges are appointed to office by the President on the advice of the Government. The current process for the appointment of judges in Ireland is set out in the Courts and Court Officers Act 1995 which established the Judicial Appointments Advisory Board. Views have been sought on how the judicial appointments process might be enhanced, both generally and specifically in relation to the following:

- Eligibility for appointment;

- The need to ensure and protect the principle of judicial independence;

- Promoting equality and diversity;

- The role of the Judicial Appointments Advisory Board, including its membership and its procedures;

- The public interest in accountability for appointments made.

Any changes advocated must be capable of implementation within the current relevant provisions of the Constitution.

Ireland - Data tables for each indicator (2010/2012)

Ireland	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	4 581 269	4 591 087
2#1#1 Total of annual State pb expenditure State level	73 332 000 000	69 812 000 000
3 GDP Per capita GDP (in €)	34 892	35 752
4 Average gross annual salary in €	36 371	33 358
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	148 722 000	107 090 000
12#1#1 Total annual appr pb budget allocated to LA	87 435 000	83 159 000
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	148 722 000	107 090 000
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	52 943 000	49 544 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	5 457 000	5 581 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	180 000	4 797 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	17 972 000	13 572 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build	57 163 000	25 043 000
6#2#7 Amount_Annnual appr budget_courts alloc_Training	1 172 000	550 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	13 835 000	8 003 000
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	2 540 438 000	2 346 727 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		Yes
Judicial manage-ment body		No
State advocacy		Yes
Enforcement services		Yes
Notariat		No

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	Yes	Yes
Budgetary elements include or not_Other	Yes	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	4 581 269	4 591 087
Amount_An approved budget alloc whole justice	2 540 438 000	2 346 727 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	No	No
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	Yes	Yes
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	Yes
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	Yes	Yes
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	Yes
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	3	3
42#1#2 Specialised first instance courts	1	1
42#1#3 All the courts (geographic locations)	119	105

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	1	1
43#1#2 Nr of commercial courts	NAP	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NAP	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	1	1

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	117	102
45#1#2 Nr_1st instance courts competent_dismissal	NAP	NAP
45#1#3 Nr_1st instance courts competent_robbery	115	103

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	No
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	NA	NA
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	NA	NA
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	NA	NA
91#2#1 Incoming cases_Total_non crim cases	NA	NA
91#2#2 Incoming cases_Civil&com litig cases	NA	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	NA	NA
91#3#1 Resolved cases_Total_non crim cases	NA	NA
91#3#2 Resolved cases_Civil&com litig cases	NA	NA
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	NAP	NAP
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	NA	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA

91#4#8 Pending cases_31 Dec _Other cases	NA	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	3 381	NA
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	36	NA
101#3#1 Resolved cases_Litigious divorce cs	3 113	NA
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	41	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	NA	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	NA	NA
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	NA	NA
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA

97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	NA	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases		
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	241
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NAP
99#2#1 Incoming cases_Total _non crim law cs	NA	NA
99#2#2 Incoming cases_Civil litigious cs	NA	605
99#2#3 Incoming cases_Civil non_litigious cs	NA	NAP
99#2#4 Incoming cases_Enforcement cs	NA	NAP
99#2#5 Incoming cases_Land registry cs	NA	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	NAP

99#3#1 Resolved cases_Total _non crim law cs	NA	NA
99#3#2 Resolved cases_Civil litigious cs	NA	255
99#3#3 Resolved cases_Civil non_litigious cs	NA	NAP
99#3#4 Resolved cases_Enforcement cs	NA	NAP
99#3#5 Resolved cases_Land registry cs	NA	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	NA
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	591
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases		
CR Civil&com litig cases		42%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		846
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	4 581 269	4 591 087
91#2#1 Incoming cases_Total_non crim cases	NA	NA
91#2#2 Incoming cases_Civil&com litig cases	NA	180 287
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	NA	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges		Yes

deliver an oral judgement with a written order and dispense with a full reasoned judgement?		
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	Yes	NA
186#1#4 Notification_dec_parties_same city as Ct_more	No	NA

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	Yes

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	No	No
68#1#4 Length of proceedings (timeframes)	No	No
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	Yes	Yes

78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	Yes	No
71#1#4 Quality indicator_Pending cases and backlogs	No	No
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	Yes	Yes
71#1#8 Quality indicator_Satisfaction of court staff	Yes	Yes
71#1#9 Quality indicator_Satisfaction of users	Yes	Yes
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	No	No
80#1#2 Monitoring_In criminal law cases	No	No
80#1#3 Monitoring_In administrative law cases	No	No
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes

38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	4 581 269	4 591 087
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	87 435 000	83 159 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	No
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	4 581 269	4 591 087
12#1#1 Total annual appr pb budget allocated to LA	87 435 000	83 159 000
20#1#1 Total Number of cases granted with legal aid	64 706	60 552
20#1#2 Nr of criminal cases granted with legal aid	55 412	49 639
20#1#3 Nr non criminal cases granted with legal aid	9 294	10 913

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	148 722 000	107 090 000
9 Annual income of court taxes received by the State	47 325 000	43 720 000

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	-10% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	-10% of courts	-10% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	-50% of courts	-50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	-50% of courts	-50% of courts
64.1.4 Electronic registers	-50% of courts	-50% of courts
64.1.5 Electronic processing of small claims	-10% of courts	+50% of courts
64.1.6 Electronic processing of undisputed debt recovery	-10% of courts	-10% of courts
64.1.7 Electronic submission of claims	+50% of courts	-10% of courts
64.1.8 Videoconferencing	-50% of courts	-50% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No

110#1#2 Judges recruitment: Specific recruitment proc	Yes	Yes
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	No training offered	No training offered
127#1#5 Judges' training: In serv Tr_use of computer	Compulsory	Compulsory
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	NA	No
131#1#3 One instit for judges&prosecutors_Initial tr	NA	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	NA	No
131#2#3 One instit for judges&proc_Continuous training	NA	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	NA	No
131#3#3 One instfor judges&proc _Init&Cont trainings	NA	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	147 961	122 512
132#1#2 Gross An sal: Judge_Supr Ct	257 872	197 272
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	33 576	30 218
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	0	85 127
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	0	NA
132#2#2 Net An sal: Judge_Supr Ct	0	NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier	NA	NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct	0	NA
4 Average gross annual salary in €	36 371	33 358
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No

Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		No
122#1#2 Duration of the probation period	NAP	
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	0	0
144#1#2 Discipl proc against judges_Breach_pro ethics	0	0
144#1#3 Discipl proc against judges_Prof inadequancy	0	0
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	0	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	Yes	Yes
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	Yes	Yes
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	0	0
145#1#2 Sanctions against judges_Reprimand	0	0
145#1#3 Sanctions against judges_Suspension	0	0

145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	0	0
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	0	0
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	0	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	4	4
47#1#2 Number of 1st instance presidents	3	3
47#1#3 Number of 2nd instance presidents	NAP	NAP
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	3	2
47#2#2 Number of 1st instance presidents_males	2	2
47#2#3 Number of 2nd instance presidents_males	NAP	NAP
47#2#4 Number of supreme court presidents_males	1	0
47#3#1 Total Nr of court presidents_females	1	2
47#3#2 Number of 1st instance presidents_females	1	1
47#3#3 Number of 2nd instance presidents_females	NAP	NAP
47#3#4 Number of supreme court presidents_females	0	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NA	NAP

48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	Yes	NAP
48#2#2 Nr_professional judges_full-time equivalent	€ 147,0	
49#1#1 Non-professional judges	NA	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	Yes	No
164#4#1 Judge_Civil and commercial cases	No	No

164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	4 581 269	4 591 087
166#1#2 Number of accredited mediators	25	35
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	4 581 269	4 591 087
46#1#1 Total Nr of professional judges	147	144
52#2#1 Nr_non-judge staff who are working in courts	1 028	945
146 Total number of practicing lawyers	10 933	11 055
170 Number of enforcement agents		40 35
52.2.2 Number Non-judge staff (Rechtspfleger)	29	31
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	10 933	11 055
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	147	144
1 Number of inhabitants	4 581 269	4 591 087
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No

149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	40	35
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	0	
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	0	
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	
187#2#5 Nr_Discipl proc against EA_Other	0	
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	0	
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	0	
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	
188#2#6 Nr_Sanctions pronounced against EA_Other	0	
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes

178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	1 028	945
52#2#2 Number Non-judge staff (Rechtspfleger)	29	31
52#2#3 Nr_Non-judge staff assisting the judges	891	787
52#2#4 Number_Staff in charge of administrative tasks	108	125
52#2#5 Number of Technical staff		2
52#2#6 Number of Other non-judge staff		0
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	No
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Italy (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Italy	59 685 227	535 003 616 032	25 729	€ 28 619

1. Presentation of the functioning of the judicial system

In Italy, there are 1.231 courts of first instance with general jurisdiction. These numbers refer to the situation before the implementation of the review of judicial districts. The Italian Ministry of Justice is presently implementing the review of judicial districts according to Law no. 148 of 14 September 2011. In particular, according to 2012 data, a number of courts are now closing: District courts (Tribunals) 31 out of 166; Public prosecutor's offices 31 out of 166; Detached local divisions of a district court 220 out of 220; Justice of the peace units 667 out of 846.
According to 2012 data, there are 87 specialised courts of first instance, including 29 Minors (or juvenile) Courts, 58 enforcement of criminal sanctions courts. There are also specialized first instance courts which are not administered and financed by the Ministry of Justice: 29 Regional administrative courts; 21 Regional Audit Commissions; 103 Provincial Tax commissions.
Moreover, in Italy specific matters (such as labour, family) are dealt by specific divisions within the same Court. There are also 26 divisions called DDA (that is Direzioni Distrettuali Antimafia) which deal specifically with mafia and organized crime.
For the second instance, there are 26 Corti d'Appello (Appellate courts), 3 Corti d'Appello Sezioni distaccate (Appellate courts - detached branch) and 29 enforcement of criminal sanctions courts – 2nd instance. There is one Supreme Court (Corte di Cassazione).

There are 846 first instance court competent for a debt collection for small claims and 385 first instance court competent for a dismissal.
When the value of the claim is under 5.000 euros the case is heard by the Justice of Peace Courts (846). Dismissal and robbery cases are heard by the Tribunals (ie District courts).

After the implementation of the review of judicial districts, the figures will be as follows: court competent for a case of debt collection for small claims: 667; court competent for a case of dismissal 135; court competent for a case of robbery: 135.

According to 2012 data, the number of enforcement agents in Italy is 3 177 , which is 6% less than in 2010.
It represents 5 enforcement agents per 100 000 inhabitants, which is equal to the EU median of 5 enforcement agents per 100 000 inhabitants.
Concerning the enforcement fees, an easy and transparent access for the court users exists. The enforcement fees are not freely negotiated.

Enforcement agents carry out specific activities in both civil and criminal procedures and they also have extra-judicial duties. Within the criminal procedure environment, the enforcement agents provide the notification of legal documents. Within the civil procedure environment, the enforcement agents are responsible not only for the notification of legal documents but also for the execution of the judgments. The enforcement agents are therefore part of the executive process, and they can be assisted by the police and/or the public prosecutor.

The extra-judicial activities of the enforcement agents include the preparation of protests, the notification of extrajudicial documents (i.e. warning and injunctions) etc. In the past, the enforcement agents were also responsible for calling the parties and the witnesses before the judge during the hearing. Nowadays this activity is carried out by other judicial staff.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 457 5001 196 euros.

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 76,65 euros.

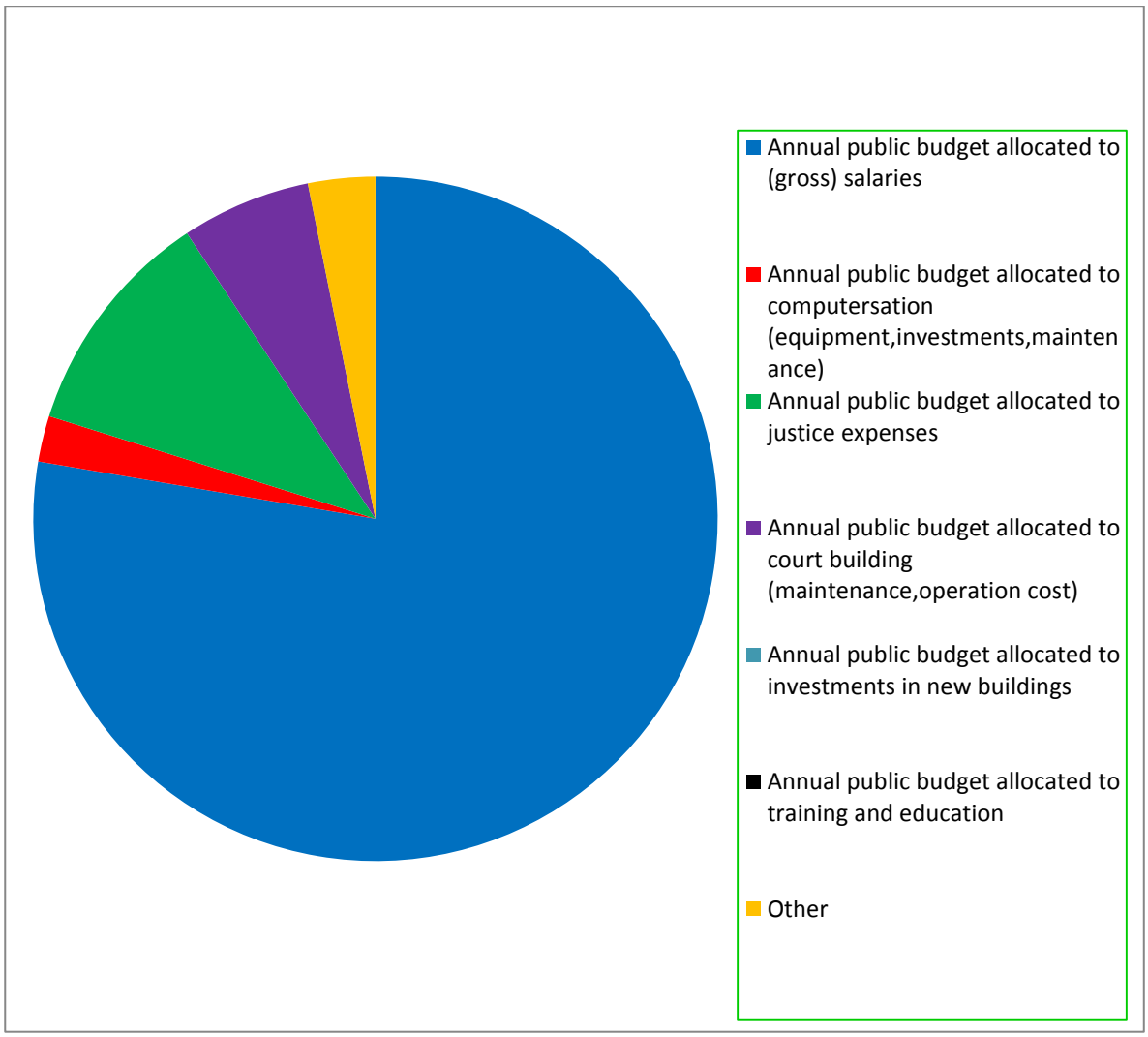
This ratio is higher than the EU average of 62,22 euros per capita and higher than the EU median of 47,43 euros per capita.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries

- annual public budget allocated to justice expenses

- annual public budget allocated to court building (maintenance, operation cost)



"Other" includes for instance compensation, reimbursement, document issuing, luncheon vouchers, etc.

- **Budget allocated to the whole justice system : 8 038 108 740 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, judicial management body, judicial protection of juveniles, functioning of the Ministry of justice.

Between 2010 and 2012, the justice system cost per capita has increased by 6 %.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Italy is 6 347, which is 5 % less than in 2010.

This represents 11 judges per 100 000 inhabitants (less than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited through a competitive exam. An initial training is compulsory. The recruitment process (including examination) is managed by the Ministry of Justice.

The gross annual salary of a first instance professional judge is 54 497 euros (1,9 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 179 747 euros (6,3 x the national average gross annual salary), which is higher than the EU average (88 218 euros).

Judges are appointed to office for life. In Italy the retirement age for “magistrates” (i.e both judges and public prosecutors) is 70 but it can be extended up to 75 years on request.

However, a judge may be removed from office as a result of a disciplinary proceeding, initiated by the Prosecutor-general of the Court of Cassation or requested by the Minister of Justice according to art. 107 of the Constitution. If charges are brought, the Disciplinary Section hears and decides the case. The proceeding has a judicial nature, right of defence is guaranteed at all stages, and the code of criminal procedure (as in force before 1989) applies. Against the disciplinary decision, appeal is possible before the Joint Civil Chambers of the Court of Cassation.

Another case of dismissal is on the ground of professional evaluation. If the outcome of the periodical appraisal is negative, judges must undergo another evaluation after two years, if the appraisal is still negative they are dismissed. Finally, demotion of judges or public prosecutors can be caused by sanitary reasons if they are not physically or mentally fit to fulfil the jurisdictional functions.

A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

There are also "honorary judges" which are chosen by lists of experienced lawyers or former law practitioners.

- Non-judge staff

In Italy there are 24 163 non-judges staff including:

- 8 843 non-judge staff whose task is to assist the judges such as registrars,
- 132 staff in charge of different administrative tasks and of the management of the courts,
- 676 technical staff
- 14 512 other staff

Other non-judge staff" includes: assistants, receptionists, porters and other judicial staff. The high percentage of “other non-judge staff” in Italy is due to a very strict interpretation of the definition of the main categories.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 153 454 322 euros (2,57 euros per capita)

The legal aid is granted for representation in court in criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 320 (lower than the EU average of 765 and lower than the EU median of 551). The average amount of legal aid allocated per case is 803 euros (less than the EU average of 2 543 euros and equal to the EU median of 803 euros).

  - **Court fees**

The annual income of court fees or taxes received by State is 465 147 222 euros and the share of court fees or taxes in the annual budget allocated to all courts is 10% (less than the EU average of 21% and less than

the EU median of 16%).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In Italy, there are 226 202 lawyers (this category does not include the legal advisors), which is 7% more than in 2010.

This data represents 379 lawyers (without legal advisers) per 100 000 inhabitants (higher than the EU median of 106 lawyers per 100 000 inhabitants) and 35,6 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil, criminal and administrative cases.

Concerning the lawyers' fees, an easy access to prior information – transparent and accountable - on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees and these fees are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the level for the indicator of the clearance rate (total non criminal cases) in first and second instances reveals the capacity of the system to deal with incoming cases while decreasing backlogs. By contrast, in last instance, the system is generating backlogs (the level for the indicator of the clearance rate is of 86%). According to the level for the indicator of the disposition time, the average length of proceedings with regard to these cases is considerable (more than two years in each instance), especially as regards second and third instances.

In terms of statistics Italian authorities have implemented a different classification of civil cases. For this reason the comparison between 2010 and 2012 data might lead to misinterpretation when one look at litigious and non-litigious cases individually.

  - Insolvency

The clearance rate for insolvency cases in first instance in Italy is 95 %. The disposition time for insolvency cases in first instance is 2 648 days. The system appears clearly less performing in dealing with this specific category of cases in first instance in comparison with the total non-criminal cases at the same jurisdictional level.

  - The Italian legislation provides for specific procedures for urgent matters for civil and criminal cases (not for administrative cases) and sets forth simplified procedures for small disputes for civil cases and small offenses for criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- **Systems for measuring and evaluating the court performance**

In Italy, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, and the length of proceedings exists in Italy.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Italy has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Closed cases; Pending cases and backlogs.

The Italian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil and criminal cases (not for administrative cases).

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.

The main two targets are: reduction of the pending cases and reduction of costs.

Every year, at the beginning of the year, the Ministry of Justice provides new performance targets. For the first time in Italian judiciary system law decree n. 98/2011 has provided for economic bonuses to courts and single magistrates when the number of pending cases is reduced by a certain percentage in a year (civil sector only).

No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Italy, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases and employment dismissal cases.

In 2012 the number of judicial mediation was 154 879 cases.

Italy also knows mediation other than judicial mediation, arbitration, conciliation and other kind of alternative dispute resolutions.

- **The ICT tools of courts and for court users**

Italy has set up a very complete ICT system:

- for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail): 100% of courts;

- for administration and management (case registration system, court management information system, financial information system, videoconferencing): from over 50% of courts to 100% of courts

- and for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are over 50 % of courts for most categories except electronic registers, present in 100% of all courts.

Videoconferencing is used in all type of cases. In criminal cases, hearings can be held in the police station and/or in prison. A specific legislation on the conditions for using videoconferencing in the courts exists. Videoconferencing has gone through a particular focus in the last period. It is part of a more general three-year plan (2012-2014) that aims to enhance the technological infrastructure of the Italian Judicial System.

4. National data collection system

The Directorate General of Statistics *(Direzione Generale di Statistica)* is the centralized institution within the Ministry of Justice that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.

This institution publishes statistics on the functioning of each court on the internet.

The system of collecting statistical data is able to provide data concerning the number of cases, except with regard to certain selected specific categories of cases (such as, for example, non litigious enforcement cases in second instance or employment dismissal cases in first instance). By contrast, data concerning the average length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency) are not sufficient because few of them are accessible.

5. Reforms

Comprehensive reform plans:

The Italian Ministry of Justice is presently implementing the review of judicial districts according to Law no. 148 of 14 September 2011. In particular a consistent number of courts are now closing: District courts (Tribunals) 31 out of 166; Public prosecutor's offices 31 out of 166; Detached local divisions of a district court 220 out of 220; Justice of the peace units 667 out of 846.A set of interventions in the judicial system was presented in December 2013. The interventions involve mainly the civil procedure and the execution process within the civil framework. They aim is to reduce the length of proceedings and enforce execution of judgments (settlement of the debt, the release of the property, etc.).

The Ministry of Justice is presently working on a draft law concerning the reform of the criminal procedure. The key aspect of this reform is the simplification of procedures, with specific reference to appeal and the strengthening of the guarantees of the defense. This reform will also affect the “alternative procedures” with the specific aim to encourage the adoption of simplified (i.e. shorter) procedures and the reduction of the number of appeals.

Reforms regarding budget:

The Ministry of Justice, like other Italian public administrations, has initiated a plan aimed at reducing costs. Amongst other initiatives the most relevant is the electronic filing of pleadings, which will become mandatory in June 2014 (pursuant to Law 228/2012). This innovative digital technology will generate significant economic savings in terms of money and human resources. Defendants will have the opportunity to access all the procedural acts by themselves, which will allow court staff to allocate more time to assist the judges (assistance before and during the hearing).

With regards to criminal procedures, the rules that are now in the process of being approved are expected to lead to a reasonable reduction of the appeals that represent, in fact, a huge burden for the justice system.

Reforms regarding courts and public prosecution services:

With a bill approved in December 2013, not enacted into law yet, the Italian Government intends:

- to simplify and fasten judicial procedures e.g. in simple cases the judge can adopt a simplified procedure called “rito sommario”;
- to reduce the time required for the delivery of a judgment (first-instance courts can rule a judgment without motivation; parties may still obtain a written motivation later on demand);
- to increase the productivity of the courts of appeal;
- to incentive the debtor to execute the judgment voluntarily;
- to introduce an obligation to appoint a technical expert before the beginning of the proceeding for all cases (related to road accidents or medical liability damages);
- to facilitate electronic filing of many types of documentation;
- to simplify enforcement procedures;
- to allow the judge to effectively monitor the schedule and the expenses of both enforcement and insolvency proceedings;
- to reform the system of notifications (in criminal law).

Reforms regarding access to justice and legal aid:

The so-called financial “stability law” raised the lump sum payable for judicial office communications (from 8 to 27 Euro). In case of legal aid within the criminal procedure, the bill also foresees the reduction of one-third of the fees of lawyers, auxiliaries of the magistrate, technical experts and private investigators. The draft contains provisions to raise the financial penalties in case of inadmissibility of appeals.

Reforms regarding legal professionals:

The so-called financial “stability law” for 2014 has introduced a contribution of 50 Euro to be paid by aspiring judges, lawyers and notaries, in order to contribute to the high costs borne by the Ministry of Justice to organize the national exams.

Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities:

A new law (Law 98/2013) has introduced the figure of the Auxiliary Judge. Four hundred honorary judges will help the courts of appeal to reduce pending cases and backlogs. Each auxiliary judge has to pronounce at least 90 sentences a year.

In addition, young law graduates can now spend 18 months of training in both Tribunals and Courts of Appeal adding a practical dimension to their education and judges can benefit from their help as well.

Reforms regarding the enforcement of court decisions:

With a bill approved in December 2013 but not yet enacted, the Italian Government intends to simplify enforcement procedures and to allow the judge to effectively monitor the schedule and the expenses of both enforcement and insolvency proceedings.

Reforms regarding mediation:

In March 2011 mandatory mediation was introduced, but in 2012 it was declared unconstitutional because of the legal instrument adopted (a Decree instread of a Statutory Law of the Parliament). Since then the number of mediation decisions has significantly decreased. However in 2013 a new piece of legislation (Law 98/2013) has re-introduced mandatory mediation. Mediation is now mandatory for some specific matters in both civil and commercial procedures (including for example inheritance, family agreements, lease, loan, damages resulting from medical liability, etc).

Italy – Data tables for each indicator (2010/2012)

Italy	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	60 626 442	59 685 227
2#1#1 Total of annual State pb expenditure State level	526 944 438 870	535 003 616 032
3 GDP Per capita GDP (in €)	25 727	25 729
4 Average gross annual salary in €	28 041	28 619
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	3 051 375 987	2 986 521 397
12#1#1 Total annual appr pb budget allocated to LA	127 055 510	153 454 322
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	3 051 375 987	2 986 521 397
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	2 274 336 102	2 319 976 073
6#2#3 Amount_Annnual appr bd of the courts_Computer	58 083 534	64 830 009
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	317 399 440	324 337 299
6#2#5 Amount_An appr bd_courts alloc_Court buildings	269 968 019	182 503 436
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	755 313	229 971
6#2#8 Amount_Annual approved budget_courts alloc_Other	130 833 579	94 644 609
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	7 716 811 123	8 038 108 740
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		No
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	60 626 442	59 685 227
Amount_An approved budget alloc whole justice	7 716 811 123	8 038 108 740
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	Yes	Yes
14#2#2 Adoption_Court budget_Other ministry	Yes	Yes
14#2#3 Adoption_Court budget_Parliament	No	No
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	1 231	1 231
42#1#2 Specialised first instance courts	87	87
42#1#3 All the courts (geographic locations)	1 378	1 378

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	87	87
43#1#2 Nr of commercial courts	NAP	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	58	58
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NAP	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	29	29

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	846	846
45#1#2 Nr_1st instance courts competent_dismissal	385	385
45#1#3 Nr_1st instance courts competent_robbery	385	385

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91) The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.		
91#1#1 Pending cases_1 Jan _Total_non crim cases	5 284 253	4 986 193
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	4 263 961	3 796 202
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	510 320	642 544
91#1#4 Pending cases_1 Jan _Enforcement cases	509 972	547 447
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	4 169 012	4 010 588
91#2#2 Incoming cases_Civil&com litig cases	2 399 530	1 559 779
91#2#3 Incoming cases_Civil&com nonlit cases	1 258 567	1 929 572
91#2#4 Incoming cases_Enforcement cases	510 915	521 237
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	4 539 492	4 346 215
91#3#2 Resolved cases_Civil&com litig cases	2 834 879	2 047 289
91#3#3 Resolved cases_Civil&com nonlit cases	1 225 680	1 787 697
91#3#4 Resolved cases_Enforcement cases	478 933	511 229
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	4 913 773	4 650 566
91#4#2 Pending cases_31 Dec _Civil&com litig cases	3 828 612	3 308 692
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	543 207	784 419
91#4#4 Pending cases_31 Dec _Enforcement cases	541 954	557 455

91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91) The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.		
CR Total non crim cases	109%	108%
CR Civil&com litig cases	118%	131%
CR Civil&com nonlit cases	97%	93%
CR Enforcement cases	94%	98%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	395	391
DT Civil&com litig cases	493	590
DT Civil&com nonlit cases	162	160
DT Enforcement cases	413	398
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91) The possible misinterpretation as concerns the comparison between 2010 and 2012 could be explained by the implementation of a different classification of civil cases.		
CR Total non crim cases		0%
CR Civil&com litig cases		11%
CR Civil&com nonlit cases		-5%
CR Enforcement cases		5%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		-1%
DT Civil&com litig cases		20%
DT Civil&com nonlit cases		-1%
DT Enforcement cases		-4%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		

Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	36 176	34 114
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		85 736
101#1#3 Pending cases_1 Jan _Robbery cases	NA	2 053
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	275
101#2#1 Incoming cases_Litigious divorce cs	25 119	19 287
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		12 577
101#2#3 Incoming cases_Robbery cases	NA	4 953
101#2#4 Incoming cases_Intentional homicide	NA	176
101#3#1 Resolved cases_Litigious divorce cs	24 531	18 174
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		11 909
101#3#3 Resolved cases_Robbery cases	NA	4 688
101#3#4 Resolved cases_Intentional homicide	NA	209
101#4#1 Pending cases_31 Dec _Litigious divorce cs	36 764	35 227
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		86 404
101#4#3 Pending cases_31 Dec _Robbery cases	NA	2 318
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	243
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		95%
DT - Insolvency cases		2 648
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	481 595	531 410
97#1#2 Pending cases_1 Jan _Civil&com litig cases	478 557	528 418
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	3 038	2 992
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	181 331	160 832
97#2#2 Incoming cases_Civil&com litig cases	177 260	156 965
97#2#3 Incoming cases_Civil&com nonlit cases	4 071	3 867
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA

97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	150 542	168 276
97#3#2 Resolved cases_Civil&com litig cases	146 588	163 967
97#3#3 Resolved cases_Civil&com nonlit cases	3 954	4 309
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	NAP	NAP
97#4#1 Pending cases on 31 Dec _Total_non crim cs	512 384	523 966
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	509 229	521 416
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	3 155	2 550
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	83%	105%
CR Civil&com litig cases	83%	104%
CR Civil&com nonlit cases	97%	111%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	1 242	1 137
DT Civil&com litig cases	1 268	1 161
DT Civil&com nonlit cases	291	216
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	96 233	95 593
99#1#2 Pending cases_1 Jan _Civil litigious cs	94 573	95 124
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NAP	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	1 660	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NAP	469

99#2#1 Incoming cases_Total _non crim law cs	30 383	29 128
99#2#2 Incoming cases_Civil litigious cs	30 063	28 766
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NA
99#2#4 Incoming cases_Enforcement cs	320	NAP
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NAP	362
99#3#1 Resolved cases_Total _non crim law cs	28 963	25 012
99#3#2 Resolved cases_Civil litigious cs	28 507	24 637
99#3#3 Resolved cases_Civil non_litigious cs	NAP	NA
99#3#4 Resolved cases_Enforcement cs	456	NAP
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NAP	375
99#4#1 Pending cases_31 Dec _Total _non crim law cs	97 653	99 709
99#4#2 Pending cases_31 Dec _Civil litigious cs	96 129	99 253
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	1 524	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NAP	456
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	95%	86%
CR Civil&com litig cases	95%	86%
CR Civil&com nonlit cases		
CR Enforcement cases	143%	
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		104%
DT Total non DTim cases	1 231	1 455
DT Civil&com litig cases	1 231	1 470
DT Civil&com nonlit cases		
DT Enforcement cases	1 220	
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		444
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		

102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	654	676
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		2 566
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	453	486
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		1 071
3rd inst average length_Robbery cases		191
3rd inst average length_Intent homicide		237
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	60 626 442	59 685 227
91#2#1 Incoming cases_Total_non crim cases	4 169 012	4 010 588
91#2#2 Incoming cases_Civil&com litig cases	2 399 530	1 559 779
91#2#3 Incoming cases_Civil&com nonlit cases	1 258 567	1 929 572
91#2#4 Incoming cases_Enforcement cases	510 915	521 237
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	4 913 773	4 650 566
91#4#2 Pending cases_31 Dec _Civil&com litig cases	3 828 612	3 308 692
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	543 207	784 419
91#4#4 Pending cases_31 Dec _Enforcement cases	541 954	557 455
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes

87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NA	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NA	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NA	NA
186#1#4 Notification_dec_parties_same city as Ct_more	NA	NA
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		Yes
Indicator 4: The efficiency and the quality of the judicial system		
Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	Yes	Yes
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes

68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		

80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	No	No

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	No	Yes
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	60 626 442	59 685 227
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	127 055 510	153 454 322
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	NAP	NAP
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	NAP	NAP

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	60 626 442	59 685 227
12#1#1 Total annual appr pb budget allocated to LA	127 055 510	153 454 322
20#1#1 Total Number of cases granted with legal aid	159 198	191 122
20#1#2 Nr of criminal cases granted with legal aid	103 075	116 670
20#1#3 Nr non criminal cases granted with legal aid	56 123	74 452

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see	NA

12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	3 051 375 987	2 986 521 397
9 Annual income of court taxes received by the State	326 163 179	465 147 222
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	+50% of courts	+50% of courts
63.1.3 Financial information system	+50% of courts	100% of courts
63.1.4 Videoconferencing	-10% of courts	+50% of courts
64.1.1 Electronic Web forms	+50% of courts	+50% of courts
64.1.2 Website	+50% of courts	+50% of courts
64.1.3 Follow-up of cases online	-50% of courts	+50% of courts
64.1.4 Electronic registers	+50% of courts	100% of courts
64.1.5 Electronic processing of small claims	+50% of courts	+50% of courts
64.1.6 Electronic processing of undisputed debt recovery	+50% of courts	+50% of courts
64.1.7 Electronic submission of claims	+50% of courts	+50% of courts
64.1.8 Videoconferencing	-50% of courts	+50% of courts
64.1.9 Other electronic communication facilities	0 % of courts	+50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes

65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)

110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No

Table 7.2. Types of compulsory trainings for judges (Q 127)

127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional

Table 7.3. Budget of training institution, in € (Q 131)

131#1#1 One instit for judges_Initial training	NAP	NAP
131#1#2 One instit for prosecutors_Initial training	NAP	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	NAP	NAP
131#2#1 One instit for judges_Continuous training	NAP	NAP
131#2#2 One instit for prosecutors_Continuous training	NAP	NAP
131#2#3 One instit for judges&proc_Continuous training	NAP	NAP
131#3#1 One instit for judges_Init&Cont trainings	NAP	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	NAP	Yes
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NA

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)

Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)

132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	50 290	54 497
132#1#2 Gross An sal: Judge_Supr Ct	176 000	179 747
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	50 290	54 497
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	163 788	179 747
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	31 729	33 911
132#2#2 Net An sal: Judge_Supr Ct	95 965	97 833
132#2#3 Net An sal: Pb prosecutor_beg_carrier	31 729	33 911
132#2#4 Net An sal: Pb prosecutor_Supr Ct	89 779	97 833
4 Average gross annual salary in €	28 041	28 619

Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	75
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	175	99
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	8
144#1#3 Discipl proc against judges_Prof inadequancy	NA	91
144#1#4 Discipl proc against judges_Criminal offence	NA	0
144#1#5 Discipl proc against judges_Other	NA	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No

142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	50	39
145#1#2 Sanctions against judges_Reprimand	38	31
145#1#3 Sanctions against judges_Suspension	1	0
145#1#4 Sanctions against judges_Removal of cases	NAP	NAP
145#1#5 Sanctions against judges_Fine	NAP	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	NAP	NAP
145#1#7 Sanctions against judges_Position downgrade	6	5
145#1#8 Sanctions against judges_Transfer_another geo loc	3	3
145#1#9 Sanctions against judges_Dismissal	2	0
145#1#10 Sanctions against judges_Other	NAP	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	216	224
47#1#2 Number of 1st instance presidents	194	199
47#1#3 Number of 2nd instance presidents	21	24
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	188	176
47#2#2 Number of 1st instance presidents_males	169	153
47#2#3 Number of 2nd instance presidents_males	18	22
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	28	48
47#3#2 Number of 1st instance presidents_females	25	46
47#3#3 Number of 2nd instance presidents_females	3	2
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate		

NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 3 121,0	€ 3 275,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No

164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	No	No
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	Yes	Yes
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	Yes	Yes
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No

Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	60 626 442	59 685 227
166#1#2 Number of accredited mediators		NA
167#2#1 Judicial mediation procedures_Total Nr		154 879
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	60 626 442	59 685 227
46#1#1 Total Nr of professional judges	6 654	6 347
52#2#1 Nr_non-judge staff who are working in courts	24 661	24 163
146 Total number of practicing lawyers	211 962	226 202
170 Number of enforcement agents		3 365 3 177
52.2.2 Number Non-judge staff (Rechtspfleger)		

Table 9.3. Number of lawyers and legal advisors, per		

100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	211 962	226 202
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	6 654	6 347
1 Number of inhabitants	60 626 442	59 685 227
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	3 365	3 177
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	43	33
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	11
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	0	0
187#2#4 Nr_Discipl proc against EA_Criminal offence	12	22
187#2#5 Nr_Discipl proc against EA_Other	31	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	51	37

188#2#2 Nr_Sanctions pronounced against EA_Reprimand	23	13
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	23	16
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	1	3
188#2#5 Nr_Sanctions pronounced against EA_Fine	4	5
188#2#6 Nr_Sanctions pronounced against EA_Other	0	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	24 661	24 163
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	9 699	8 843
52#2#4 Number_Staff in charge of administrative tasks	107	132
52#2#5 Number of Technical staff	702	676
52#2#6 Number of Other non-judge staff	14 153	14 512
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No

182 System for monitoring the execution	No	No

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)

66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Latvia (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

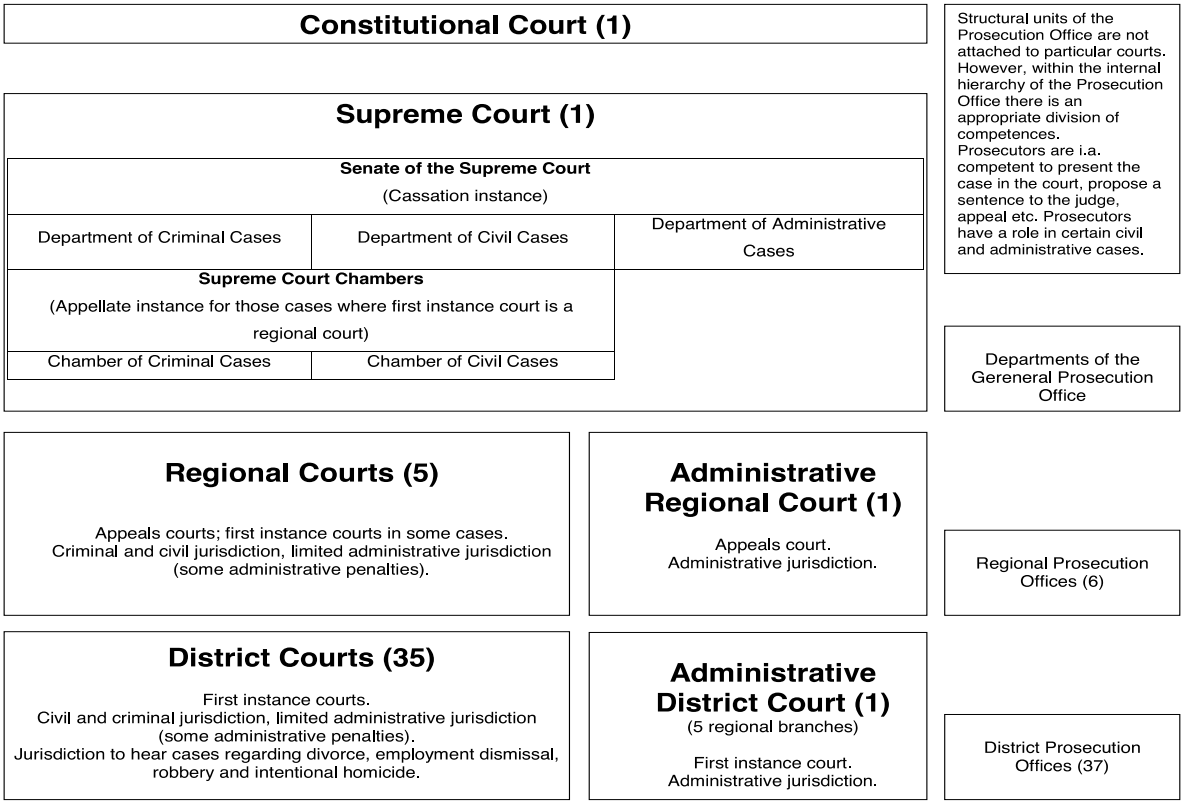
States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Latvia	2 044 813	4 956 691 251	10 858	€ 8 981

1. Presentation of the functioning of the judicial system

According to 2012 data, in Latvia, for the first instance, there are: 34 first instance courts of general jurisdiction (district (city) courts) and 1 specialised court: the administrative district courts, and 4 court houses.

For the second instance, there are: 5 regional court and 2 court houses, and 1 administrative regional court.

The highest instance is the Supreme Court.



There are 34 first instance courts competent for a debt collection for small claims and 39 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in Latvia is 102, which is 12 % less than in 2010. It represents 5 enforcement agents per 100 000 inhabitants (equal to the EU median of 5 enforcement agents per 100 000 inhabitants).

Concerning the enforcement fees, they are of easy access and transparent for the court users and are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1-5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 65 953 173 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 32,25 euros

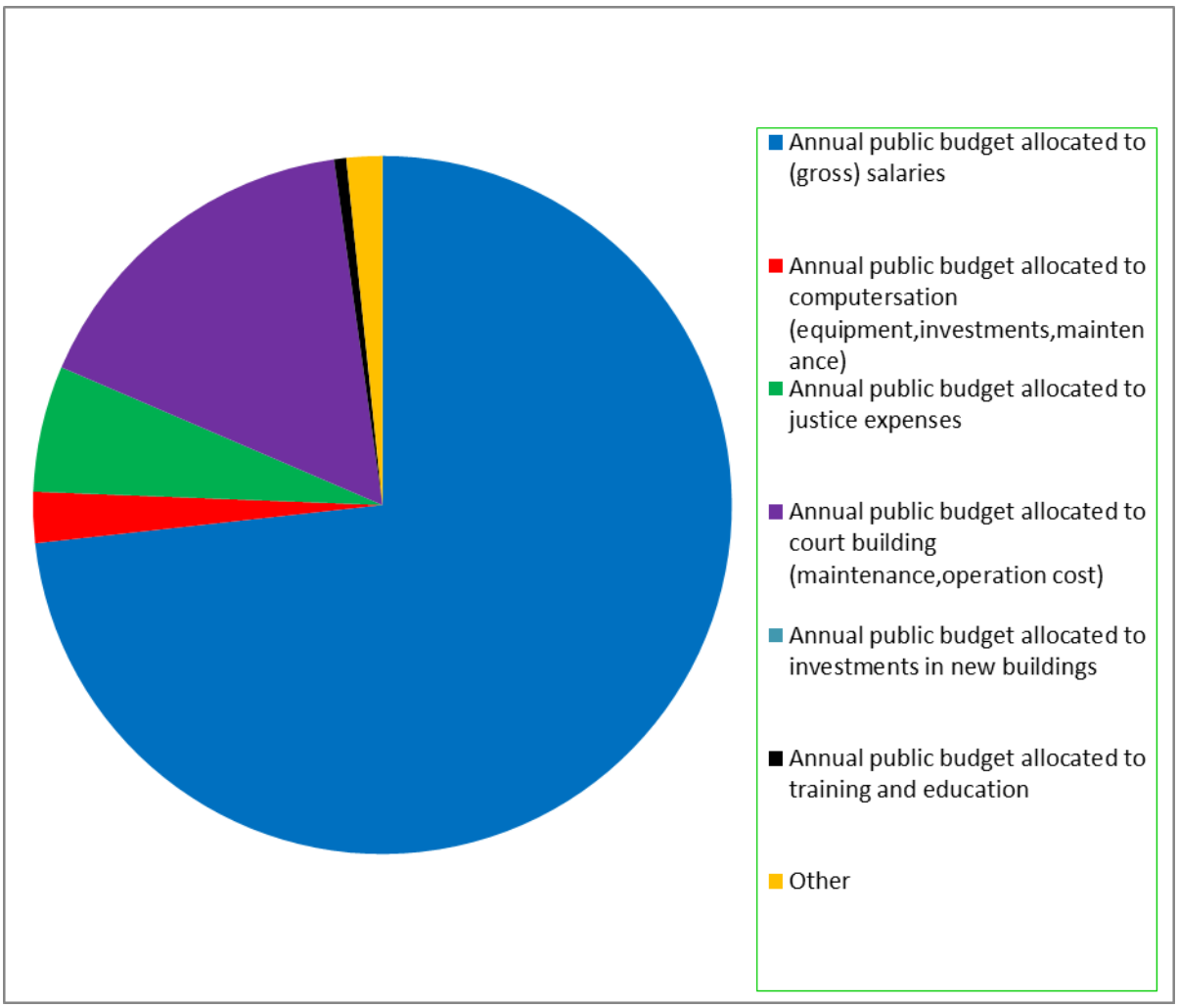
This ratio is lower than the EU average of 62,22 euros per capita and lower than the EU median of 47,43 euros per capita. Latvia belongs to the group of European States with the lowest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries

- annual public budget allocated to court building (maintenance, operation cost)

- annual public budget allocated to justice expenses



The indicated budget for all courts includes, budget for district (city) courts, regional courts, Administrative regional court, Administrative district court and for the Supreme court. In the section "other" are included following items: taxes, health and life insurance for judges, service pension, social benefits given by employer, communication services, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance.

- **Budget allocated to the whole justice system : 144 823 662 euros**

This budget includes the following budgetary elements: court, legal aid, prison system, probation services, constitutional court, judicial management body, enforcement services, forensic services, functioning of the Ministry of Justice, other.

Between 2010 and 2012, the justice system cost per capita has increased by 15 %.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Latvia is 439, which is 7 % less than in 2010.

This represents 21 judges per 100 000 inhabitants (more than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited trough a competitive exam in combination with working experience in the legal field. An initial training and general in-service training are compulsory.

The gross annual salary of a first instance professional judge is 19 755 euros (2,2 x the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 37 616 euros (4,2 x the national average gross annual salary), which is lower than the EU average (88 218 euros).
According to the Law on Judicial Power, Section 60, judges of a district (city) court shall be appointed to office by the Parliament, upon the recommendation of the Minister for Justice, for three years. After a judge of a district (city) court has held office for three years, the Parliament, upon the recommendation of the Minister for Justice, and on the basis of an opinion of the Judicial Qualifications Board, shall confirm him or her in office, for an unlimited term of office, or shall re-appoint him or her to office for a period of up to two years. After the expiration of the repeated term of office, the Parliament, on the recommendation of the Minister for Justice, shall confirm in office a judge of a district (city) court for an unlimited term of office (the compulsory retirement age is 70).

If the work of a Judge is unsatisfactory, the Minister for Justice, in accordance with an opinion of the Judicial Qualification Board, shall not nominate a judge as a candidate for a repeated appointment to or confirmation in office. According to the Law on Judicial Power, Section 61, judge of regional court shall be confirmed by the Parliament, upon a recommendation of the Minister for Justice, for an unlimited term of office.

A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists in Latvia.

- Non-judge staff

In Latvia there are 1 608 non-judges staff including:

- 1 090 non-judge staff whose task is to assist the judges such as registrars,
- 351 staff in charge of different administrative tasks and of the management of the courts,
- 160 technical staff
- 7 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 962 294 euros (0,47 euros per capita)

The legal aid is granted for representation in court and legal advice in both criminal and non-criminal cases.

In domestic civil cases state ensured legal aid is provided to:

- low-income or needy persons;

- persons who find themselves suddenly in a situation and material condition which prevents them from ensuring the protection of their rights (due to a natural disaster or force majeure or other circumstances beyond their control);

- persons who are on full support of the State or self-government.

In administrative cases (asylum seekers and foreign nationals who are subject to deportation procedures in the cases and ways provided for by the Immigration law) and cross-border civil cases the Legal Aid Administration assesses person's income level. The Cabinet determines the monthly income level (right now it is 50% of the minimum wage).

The Legal Aid Administration is the competent institution responsible for the provision of legal aid in the cases and according to the procedures specified in this State ensured legal aid law. Legal aid can be provided in out-of-court and in-the-court settlement of matters of legal nature or for the protection of infringed or contested rights of a person or his or her interests protected in the cases, ways and amounts provided for by the State ensured legal aid law.

- **Court fees**

The annual income of court fees or taxes received by State is 16 573 777 euros and the share of court fees or taxes in the annual budget allocated to all courts is 25% (higher than the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In Latvia, there are 1 343 lawyers (this category does not include the legal advisors), which is 1% less than in 2010.

This data represents 66 lawyers (without legal advisers) per 100 000 inhabitants (less than the EU median of 106 lawyers per 100 000 inhabitants) and 3,1 lawyers per professional judges.

Lawyers have no monopoly on legal representation except in criminal cases concerning the defendant.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees and these fees are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the levels for the indicators of the clearance rate and the disposition time (total non criminal cases) in first and second instances shows that the system is performing and able to deal with cases respectively in less than six months and less than one year. At these two levels, a decrease of backlogs is to be noted. Nevertheless, the system is less performing before the highest instance court where the level for the indicator of the clearance rate is of 81% and the length of proceedings exceeds one year.
Disposition time of litigious civil and commercial cases before the first instance courts decreased from 330 days in 2010 to 252 days in 2012. Clearance rate of litigious civil and commercial cases before the first instance courts increased from 86% in 2010 to 111% in 2012.

  - Insolvency

The clearance rate for insolvency cases in first instance in Latvia is 76 %. The disposition time for insolvency cases in first instance is 994 days. The system appears clearly less performing in dealing with cases of this specific category in first instance in comparison with the total non criminal cases at the same jurisdictional level.

  - The Latvian legislation provides for specific procedures for urgent matters for civil and administrative cases (not for criminal cases) and sets forth simplified procedures for small disputes in civil cases and small offences in criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Latvia, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, the length of proceedings and other elements exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Latvia has not defined performance and quality indicators.

The Latvian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, administrative and criminal cases.

Quantitative performances targets are not defined for each judge and they are not set up at the level of the court.

By amendments to the Law on Judicial power from year 2014 the president of the court before each annual year in cooperation with the court judges will determine the court work aims on the average period of case review.

A set of quality standards is defined with regard to the whole judicial system.

In June 26, 2008 “The visitors service standards of the district (city) courts and regional courts” was approved. This courts visitors service standard summarizes the general principles of judicial reception and provides with information. Those standards help court staff to raise their professionalism and understand the court visitors servicing values.

- **Alternative dispute resolutions**

In Latvia, the possibility to resort to judicial mediation does not yet exist.

The reference made in 2010 to the judicial mediation in respect of criminal cases, referred exclusively to the existence of the settlement institute in the Criminal proceedings law. However, the settlement institute is another kind of ADR mechanisms and it differs from the mediation institute (also judicial mediation) sharply, most by the procedure used in mediation or in gaining the settlement.

Latvia is at the beginning of its development of legislative background on the mediation institution. The first step in developing mediation institute was already taken in 2009 when the concept on mediation in civil disputes resolution was adopted by the government. The concept states the implementation of 4 mediation modules gradually from pure mediation to court – annexed mediation, from court – annexed mediation to court – internal mediation, from court – internal mediation to – integrated mediation. The recognition of pure mediation institute in Latvia shows the best practice of alternative dispute resolution main idea – free choice between parties to choose the way of their dispute resolution in finding other ways in solving disputes without going to the court. In choosing the way of drafting mediation legal basis, actually it has been the choice and challenge at the same time for Latvia to choose – shall mediation be governed by the laws, regulations at all or shall it be regulated by Mediation law or indirectly regulated by other laws such as the Civil Procedure Law. At the moment Latvia is in this early stage of establishing legal basis of mediation institute. The draft law on Mediation has been elaborated by specially established experts working group forming of judges, practicing mediators and other experts. Right now the draft law on mediation has been approved by the Parliament in the first reading.

Latvia also knows mediation other than judicial, arbitration and other kind of alternative dispute resolutions. .

- **The ICT tools of courts and for court users**

Latvia has developed a very complete ICT system:

-for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail): 100% of courts

- for administration and management (case registration system, financial information system, videoconferencing: 100% of courts and concerning court management information system: less than 10% of courts)

- and for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are 100 **%.**

"Other electronic communication facilities" means sound recording systems.

Videoconferencing is used in criminal and other than criminal cases.

Within the Latvian and Swiss cooperation programme the project on "Modernization of Courts in Latvia" started from June, 2012. At least one court room in each court are equipped with videoconference equipment.

4. National data collection system

Court Administration. is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. Latvia has the Court Informative System which contains statistical dates about courts work etc.
The statistical data also have been published regularly in the e-portal www.tiesas.lv.
The system of collecting statistical data is able to provide data concerning the number of selected cases as well as the number of specific procedures (litigious divorce cases, employment dismissal cases, insolvency) in first instance. As to cases in second and third instances, certain data related to their number are not available.
In respect of the length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency) data are not available concerning the highest instance court.

5. Reforms

Foreseen reform plans:
1. To reduce the length of proceedings in courts.
2. To reduce the balance of the case redistribution.
3. To improve alternative dispute resolution.

Reforms regarding courts:
Allocation of 10 additional judge positions for courts in the Riga region. The number of judges in the courts of the Riga region will increase by 10. . The number of administrative staff will also increase (by ten positions for judge assistants and by 10 positions for court secretaries). The expected result is to level out the uneven court workload, especially in the courts of the Riga region. This action can be described as a remedy with rapid effect on shortening judicial proceedings, reducing the backlog and enhancing the clearance rate.
As regards enhancing the role of the chairman of the court in reduction of length of proceedings, according to the Law on Judicial Power, the chairman at the beginning of every year will approve the case management standard and follow-up on its compliance by the court. The first case management standards will be approved for 2014 until the 1st of February 2014.
The review of the court disposition model is made according to the location of population and hubs of economic activity. Greater courts – mechanism to equalize court workload and to strengthen the principle of random attribution of cases and judge specialization:
- District (city) court with courthouses maintains judges` and courthouses` specialization that provides expertise and secures principle of random attribution of cases and high quality of decisions
- Rotation of cases (judges) within courthouses
- Opportunity to use judicial resources more effectively (e.g., written translation or archiving jobs to be allocated to courthouses that have less workload)
- Review of court composition according to the number of cases
This year's review of the court allocation model has been started and guiding principles on the court disposition will be set.

Reforms regarding access to justice and legal aid:
As regards the publication of court decisions, final court decisions and judgments taken during open court and into force will be published on the court portal and accessible to everyone free of charge. The process has begun and court decisions are being impersonalized and published on the court portal since the 1st of September 2013.

Reforms regarding case file redistribution:
The Ministry of Justice has begun work on amendments to the Civil Procedure Law to introduce the possibility to redistribute case files (i.e. to transfer case files to another court) if the case has not been heard on the merits and if the transfer of the case to another court can achieve a faster trial. The amendments should enter into force in the beginning of 2014.
The Ministry of Justice has also begun work on amendments to the Civil Procedure Law to hand over civil claims exceeding LVL 150`000 to district (city) courts in order to decrease the workload of regional courts (court of appeal).
The Ministry of Justice has also started work on amendments to the Civil Procedure Law in order to improve the process of approval of a Statement of Auction of Immovable Property and corroboration of the sold immovable property in the name of the buyer, if the auction is organised by a bailiff. It is planned that the

Land Registry Office of a district (city) court approves an auction and after the court judgment has come into lawful effect the judge of a Land Registry corroborates rights to immovable properties in Land Registers. The amendments will enter into force on 1 July, 2014. This action would relieve the workload of regional courts (court of appeal).
Determination of the executive document force for contracts drafted in a certain form of notarial deed – directly enforceable contracts drafted in the form of notarial deed. The regulation will apply to the following type of contracts drafted in a certain form of a notarial deed:
- term contracts on cash payment or return of document or movable property;
- term real estate rental or lending contracts;
- arrangements for one-off or periodic sustenance payments.
The amendments will enter into force on 1 November 2013.
Discussions related to advocate participation in cassation proceedings are also taking place.

Reforms regarding personal status:
A professional evaluation of judges, which started in January 2013, is the main reform regarding human resources. The evaluation of the professional work of a judge will take place every 5 years. An extraordinary evaluation, deciding on judges` transfer or substitution can take place on special occasions ().
The Ministry of Justice is working on a plan to introduce judges and other professionals belonging to the legal sphere (e.g. prosecutors, investigators, courts` staff) training programmes, using the European Social Fund (ESF) funding in the period 2014-2020 (2022). The ESF funding is meant for:
- developing new training programs, including interdisciplinary training;
- developing manuals and training materials;
- promoting the use of modern technology and training on IT technologies.
The implementation of court organizational management training programme (s) for court presidents with studies and best practice implementation of the organizational management (best EU practices) are also planned
The training programs are intended to raise the human resource capacity in the judiciary:
- to evaluate existing judges' selection procedure;
- to develop training programs for candidates on judges and prosecutors positions;
- to develop guidelines (handbooks) for new judges and new prosecutors.

Reforms regarding mediation:
Implementation of the new mediation law.
The Draft law on Mediation has been adopted by the Parliament after the first reading and the second reading is expected any moment.
On October 4th, 2013 the Ministry of Justice of the Republic of Latvia and NORDEN (Nordic Council of Ministers) organized an international seminar – Mediation in Latvia and Nordic countries in order to get an overview on how different countries have developed or are developing mediation phenomena at the national level, their experience and challenges. Successful mediation reduces backlog of cases but also improves public opinion of the judiciary system.

Development of the arbitration court system:
Latvia is taking steps to improve the arbitration court system by drafting a new Arbitration law in order to strengthen the conditions for the establishment of arbitration and the arbitrators' qualification requirements, in order to reduce the number of arbitration courts and to increase public confidence in arbitration decisions. The draft Law was elaborated and submitted before the Cabinet of Ministers on 12th of June and it is expected to be approved by the Cabinet every moment. The draft Law strengthens the criteria, under which an arbitration court can be established, and sets the criteria for arbitration judges and the improvement of the arbitration procedure.

Other foreseen reforms:
A study has been commissioned with a view to evaluating the effectiveness of proceedings and to finding a court cost methodology for 2013.
The results of the projects have been submitted to the Ministry of Justice. Currently a report on project results and recommendations proposed by the project contractors/team is being drafted. The results of the projects and recommendations will be used in the daily work of the Ministry of Justice in planning and developing a policy of the judiciary. The main recommendations of the projects are:
- The use of electronic documents in court proceedings and the automatization of processes;
- To review the court disposition model;
- To improve efficiency of court archives;
- To review the tasks/duties of judges and of the courts' administrative staff;
- To review court premises;
- To review court fees.

Latvia – Data tables for each indicator (2010/2012)

Latvia	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	2 229 600	2 044 813
2#1#1 Total of annual State pb expenditure State level	4 332 771 971	4 956 691 251
3 GDP Per capita GDP (in €)	8 096	10 858
4 Average gross annual salary in €	7 588	8 981
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	36 919 820	44 494 921
12#1#1 Total annual appr pb budget allocated to LA	842 985	962 294
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	36 919 820	44 494 921
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	24 194 890	32 592 664
6#2#3 Amount_Annnual appr bd of the courts_Computer	1 807 390	1 049 170
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	2 840 282	2 602 683
6#2#5 Amount_An appr bd_courts alloc_Court buildings	6 677 230	7 264 546
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	211 718	249 939
6#2#8 Amount_Annual approved budget_courts alloc_Other	1 188 310	735 919
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	137 747 332	144 823 662
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	No	No
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		Yes
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		Yes
Notariat		No

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	No	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	2 229 600	2 044 813
Amount_An approved budget alloc whole justice	137 747 332	144 823 662
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	Yes	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	Yes	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	Yes	Yes
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	Yes	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	Yes	Yes
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	Yes	Yes
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	Yes	Yes
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	34	34
42#1#2 Specialised first instance courts	1	1
42#1#3 All the courts (geographic locations)	48	48

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	1	1
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	NAP
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	1	1
43#1#8 Nr of insurance_soc welfare courts	NA	NAP

43#1#9 Nr of military courts	NA	NA
43#1#10 Nr ofother specialised 1st instance courts	NA	NAP
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	34	34
45#1#2 Nr_1st instance courts competent_dismissal	39	39
45#1#3 Nr_1st instance courts competent_robbery	39	39
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?		No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	42 183	39 466
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	30 569	30 954
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	5 888	2 961
91#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	5 726	5 551
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	129 655	70 540
91#2#2 Incoming cases_Civil&com litig cases	48 284	35 097
91#2#3 Incoming cases_Civil&com nonlit cases	76 582	31 472
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	4 789	3 971
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	124 484	75 540
91#3#2 Resolved cases_Civil&com litig cases	41 411	39 044
91#3#3 Resolved cases_Civil&com nonlit cases	78 485	31 288
91#3#4 Resolved cases_Enforcement cases	NAP	NAP
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	4 588	5 208
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	47 354	34 466
91#4#2 Pending cases_31 Dec _Civil&com litig cases	37 442	27 007
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	3 985	3 145
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP

91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	5 927	4 314
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	96%	107%
CR Civil&com litig cases	86%	111%
CR Civil&com nonlit cases	102%	99%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	96%	131%
CR Other cases		
DT Total non DTim cases	139	167
DT Civil&com litig cases	330	252
DT Civil&com nonlit cases	19	37
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	472	302
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		12%
CR Civil&com litig cases		30%
CR Civil&com nonlit cases		-3%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		37%
CR Other cases		
DT Total non DTim cases		20%
DT Civil&com litig cases		-23%
DT Civil&com nonlit cases		98%
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-36%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	2 847	1 602

101#1#2 Pending cases_1 Jan _Employment dismissal	317	108
Pending Insolvency cases		3 493
101#1#3 Pending cases_1 Jan _Robbery cases	302	249
101#1#4 Pending cases_1 Jan _Intentional homicide	49	37
101#2#1 Incoming cases_Litigious divorce cs	5 232	2 070
101#2#2 Incoming cases_Employment dismissal	446	152
Incoming Insolvency cases		1 921
101#2#3 Incoming cases_Robbery cases	339	243
101#2#4 Incoming cases_Intentional homicide	79	50
101#3#1 Resolved cases_Litigious divorce cs	5 482	2 287
101#3#2 Resolved cases_Employment dismissal	559	185
Resolved Insolvency cases		1 454
101#3#3 Resolved cases_Robbery cases	359	248
101#3#4 Resolved cases_Intentional homicide	85	61
101#4#1 Pending cases_31 Dec _Litigious divorce cs	2 597	1 385
101#4#2 Pending cases_31 Dec _Employment dismissal	204	75
Pending Insolvency cases		3 960
101#4#3 Pending cases_31 Dec _Robbery cases	282	244
101#4#4 Pending cases_31 Dec _Intentional homicide	43	36
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		76%
DT - Insolvency cases		994
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	9 633	5 762
97#1#2 Pending cases_1 Jan _Civil&com litig cases	2 640	3 428
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	80	21
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	31
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases		2 222
97#1#8 Pending cases_1 Jan _Other cases	NAP	60
97#2#1 Incoming cases_Total_non crim cases	11 036	10 130
97#2#2 Incoming cases_Civil&com litig cases	4 180	5 664
97#2#3 Incoming cases_Civil&com nonlit cases	423	162
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	182
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases		3 748
97#2#8 Incoming cases_Other cases	NAP	374
97#3#1 Resolved cases_Total_non crim cases	10 759	10 390
97#3#2 Resolved cases_Civil&com litig cases	4 004	6 213
97#3#3 Resolved cases_Civil&com nonlit cases	450	171
97#3#4 Resolved cases_Enforcement cases	50	NA

97#3#5 Resolved cases_Land registry cases	153	201
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases		3 411
97#3#8 Resolved cases_Other cases	NAP	394
97#4#1 Pending cases on 31 Dec _Total_non crim cs	10 113	5 502
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	2 816	2 879
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	53	12
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	12
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases		2 559
97#4#8 Pending cases on 31 Dec _Other cases	NAP	40
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	97%	103%
CR Civil&com litig cases	96%	110%
CR Civil&com nonlit cases	106%	106%
CR Enforcement cases		
CR Land registry cases		110%
CR Business reg cases		
CR Admin law cases	96%	91%
CR Other cases		105%
DT Total non DTim cases	343	193
DT Civil&com litig cases	257	169
DT Civil&com nonlit cases	43	26
DT Enforcement cases		
DT Land registry cases		22
DT Business reg cases		
DT Admin law cases	472	274
DT Other cases		37
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	874	1 180
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	256	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	2 349	1 576
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA

99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	956	NA
99#2#8 Incoming cases_Other cs	NA	NA
99#3#1 Resolved cases_Total _non crim law cs	2 075	1 274
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	28	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	911	NA
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	1 176	1 482
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	301	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	88%	81%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	95%	
CR Other cases		
DT Total non DTim cases	207	425
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	121	
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA

102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	186	249
102#3#2 1st inst average length_Empl dismissal	141	234
1st inst average length Insolvency		570
102#3#3 1st inst average length_Robbery cases	207	271
102#3#4 1st inst average length_Intent homicide	183	234
102#4#1 2nd inst average length_Lit divorce cs	99	112
102#4#2 2nd inst average length_Empl dismissal	99	144
2nd inst average length Insolvency		52
102#4#3 2nd inst average length_Robbery cases	93	66
102#4#4 2nd inst average length_Intent homicide	84	185
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	2 229 600	2 044 813
91#2#1 Incoming cases_Total_non crim cases	129 655	70 540
91#2#2 Incoming cases_Civil&com litig cases	48 284	35 097
91#2#3 Incoming cases_Civil&com nonlit cases	76 582	31 472
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	4 789	3 971
91#4#1 Pending cases_31 Dec _Total_non crim cases	47 354	34 466
91#4#2 Pending cases_31 Dec _Civil&com litig cases	37 442	27 007
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	3 985	3 145
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	5 927	4 314
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	No
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes

88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	No
77#1#2 Ministry of Justice	Yes	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	Yes
77#1#5 External audit body	No	No
77#1#6 Other	Yes	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity

of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	No
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		Yes
73#1#4 Other	No	Yes
74 Performance targets defined at_court level	Yes	No
81 Waiting time during court procedures	Yes	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	No
71#1#2 Quality indicator_Length of proceedings	Yes	No
71#1#3 Quality indicator_Closed cases	Yes	No
71#1#4 Quality indicator_Pending cases and backlogs	Yes	No
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	Yes	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	No
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	2 229 600	2 044 813
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	842 985	962 294
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	No	No
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	No
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	2 229 600	2 044 813
12#1#1 Total annual appr pb budget allocated to LA	842 985	962 294
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	36 919 820	44 494 921
9 Annual income of court taxes received by the State	17 650 016	16 573 777

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes

Table 5.7. Court fees calcualation methodology and the amount of court fees to commence action for €3000 debt recovery (Q8.1 and Q8.2)		
[8.1] - Please briefly present the methodology of calculation of courts fees?		The methodology is defined by the Civil Prosedure Law Article 34 and Administrative Procedure Law Article 125
[8.2] - Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?		

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)

Table 6.3. The ICT tools of courts and for court users

Table 6.4. The ICT tools of courts and for court users

Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	-10% of courts	-10% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	0 % of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts

64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	0 % of courts	100% of courts
64.1.9 Other electronic communication facilities	0 % of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	No	Yes
65#4#1 Use of videoconferencing in other than crim cases	No	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	Yes
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No

Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	13 798	19 755
132#1#2 Gross An sal: Judge_Supr Ct	26 650	37 616
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	13 524	19 356
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	17 388	25 788
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	9 292	13 379
132#2#2 Net An sal: Judge_Supr Ct	17 965	25 573
132#2#3 Net An sal: Pb prosecutor_beg_carrier	9 180	13 104
132#2#4 Net An sal: Pb prosecutor_Supr Ct	11 760	17 412
4 Average gross annual salary in €	7 588	8 981
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	No	70
125 If mandate of judges renewable	Yes	Yes
125 Length of the mandate of judges	3	3
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	0.5 year (6 months)	0.5 years (6 months)
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	5	11
144#1#2 Discipl proc against judges_Breach_pro ethics	0	1
144#1#3 Discipl proc against judges_Prof inadequancy	4	7
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	1	3
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No

140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	5	7
145#1#2 Sanctions against judges_Reprimand	1	0
145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	NAP	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	NAP	NAP
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	NAP
145#1#9 Sanctions against judges_Dismissal	0	2
145#1#10 Sanctions against judges_Other	4	5
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	42	46
47#1#2 Number of 1st instance presidents	35	39
47#1#3 Number of 2nd instance presidents	6	6
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	15	17
47#2#2 Number of 1st instance presidents_males	13	15
47#2#3 Number of 2nd instance presidents_males	1	1
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	27	29

47#3#2 Number of 1st instance presidents_females	22	24
47#3#3 Number of 2nd instance presidents_females	5	5
47#3#4 Number of supreme court presidents_females	NA	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	NAP
49#2#1 Number of non-professional judges_Gross figure	€ 10,0	
Table 7.15. Procedures and criteria used for promoting judges (Q 114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	No
168#1#4 Alternative dispute resolution_Other	No	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	No
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No

[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	No	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	No
164#2#2 Private mediator_Family law cases	No	No
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	Yes	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	Yes	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	2 229 600	2 044 813
166#1#2 Number of accredited mediators		NAP
167#2#1 Judicial mediation procedures_Total Nr	440	
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr	440	
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		

Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)			
1 Number of inhabitants	2 229 600	2 044 813	
46#1#1 Total Nr of professional judges	472	439	
52#2#1 Nr_non-judge staff who are working in courts	1 601	1 608	
146 Total number of practicing lawyers	1 360	1 343	
170 Number of enforcement agents		116	102
52.2.2 Number Non-judge staff (Rechtspfleger)			
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)			
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)			
146 Total number of practicing lawyers	1 360	1 343	
148 Number of legal advisors	NAP	NAP	
147 Does "Nr of lawyers" include “legal advisors”?	No	No	
46#1#1 Total Nr of professional judges	472	439	
1 Number of inhabitants	2 229 600	2 044 813	
Table 9.5. Monopoly of legal representation (Q 149)			
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No	
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes	
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No	
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No	
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No	
Table 9.6. Lawyers’ fees (Q 154, 155, 156)			
154 Can users establish what lawyers' fees will be?	No	Yes	
155 Lawyers' fees are_freely negotiated	Yes	Yes	
156#1#1 Providing rules_lawyers' fees_Laws	No	Yes	
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No	
156#1#3 Providing rules_lawyers' fees_Nobody	Yes	No	
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)			
170 Number of enforcement agents	116	102	
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)			
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes	
178#1#2 Auth resp_supervision_EA_Judge	No	Yes	
178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes	
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No	
178#1#5 Auth resp_supervision of EA_Other	No	No	

Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	15	4
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		4
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		

Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	10	4
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	8	2
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	
188#2#5 Nr_Sanctions pronounced against EA_Fine	2	
188#2#6 Nr_Sanctions pronounced against EA_Other	0	2

Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No

Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	Yes

Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	No
183#1#8 Users' complaints enf proc_Other 2010	No	No

Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	1 601	1 608
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	1 082	1 090
52#2#4 Number_Staff in charge of administrative tasks	354	351
52#2#5 Number of Technical staff	160	160
52#2#6 Number of Other non-judge staff	5	7
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Lithuania (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Lithuania	3 003 641	7 471 460 554	11 025	€ 7 381

1. Presentation of the functioning of the judicial system

The court system of the Republic of Lithuania is made up of courts of general jurisdiction and courts of special jurisdiction. According to 2012 data, there are 59 first instance courts of general jurisdiction and 5 first instance specialised courts. A district court is the first instance for criminal, civil cases and cases of administrative offences (assigned to its jurisdiction by law), cases assigned to the jurisdiction of mortgage judges, as well as cases relating to the enforcement of decisions and sentences. Judges of a district court also perform the functions of a pre-trial judge, an enforcement judge, as well as other functions assigned to a district court by law. A regional court is the first instance for criminal and civil cases assigned to its jurisdiction by law, and appeal instance for judgments, decisions, rulings and orders of district courts. The Court of Appeal is the appeal instance for cases heard by regional courts as courts of first instance. It also hears requests for the recognition of decisions of foreign or international courts and foreign or international arbitration awards and their enforcement in the Republic of Lithuania. The Chairman of the Court of Appeal organises and controls the administrative activities of the regional courts and their judges in accordance with the procedure prescribed by law. The Supreme Court of Lithuania is the only court of cassation instance for reviewing effective judgments, decisions, rulings and orders of the courts of general jurisdiction. It develops a uniform court practice in the interpretation and application of laws and other legal acts. A regional administrative court is the court of special jurisdiction established for hearing complaints (petitions) in respect of administrative acts and acts of commission or omission (failure to perform duties) by entities of public and internal administration. Regional administrative courts hear disputes in the field of public administration, deal with issues relating to the lawfulness of regulatory administrative acts, tax disputes, etc. Before applying to an administrative court, individual legal acts or actions taken by entities of public administration provided by law may be disputed in the pre-trial procedure. In this case disputes are investigated by municipal public administrative dispute commissions, district administrative dispute commissions and the Chief Administrative Dispute Commission.
The Supreme Administrative Court is the first and final instance for administrative cases assigned to its jurisdiction by law. It is the appeal instance for cases concerning decisions, rulings and orders of regional administrative courts, as well as for cases involving administrative offences from decisions of district courts. The Supreme Administrative Court is also the instance for hearing, in cases specified by law, of petitions on the reopening of completed administrative cases, including cases of administrative offences. The Supreme Administrative Court develops a uniform practice of administrative courts in the interpretation and application of laws and other legal acts.
There are 54 first instance courts competent for a debt collection for small claims and 59 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in Lithuania is 117, which is 1 % less than in 2010.
It represents 4 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy of access and transparent for the court users and they are not freely negotiated.
As an example, with regards to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1-5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 83 783 573 euros.

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 27,89 euros.

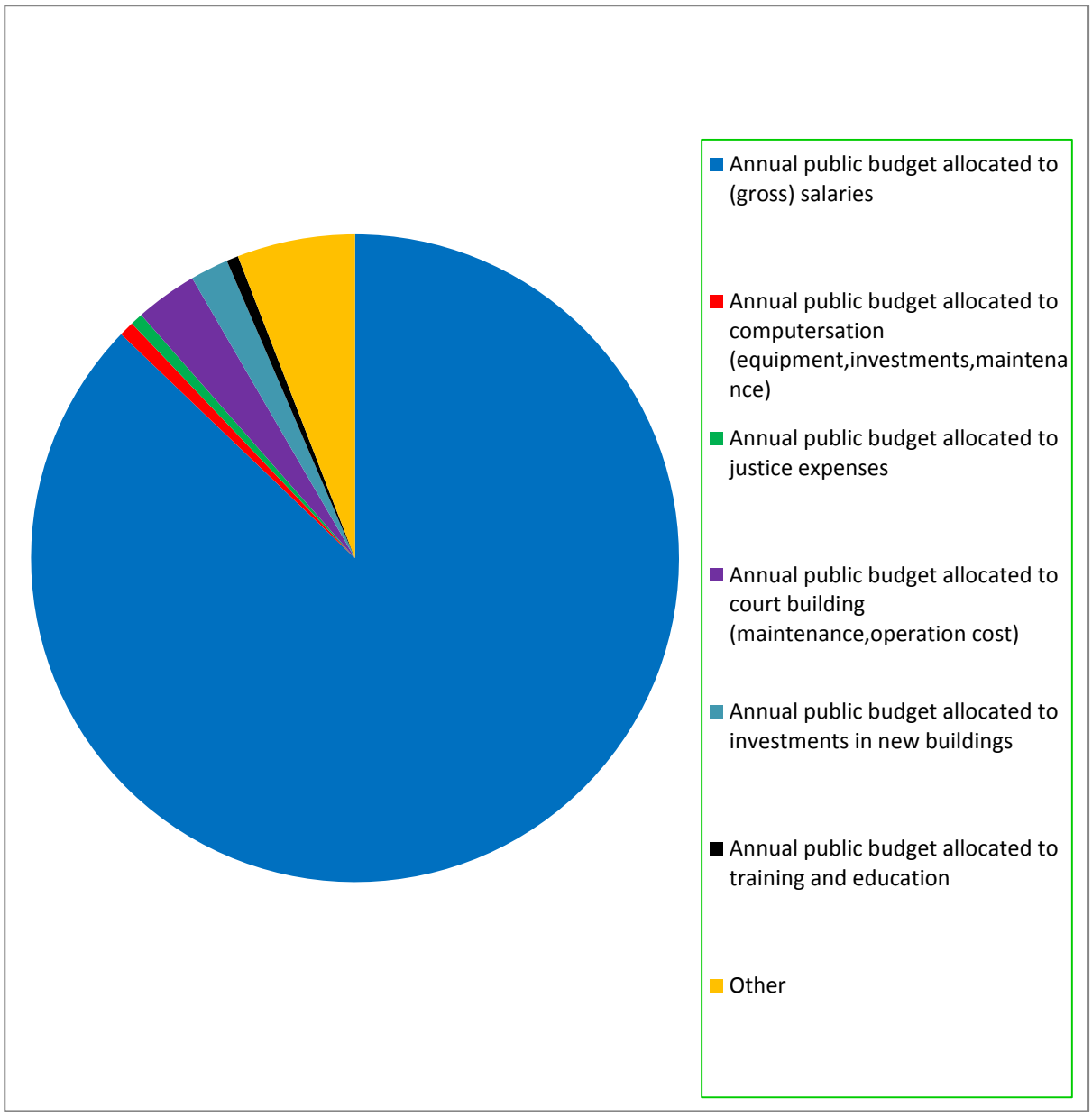
This ratio is lower the EU average (62,22) and lower than the EU median (47,43). Lithuania belongs to the group of European States with the lowest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to (gross) salaries (including taxes related to the salaries (insurance) paid by employer);

-annual public budget allocated to court building

- other (includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).



- **Budget allocated to the whole justice system : 179 756 697 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, constitutional court, functioning of the Ministry of Justice, other.

Between 2010 and 2012, the justice system cost per capita has increased by 25 %.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Lithuania is 768 which is almost equal to 2010.

This represent 26 judges per 100 000 inhabitants (more than the EU median of 19 judges per inhabitant).

Judges are recruited through a competitive exam combined with working experience in the legal field.

Several trainings are compulsory: initial training, general in-service training, in-service training for specialised judicial functions, in-service training for management functions of the court.

The gross annual salary of a first instance professional judge is 18 614 euros (2,5 X the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 29 103 euros (3,9 x the national average gross annual salary), which is lower than the EU average (88 218 euros).

Judges are appointed to office for an undetermined period of time (the compulsory retirement age is 65). There is no probation period.

A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

The Lithuanian system provides the possibility to transfer a judge to another court without his consent (mainly) for organisational reasons.

After the statement of the Judicial Council about the need, judge of the district court, regional administrative court or regional court without his consent can be transferred on constant basis to the court of the same level or to the court of the same level of other jurisdiction in the same locality and when there is no judge who consents to be transferred according to paragraph 4 of 63 Article of Law of Courts. In this case the judge with the lowest seniority from the court with the lowest workload is transferred.

- Non-judge staff

In Lithuania there are 2619 non-judges staff including:

- 1348 non-judge staff whose task is to assist the judges such as registrars,
- 776 staff in charge of different administrative tasks and of the management of the courts,
- 425 technical staff
- 70 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 4 543 826 euros (1,51 euros per capita)

The legal aid is granted for representation and legal advice in criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 1654 (higher than the EU average of 765 and higher than the EU median of 551). The average amount of legal aid allocated per case is 91 euros (less than the EU average of 2 543 euros and less than the EU median of 803 euros). Lithuania has chosen to favour the number of cases which can aspire to legal aid rather than the amount granted to each individual case.

  - **Court fees**

The annual income of court fees or taxes received by State is 7 600 585 euros and the share of court fees or taxes in the annual budget allocated to all courts is 9% (lower than the EU average of 21% and lower than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases in order to start proceedings.

  - **Lawyers**

In Lithuania, there are 1 796 lawyers (this category does not include the legal advisors), which is 8 % more than in 2010.

This data represents 60 lawyers (without legal advisers) per 100 000 inhabitants (less than the EU median of 106 lawyers per 100 000 inhabitants) and 2,3 lawyers per professional judges.

Lawyers have only monopoly on legal representation (concerning the defendant) in criminal cases.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is not organised. Laws provide rules on lawyers' fees and they are freely negotiated.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT)

According to the analyse of the levels for the indicators of the clearance rate and the disposition time (total non criminal cases), the system is globally performing and manages to deal rapidly with cases of this category (in less than six months). The level for the indicator of the clearance rate in first and second instances testifies of the capacity of the system to decrease backlogs. However, before the highest instance court, the system generates an important backlog.

    - Insolvency

The clearance rate for insolvency cases in first instance in Lithuania is 97 %. The disposition time for insolvency cases in first instance is 439 days. The system is clearly less performing with regard to this category of cases in comparison with non criminal cases.

    - The Lithuanian legislation provides for specific procedures for civil, criminal and administrative cases and sets forth simplified procedures for small disputes in civil cases and small offences in criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Lithuania, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, number of decisions, number of postponed cases, the length of proceedings, and of other elements exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Lithuania has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Pending cases and backlogs; Productivity of judges and court staff.

The Lithuanian system organises the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Lithuania, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases and employment dismissal cases.

There are 45 accredited mediators.

According to the data, presented by the courts (44 courts out of 67, so there is no precise statistical data), in 17 cases the mediation procedure has been started in 2012.

Lithuania also knows mediation (other than judicial), arbitration and conciliation.

- **The ICT tools of courts and for court users**

Lithuania has developed quite a complete ICT system:

- for direct assistance of the judges/court clerk: highest level as concerns word processing, electronic data base of case-law, electronic files, e-mail, internet connection);
- for administration and management: highest level as concerns case registration system and financial information system (100%); above the average as concerns court management information system and videoconferencing (+50%);
- and for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are at 100 % of the courts for all categories except videoconferencing (+50%).

It should be noted that the law on allowing questioning the witness by means of video conference will come into force on 1 January 2014. However, the prosecution service uses videoconferencing as an international cooperation tool, which is enabled to it by international agreements, to which Lithuania is a party. Courts in Lithuania have no videoconferencing equipment yet. In such a case the videoconferences take place at the premises of the National Courts Administration (NCA), which has a stationery videoconferencing equipment and helps courts to organize such interrogations on the ground of legal requests received from judicial institutions of foreign countries or in cases when Lithuanian courts wants to interrogate person residing abroad. It should be mentioned, that the NCA implements the project within Lithuanian-Swiss Cooperation programme which aims to create a system for arranging remote court sessions, recording and preserving materials of these sessions in the electronic form.

4. National data collection system

The National Courts Administration is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics on the functioning of each court on the internet.
If the system of collecting statistical data is able to provide data related to the number of cases with regard to specific procedures (litigious divorce cases, employment dismissal cases, insolvency), it does not allow collecting data concerning certain selected cases (for example, civil and commercial non litigious cases, non litigious land registry cases, non litigious business registry cases in first instance as well as non litigious enforcement cases in second instance). Few data are available as regards the last instance. In respect of the length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency), only data related to the first instance are collected.

5. Reforms

Reforms regarding courts:
A procedure of strategic planning is established and constantly improved with a view to guide activities of the prosecution service towards results (performance indicators are set, such as a certain numbers of cases to be solved or timeframe of pre-trial investigation, etc.); information technologies are developed with a view to simplify the collection and processing of statistical data In 2012 a legal basis for reorganization of courts stated that Vilnius City 1st, 2nd, 3rd and 4th District Courts should be integrated into Vilnius City District Court; Kaunas City District Court and the District Court of Kaunas Region should be integrated into Kaunas District Court; Šiauliai City District Court and the District Court of Šiauliai should be integrated into Šiauliai District Court. The reform came into force on 1st January 2013 and the total number of district courts was reduced from 54 to 49. The Ministry of Justice is currently reviewing draft legislation concerning the possible change on the court system. The above mentioned proposals have been prepared by the Judicial Council, which is an autonomous judicial authority ensuring the independence of judiciary. The draft legal acts contain proposals to restructure the existing 49 district courts into 12 district courts by aggregating them and matching their areas of operation to those of the law enforcement authorities. It should be noted, that although it is foreseen to have only 12 district courts, each of them would contain a number of courthouses'. Therefore, the current courthouses' would not be physically closed and would remain at the same geographical place. The reform is thus aimed at concentrating the administration of the district courts and cutting down on administrative expenses. Another aim of the proposed reform is to even out the caseload among different district court houses and to stimulate specialization of district court judges. The reform foresees that the caseload could be evened out among the different courthouses of the same district court; that judges may hold hearings in any courthouse of the same court, which would also allow specialization of

the district court judges. The proposals also suggest restructuring 5 existing administrative regional courts into 1 administrative regional court. The proposed regional administrative court would therefore contain 5 courthouses.
The above mentioned proposals are currently being scrutinized and the provided information should not be regarded as definitive.

Reforms regarding access to justice and legal aid:
The possibility of conciliatory mediation to solve a dispute and reach a conciliation agreement is to be applicable from 1July 2014. The Law on State-guaranteed Legal Aid of the Republic of Lithuania states that a lawyer providing state guaranteed legal aid may recommend that a decision on conciliatory mediation be taken and provide the consent of both parties of the dispute. Additional legal acts for the implementation of conciliatory mediation are under preparation.

Reforms regarding legal professionals:
The concept of a single and common examination for judges, prosecutors, lawyers, notaries and enforcement agents is under discussion.
Concerning notaries : Proposals of amendments to the laws in order to limit cash payments in transactions, and proposals to adopt a mandatory notarial form for all transactions over 50 000 LTL (15 000 EUR)
• Proposals of amendments to the law of Notaries of the Republic in order to delegate to notaries the function of approving documents by apostil (a function that belongs to the Ministry of Foreign Affairs today).
• Proposals of amendments to the Civil Code to delegate to notaries the handling of divorce cases when no conflict exists between the parties, and there are no minor children. • Proposals to entrust notaries with mediation functions
New amendments on the Law on the Bar entered into force on 1st September 2013 and introduced several important changes among which are:
- An enlarged scope of activities for practicing lawyers, like adding the possibility to act as: a translator (as long as it is in connection with the provision of legal services); mediator; be a member of a supervising or governing body; take part in elections and referendum commissions, be a member of a Municipal Council and a member of the commission when a lawyer is delegated by the Parliament, a President or Government and a member of the working group preparing legislative amendments, provide legal expert knowledge for the drafting of legal act amendment.
- The possibility for one lawyer to establish a professional partnership of lawyers;
- The possibility for lawyers to represent close relatives;
- The requirement for a formally recognized lawyer to begin legal practice within 5 years, failure to do so amounting to radiation from the list;
- The requirement to have a master of law degree (L.L.M.) as a prerequisite for a person wishing to practice law.
7. The possibility of disposing of the function allocated to the Prosecution Service – to supervise the submission of the judgments for enforcement and the enforcement thereof – is under discussion.

Reforms regarding mediation:
The Law amending the Law on State-Guaranteed Legal Aid shall enter into force on the 1st of January, 2014, which establishes that the lawyer, who delivers the secondary legal aid, considering the concrete circumstances of the case, shall have the possibility to initiate the resolution of the conflict by conciliation (mediation) and to propose the service to adopt the decision on conciliation. The lawyer has to deliver the consents of both conflict parties to solve their conflict using the conciliation (mediation).

Lithuania – Data tables for each indicator (2010/2012)

Lithuania	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	3 244 600	3 003 641
2#1#1 Total of annual State pb expenditure State level	7 588 030 873	7 471 460 554
3 GDP Per capita GDP (in €)	8 378	11 025
4 Average gross annual salary in €	6 910	7 381
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	50 567 945	53 138 612
12#1#1 Total annual appr pb budget allocated to LA	3 906 105	4 543 826
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	50 567 945	53 138 612
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	34 853 452	46 314 146
6#2#3 Amount_Annnual appr bd of the courts_Computer	779 367	397 069
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	211 886	329 306
6#2#5 Amount_An appr bd_courts alloc_Court buildings	1 387 656	1 644 012
6#2#6 Amount_An appr bd_courts alloc invest_ new build		1 013 670
6#2#7 Amount_Annnual appr budget_courts alloc_Training	234 882	311 973
6#2#8 Amount_Annual approved budget_courts alloc_Other	13 100 702	3 128 436
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	155 377 083	179 756 697
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	No	No
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		Yes
Judicial manage-ment body		No
State advocacy		No
Enforcement services		No
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	No	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	3 244 600	3 003 641
Amount_An approved budget alloc whole justice	155 377 083	179 756 697
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	No	No
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	Yes	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	Yes	Yes
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	Yes	Yes
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	59	59
42#1#2 Specialised first instance courts	5	5
42#1#3 All the courts (geographic locations)	67	67

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	5	5
43#1#2 Nr of commercial courts	NAP	0
Insolvency courts	0	0
43#1#3 Nr of labour courts	NAP	0
43#1#4 Nr of family courts	NAP	0
43#1#5 Nr of rent and tenacies courts	NAP	0
43#1#6 Nr of enforc_crim_sanctions courts	NAP	0
Fight against terrorism, organised crime and corruption	0	0
Internet related disputes	0	0
43#1#7 Nr of administrative courts	5	5
43#1#8 Nr of insurance_soc welfare courts	NAP	0
43#1#9 Nr of military courts	NAP	0
43#1#10 Nr ofother specialised 1st instance courts	NAP	0

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	54	54
45#1#2 Nr_1st instance courts competent_dismissal	59	59
45#1#3 Nr_1st instance courts competent_robbery	54	54

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	40 239	35 363
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	34 894	27 830
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	176
91#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	1 536	2 974
91#1#8 Pending cases_1 Jan _Other cases	3 809	4 383
91#2#1 Incoming cases_Total_non crim cases	297 765	280 708
91#2#2 Incoming cases_Civil&com litig cases	201 585	180 921
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	4 307
91#2#5 Incoming cases_Land registry cases	NA	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	7 681	8 068
91#2#8 Incoming cases_Other cases	88 499	87 412
91#3#1 Resolved cases_Total_non crim cases	317 205	282 163
91#3#2 Resolved cases_Civil&com litig cases	205 423	181 877
91#3#3 Resolved cases_Civil&com nonlit cases	51 406	NA
91#3#4 Resolved cases_Enforcement cases	16 846	4 273
91#3#5 Resolved cases_Land registry cases	NA	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	6 411	7 914
91#3#8 Resolved cases_Other cases	88 525	88 099
91#4#1 Pending cases_31 Dec _Total_non crim cases	37 645	33 908
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 056	26 874
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	210
91#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	2 806	3 128

91#4#8 Pending cases_31 Dec _Other cases	3 783	3 696
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	107%	101%
CR Civil&com litig cases	102%	101%
CR Civil&com nonlit cases		
CR Enforcement cases		99%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	83%	98%
CR Other cases	100%	101%
DT Total non DTim cases	43	44
DT Civil&com litig cases	55	54
DT Civil&com nonlit cases		
DT Enforcement cases		18
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	160	144
DT Other cases	16	15
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-6%
CR Civil&com litig cases		-1%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		18%
CR Other cases		1%
DT Total non DTim cases		1%
DT Civil&com litig cases		-2%
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-10%
DT Other cases		-2%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	1 107	946
101#1#2 Pending cases_1 Jan _Employment dismissal	380	146
Pending Insolvency cases		4 253
101#1#3 Pending cases_1 Jan _Robbery cases	454	366

101#1#4 Pending cases_1 Jan _Intentional homicide	129	140
101#2#1 Incoming cases_Litigious divorce cs	7 817	7 831
101#2#2 Incoming cases_Employment dismissal	637	394
Incoming Insolvency cases		3 717
101#2#3 Incoming cases_Robbery cases	1 003	768
101#2#4 Incoming cases_Intentional homicide	245	172
101#3#1 Resolved cases_Litigious divorce cs	8 017	8 275
101#3#2 Resolved cases_Employment dismissal	752	477
Resolved Insolvency cases		3 618
101#3#3 Resolved cases_Robbery cases	1 066	833
101#3#4 Resolved cases_Intentional homicide	239	205
101#4#1 Pending cases_31 Dec _Litigious divorce cs	907	502
101#4#2 Pending cases_31 Dec _Employment dismissal	265	63
Pending Insolvency cases		4 352
101#4#3 Pending cases_31 Dec _Robbery cases	391	301
101#4#4 Pending cases_31 Dec _Intentional homicide	135	107
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		97%
DT - Insolvency cases		439
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	6 024	8 765
97#1#2 Pending cases_1 Jan _Civil&com litig cases	3 693	5 164
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	1 658	2 100
97#1#8 Pending cases_1 Jan _Other cases	673	1 501
97#2#1 Incoming cases_Total_non crim cases	20 039	23 324
97#2#2 Incoming cases_Civil&com litig cases	12 971	14 623
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NA	NA
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	2 673	3 482
97#2#8 Incoming cases_Other cases	4 395	5 219
97#3#1 Resolved cases_Total_non crim cases	17 061	24 579
97#3#2 Resolved cases_Civil&com litig cases	10 930	13 999
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NA	NA
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	1 706	4 312

97#3#8 Resolved cases_Other cases	4 425	6 268
97#4#1 Pending cases on 31 Dec _Total_non crim cs	9 002	7 510
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	5 734	5 788
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	2 625	1 270
97#4#8 Pending cases on 31 Dec _Other cases	643	452
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	85%	105%
CR Civil&com litig cases	84%	96%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	64%	124%
CR Other cases	101%	120%
DT Total non DTim cases	193	112
DT Civil&com litig cases	191	151
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	562	108
DT Other cases	53	26
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	124	244
99#1#2 Pending cases_1 Jan _Civil litigious cs	124	230
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	14
99#2#1 Incoming cases_Total _non crim law cs	662	825
99#2#2 Incoming cases_Civil litigious cs	662	687
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	138

99#3#1 Resolved cases_Total _non crim law cs	564	739
99#3#2 Resolved cases_Civil litigious cs	564	605
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	134
99#4#1 Pending cases_31 Dec _Total _non crim law cs	222	330
99#4#2 Pending cases_31 Dec _Civil litigious cs	222	312
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	18
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	85%	90%
CR Civil&com litig cases	85%	88%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		97%
DT Total non DTim cases	144	163
DT Civil&com litig cases	144	188
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		49
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	1
102#2#2 % pending cases>3 years_Empl dismissal	NA	5
% pending cases>3 years Insolvency		20

102#2#3 % pending cases>3 years_Robbery cases	NA	8
102#2#4 % pending cases>3 years_Intent homicide	NA	7
102#3#1 1st inst average length_Lit divorce cs	NA	50
102#3#2 1st inst average length_Empl dismissal	NA	144
1st inst average length Insolvency		355
102#3#3 1st inst average length_Robbery cases	NA	165
102#3#4 1st inst average length_Intent homicide	NA	256
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	3 244 600	3 003 641
91#2#1 Incoming cases_Total_non crim cases	297 765	280 708
91#2#2 Incoming cases_Civil&com litig cases	201 585	180 921
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	4 307
91#2#7 Incoming cases_Admin law cases	7 681	8 068
91#4#1 Pending cases_31 Dec _Total_non crim cases	37 645	33 908
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 056	26 874
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	210
91#4#7 Pending cases_31 Dec _Admin law cases	2 806	3 128
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges		No

deliver an oral judgement with a written order and dispense with a full reasoned judgement?		
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes

78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	Yes	Yes
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	No	No
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	Yes	Yes
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	No	Yes

38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	3 244 600	3 003 641
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	3 906 105	4 543 826
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NAP

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	3 244 600	3 003 641
12#1#1 Total annual appr pb budget allocated to LA	3 906 105	4 543 826
20#1#1 Total Number of cases granted with legal aid	47 142	49 692
20#1#2 Nr of criminal cases granted with legal aid	34 302	35 311
20#1#3 Nr non criminal cases granted with legal aid	12 840	14 381

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	44 195

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	50 567 945	53 138 612
9 Annual income of court taxes received by the State	6 950 880	7 600 585

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes

Table 5.7. Court fees calcualation methodology and the amount of court fees to commence action for €3000 debt recovery (Q8.1 and Q8.2)		
[8.2] - Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?		310,75 Lt (~90 EUR)

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	+50% of courts	+50% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	+50% of courts	+50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	+50% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	-10% of courts	100% of courts
64.1.7 Electronic submission of claims	+50% of courts	100% of courts
64.1.8 Videoconferencing	+50% of courts	+50% of courts
64.1.9 Other electronic communication facilities	+50% of courts	100% of courts

Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim	Yes	Yes

cases		
65#2#1 Court hearing held in police station and/or prison	No	Yes
65#3#1 Legislation_using videoconferencing in courts	No	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Compulsory
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	No
131#3#2 One instit for prosecutors_Init&Cont trainings	Yes	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	18 072	18 614
132#1#2 Gross An sal: Judge_Supr Ct	24 444	29 103
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	12 529	14 551
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	22 333	23 742
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	13 728	14 149
132#2#2 Net An sal: Judge_Supr Ct	18 576	22 118
132#2#3 Net An sal: Pb prosecutor_beg_carrier	9 522	11 059
132#2#4 Net An sal: Pb prosecutor_Supr Ct	16 975	18 044

4 Average gross annual salary in €	6 910	7 381
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	65
125 If mandate of judges renewable	No	No
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	NO
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	41	60
144#1#2 Discipl proc against judges_Breach_pro ethics	9	18
144#1#3 Discipl proc against judges_Prof inadequancy	16	42
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	16	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	Yes	Yes
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary	No	No

Court		
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	Yes	Yes
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	11	3
145#1#2 Sanctions against judges_Reprimand	6	0
145#1#3 Sanctions against judges_Suspension	NAP	0
145#1#4 Sanctions against judges_Removal of cases	NAP	0
145#1#5 Sanctions against judges_Fine	NAP	0
145#1#6 Sanctions against judges_Temp reduction_sal	NAP	0
145#1#7 Sanctions against judges_Position downgrade	NAP	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	0
145#1#9 Sanctions against judges_Dismissal	1	0
145#1#10 Sanctions against judges_Other	4	3
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	67	59
47#1#2 Number of 1st instance presidents	64	56
47#1#3 Number of 2nd instance presidents	2	2
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	39	28
47#2#2 Number of 1st instance presidents_males	36	25
47#2#3 Number of 2nd instance presidents_males	2	2
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	28	31
47#3#2 Number of 1st instance presidents_females	28	31
47#3#3 Number of 2nd instance presidents_females	0	0
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q 113, 114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes

164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	Yes	Yes
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No

Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	3 244 600	3 003 641
166#1#2 Number of accredited mediators	43	45
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	3 244 600	3 003 641
46#1#1 Total Nr of professional judges	767	768
52#2#1 Nr_non-judge staff who are working in courts	2 656	2619(2243)
146 Total number of practicing lawyers	1 660	1 796
170 Number of enforcement agents		118 117
52.2.2 Number Non-judge staff (Rechtspfleger)		0

Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		

Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	1 660	1 796
148 Number of legal advisors	NAP	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	767	768
1 Number of inhabitants	3 244 600	3 003 641
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	No	No
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	118	117
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	6	11
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	3	1
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	3	10
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	0
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	4	7
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	3	3

188#2#3 Nr_Sanctions pronounced vs EA_Suspension	1	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine		0
188#2#6 Nr_Sanctions pronounced against EA_Other	0	4
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	2 656	2619(2243)
52#2#2 Number Non-judge staff (Rechtspfleger)		0
52#2#3 Nr_Non-judge staff assisting the judges	1 211	1348(1243)
52#2#4 Number_Staff in charge of administrative tasks	704	776(665)
52#2#5 Number of Technical staff	426	425(268)
52#2#6 Number of Other non-judge staff	315	70
Table 9.13. bis Rechtspfleger's functions (Q53)		
53 Status and duties of Rechtspfleger		

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	Yes
182 System for monitoring the execution	No	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Luxembourg (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Luxembourg	525 000	19 082 100 000	83 600	€ 42 500

1. Presentation of the functioning of the judicial system

In Luxembourg, there are two branches of the courts: the ordinary courts and the administrative courts. According to 2012 data, there are first instance courts of general jurisdiction (5) and first instance specialised courts (2 commercial courts, 3 labour courts, 2 family courts, 3 rent and tenancies courts, 1 administrative court and 1 insurance and/or social welfare courts and 1 military court). In view of Luxembourg's judicial organization it is important to note that most "specialised courts" have no independent existence, but are subdivisions or justices of the peace, or district courts. Only the administrative courts and social courts are considered "apart". The Superior Court includes an appeal court and a court of cassation.
The administrative justice is organised on a two-level structure: an Administrative Tribunal and an Administrative Court. Appeals against the Administrative Tribunal can be lodged with the Administrative Court.
There are 3 first instance courts competent for a debt collection for small claims and 3 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in Malta is 19, which is equal to 2010.
It represents 4 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are of easy access and transparent for the court users and are not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 1-5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 77 236 940 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 147,12 euros.

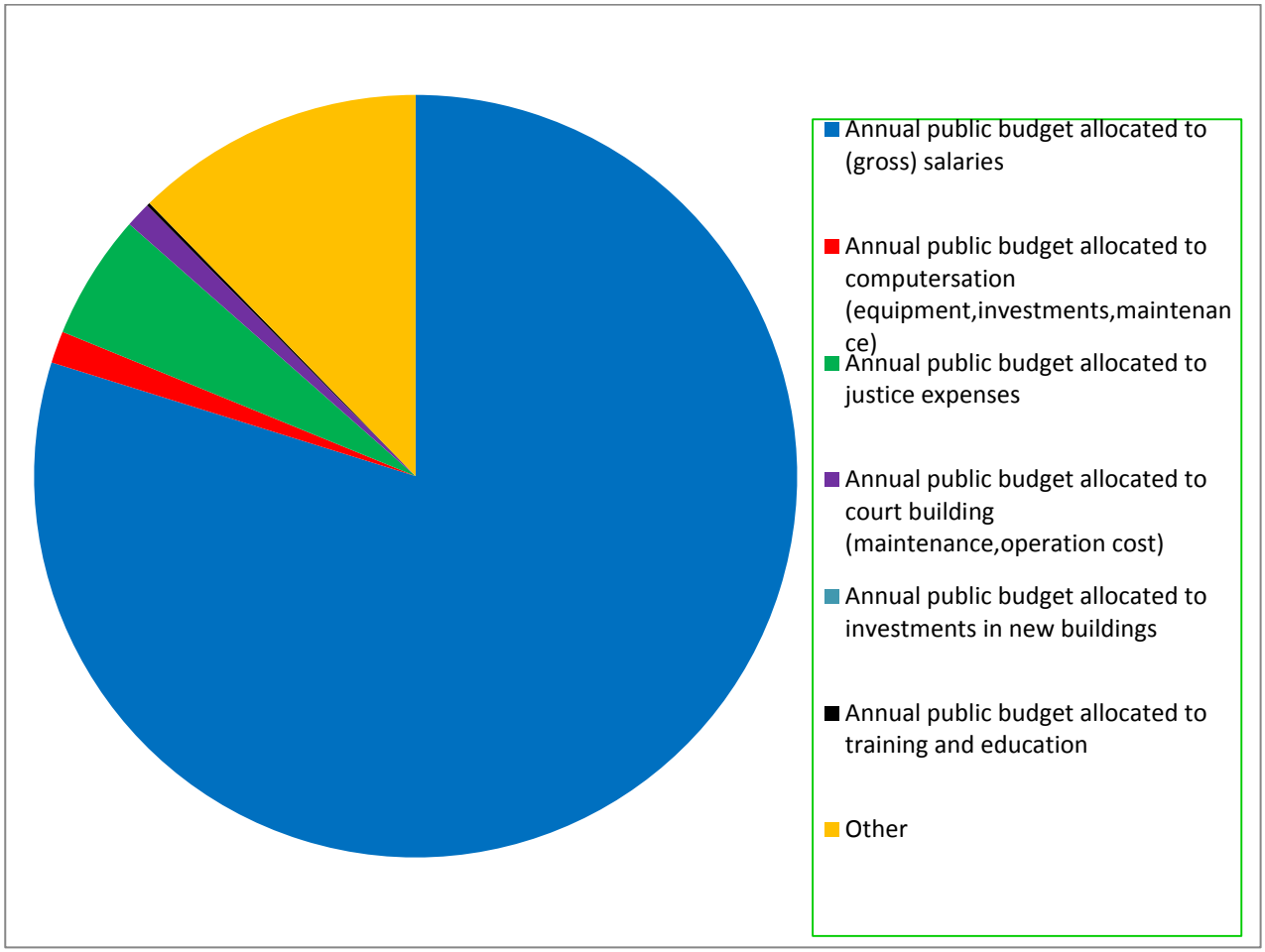
This ratio is higher than the EU average of 62,22 euros per capita and higher than the EU median of 47,43 euros per capita. Luxembourg is the Member State with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

-Annual public budget allocated to (gross) salaries

-Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid.

- other



- **Budget allocated to the whole justice system : 124 017 268 euros.**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, Constitutional Court, State advocacy, enforcement services, forensic services, judicial protection of juveniles, Functioning of the Ministry of Justice.

Between 2010 and 2012, the justice system cost per capita has increased by 4 %.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Luxembourg is 212, which is 13 % more than in 2010.

This represent 40 judges per 100 000 inhabitants (more than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited trough a competitive exam. An initial training is compulsory.

The gross annual salary of a first instance professional judge is 72 426 euros (1,7 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 129 943 euros (3,1 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office for an indefinite period of time. (The compulsory retirement age is 68).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists.

- Non-judge staff

In Luxembourg there are 355 non-judges staff including:

- 191 non-judge staff whose task is to assist the judges such as registrars,
- 117 staff in charge of different administrative tasks and of the management of the courts,
- 7 technical staff
- 40 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 3 500 000euros (6,67 euros per capita).

The legal aid is granted for representation and legal advice in criminal and other than criminal cases.

  - **Lawyers**

In Luxembourg, there are 2 020 lawyers (this category does not include the legal advisors), which is 6 % more than in 2010.

This data represent 385 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 9,5 lawyers per professional judges.

Lawyers have monopoly on legal representation in criminal and civil cases.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws and bar associations provide rules on lawyers' fees, which are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the level for the indicator of the clearance rate as concerns civil and commercial litigious cases (the total non criminal cases cannot be evaluated) shows that the system is performing in first and second instances, able to deal with cases while decreasing backlogs. By contrast, in last instance, according to the level for the indicator of the clearance rate as regards the total non criminal cases (62%), the system appears less performing and generates backlogs.

In respect of the same categories, the level for the indicator of the disposition time demonstrates the capacity of the system to deal rapidly with cases in first instance (73 days) while the length of proceedings exceeds one year in second and last instances.

  - Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance are not available.

- The Luxembourg legislation provides for specific procedures for urgent matters for civil and administrative cases (excluding criminal cases) and sets forth simplified procedures for small disputes in civil cases and small offences in criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Luxembourg, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning incoming cases, number of decisions exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist. Luxembourg has not defined performance and quality indicators.

The Luxembourg system does not organize the monitoring of backlogs and cases that are not processed within a reasonable timeframe.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are not set up at the level of the court.
A set of quality standards is not defined with regard to the whole judicial system.

- **Alternative dispute resolutions**

In Luxembourg, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, employment dismissals, criminal cases.

There are 110 accredited mediators.

Luxembourg also knows arbitration, conciliation and mediation other than judicial mediation.

- **The ICT tools of courts and for court users**

Luxembourg has developed a quite complete ICT system:

-for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail): 100% of courts;

- for administration and management (case registration system, court management information system, financial information system, videoconferencing): 100% of courts;

and for electronic communication and exchange of information between the courts and their environnement, the computer facilities used within/by the courts are 0% for certain categories and 100% for others.

It should be notet that, although electronic processing of small claims as well as of undisputed debts is not possible, electronic access to a certain number of set formulas is possible through the Justice and the Guichet Internet sites.

Videoconferencing is used in criminal and other than criminal cases. In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defense does not exist. Although both the technical and legal possibility of videoconferencing exist, the practical impact is limited due to the short distances in Luxembourg. Frequent use of the video facilities is, however, made in civil as well as criminal MLA cases.

4. National data collection system

The State public prosecutor is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
This institution publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data does not allow providing data concerning the average length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency). As to the number of cases in respect of selected procedures (irrespective of the jurisdictional level) and specific procedures in first instance (litigious divorce cases, employment dismissal cases, insolvency), few data are available.

5. Reforms

Reforms regarding justice:

The Government's policy aims at the modernization of Justice and the consolidation of its independence, while making it more efficient, accessible and understandable to citizens. The Government will support the establishment in Luxembourg of an Institute of training of judges in European law.

Reforms regarding the modernization of the rule of law

The Government will continue consultations with the State Council, the judicial authorities and the Committee on Institutions and Constitutional Review of the Chamber of Deputies concerning the introduction of a Supreme Court and a National Justice Council based on two draft laws. The Supreme Court, which will replace the Superior Court and the Constitutional Court, will serve as a single Court of Cassation, with jurisdiction for both judiciary and administrative courts. The possibility of introducing a direct referral outside any proceedings after enactment will be considered.

The National Council of Justice (CNJ) will be in charge of ensuring the independence of judiciary authorities and the proper administration of justice. This new body will be mainly composed of independent judges and representatives of the legal profession and civil society. Its functions will be the object of a broad consultation.

The public prosecution will be reformed to ensure its independence from the political power.

The reform concerning the organization of administrative courts will continue, in particular by allowing mutability of judges between the two court systems. The Government will improve service to citizens and legal practitioners in the field of Justice, in particularly by further encouraging the use of new information technologies and digital communication. The Government undertakes to promote mediation in order to provide citizens with alternative ways to resolve conflict. The possibility of introducing group actions with the aim to improve the protection of consumer rights will be considered.

The procedures for granting legal aid and payment will be simplified and accelerated. The Government will review the organization and proceedings before social courts, in particular the introduction of interim proceedings.

Reforms regarding family law:

The Government is keen to accelerate the modernization of family law in order to adapt legal texts to today's Luxembourg context. A reform on the right to marry for all couples, regardless of their gender or sexual identity will be adopted during the first quarter of 2014.A Family Court Judge will be created in the context of a reform and simplification of procedures applicable to family and children. All the while promoting mediation, the Family Court Judge will be responsible for all aspects of civil litigation law on family aspects. The 1975 law on anonymous childbirth will be reformed, in particular in order to allow interested persons to know their biological origins.

The Government intends to open adoption procedures to same-sex couples and to discuss the question of the distinction between full adoption and simple adoption. The differences between natural filiation and legitimate filiation shall be abolished. The legislation on abortion will no longer be a part of the Criminal Code and will be incorporated into the law of 15 November 1978 relating to sexual information, prevention of clandestine abortion and voluntary abortions. This legislation will be reformed and make the second consultation optional.

The reform on divorce law will be carried out. The notion of fault divorce will be removed with the exception of particularly serious offenses. The Government promotes the fair treatment of financial consequences of divorce.

Parliamentary work will continue on the 5867 bill on parental responsibility, which includes the introduction of the principle of joint authority, joint custody, loss of inequalities between the custodial parent and the parent without custody, and the maintenance of shared responsibility of children after the divorce of their parents.

The reform of corporate law and of struggling businesses

The Government will be modernizing corporate law and will include a consolidation of all legislation applicable to corporate law. The reform of provisions on bankruptcies and controlled administration is a priority for the Government. In order to prevent bankruptcy, a system of indicators based on the principles adopted by the draft legislation concerning the preservation of businesses and concerning the modernization of bankruptcy law, will be established. Co-operation between the Administration of direct contributions, the registration Administration and of the General Inspectorate of Social Security is essential in this context. The Conjuncture Committee will be strengthened so as to be able to help struggling businesses upstream, in collaboration with professional chambers. The functions of curator and judicial liquidator will be professionalized so as to improve the management of bankruptcies and accelerate procedures for the liquidation of companies. The fight against fraudulent bankruptcy will be facilitated by a review of available instruments to speak against the managers or directors of bad faith. Similarly, legislation on organization law and charitable foundations will be reviewed in order to simplify the applied regime.

Luxembourg - Data tables for each indicator (2010/2012)

Luxembourg	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	511 840	525 000
2#1#1 Total of annual State pb expenditure State level	17 155 800 000	19 082 100 000
3 GDP Per capita GDP (in €)	82 100	83 600
4 Average gross annual salary in €	42 000	42 500
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	70 458 676	73 736 940
12#1#1 Total annual appr pb budget allocated to LA	3 000 000	3 500 000
13#1#1 An appr pb bd alloc_pb prosecution system	NAP	NA
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	70 458 676	73 736 940
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	48 884 317	58 857 450
6#2#3 Amount_Annnual appr bd of the courts_Computer	1 500 000	1 000 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	3 643 000	3 920 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	596 100	791 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	119 500	100 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	15 715 759	9 068 490
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	116 165 559	124 017 268
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	NAP	NAP
Constitu-tionnal court		Yes
Judicial manage-ment body		NAP
State advocacy		Yes
Enforcement services		Yes
Notariat		No

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	511 840	525 000
Amount_An approved budget alloc whole justice	116 165 559	124 017 268
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	NAP
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	NAP
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	NAP
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	NAP
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	5	5
42#1#2 Specialised first instance courts	5	3
42#1#3 All the courts (geographic locations)	8	8

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	5	13
43#1#2 Nr of commercial courts	2	2
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	3	3
43#1#4 Nr of family courts	2	2
43#1#5 Nr of rent and tenacies courts	3	3
43#1#6 Nr of enforc_crim_sanctions courts	0	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	1	1
43#1#8 Nr of insurance_soc welfare courts	1	1
43#1#9 Nr of military courts	1	1
43#1#10 Nr ofother specialised 1st instance courts	NA	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	3	3
45#1#2 Nr_1st instance courts competent_dismissal	3	3
45#1#3 Nr_1st instance courts competent_robbery	2	2

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	2 124	NA
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	2 012	5 072
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NA
91#1#7 Pending cases_1 Jan _Admin law cases	112	NA
91#1#8 Pending cases_1 Jan _Other cases	NA	NA
91#2#1 Incoming cases_Total_non crim cases	2 396	NA
91#2#2 Incoming cases_Civil&com litig cases	2 103	4 718
91#2#3 Incoming cases_Civil&com nonlit cases	NA	937
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	NAP	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	293	1 615
91#2#8 Incoming cases_Other cases	NA	NA
91#3#1 Resolved cases_Total_non crim cases	3 960	NA
91#3#2 Resolved cases_Civil&com litig cases	2 913	8 155
91#3#3 Resolved cases_Civil&com nonlit cases	NA	937
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	NAP	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	273	1 127
91#3#8 Resolved cases_Other cases	774	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 724	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 595	1 635
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	0
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	129	NA

91#4#8 Pending cases_31 Dec _Other cases	NA	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	165%	
CR Civil&com litig cases	139%	173%
CR Civil&com nonlit cases		100%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	93%	70%
CR Other cases		
DT Total non DTim cases	159	
DT Civil&com litig cases	200	73
DT Civil&com nonlit cases		0
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	172	
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		
CR Civil&com litig cases		25%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		-25%
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		-63%
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	NA	NA
101#2#2 Incoming cases_Employment dismissal	2 509	2 343
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	256	NA
101#3#2 Resolved cases_Employment dismissal	2 372	1 824
Resolved Insolvency cases		1 029
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	2 104	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	2 104	1 483
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NAP	NAP
97#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	91
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	1 479	NA
97#2#2 Incoming cases_Civil&com litig cases	1 211	1 269
97#2#3 Incoming cases_Civil&com nonlit cases	NAP	NAP
97#2#4 Incoming cases_Enforcement cases	NAP	NAP
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	268	292
97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	1 404	NA
97#3#2 Resolved cases_Civil&com litig cases	1 146	1 312
97#3#3 Resolved cases_Civil&com nonlit cases	NAP	NAP
97#3#4 Resolved cases_Enforcement cases	NAP	NAP
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	258	214

97#3#8 Resolved cases_Other cases	NAP	NAP
97#4#1 Pending cases on 31 Dec _Total_non crim cs	1 483	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	1 483	1 836
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NAP	NAP
97#4#4 Pending cases on 31 Dec _Enforcement cases	NAP	NAP
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	170
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	95%	
CR Civil&com litig cases	95%	103%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	96%	73%
CR Other cases		
DT Total non DTim cases	386	
DT Civil&com litig cases	472	511
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		290
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	72	81
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NAP
99#2#1 Incoming cases_Total _non crim law cs	109	111
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NAP
99#2#4 Incoming cases_Enforcement cs	NA	NAP
99#2#5 Incoming cases_Land registry cs	NA	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	NAP

99#3#1 Resolved cases_Total _non crim law cs	108	69
99#3#2 Resolved cases_Civil litigious cs	66	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NAP
99#3#4 Resolved cases_Enforcement cs	NA	NAP
99#3#5 Resolved cases_Land registry cs	NA	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	81	91
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	99%	62%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	274	481
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	511 840	525 000
91#2#1 Incoming cases_Total_non crim cases	2 396	NA
91#2#2 Incoming cases_Civil&com litig cases	2 103	4 718
91#2#3 Incoming cases_Civil&com nonlit cases	NA	937
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	293	1 615
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 724	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 595	1 635
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	0
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	129	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	No	No
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No

[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	Yes	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	Yes	Yes
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	No	No
68#1#4 Length of proceedings (timeframes)	No	No
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No

70 Perf and quality indicators of court activities	No	No
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	No	No
71#1#4 Quality indicator_Pending cases and backlogs	No	No
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	No	No
80#1#2 Monitoring_In criminal law cases	No	No
80#1#3 Monitoring_In administrative law cases	No	No
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No

38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	511 840	525 000
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	3 000 000	3 500 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	511 840	525 000
12#1#1 Total annual appr pb budget allocated to LA	3 000 000	3 500 000
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	70 458 676	73 736 940
9 Annual income of court taxes received by the State	NA	NA

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	No	No

Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	0 % of courts	0 % of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts

Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	No	No
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Compulsory	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Compulsory	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	Yes
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	Yes
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	No	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	78 383	72 426
132#1#2 Gross An sal: Judge_Supr Ct	152 607	129 943
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	78 483	72 426
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	152 607	121 421
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		NA
132#2#2 Net An sal: Judge_Supr Ct		NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier		NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	42 000	42 500
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No

133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	for life (68)
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	2	.1.5
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	1	2
144#1#2 Discipl proc against judges_Breach_pro ethics	0	0
144#1#3 Discipl proc against judges_Prof inadequancy	1	2
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	0	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	Yes	Yes
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against		

judges (Q 145)		
145#1#1 Sanctions against judges_Total number	0	0
145#1#2 Sanctions against judges_Reprimand	NA	0
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	NA	0
145#1#10 Sanctions against judges_Other	NA	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)	0	NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	11	8
47#1#2 Number of 1st instance presidents	7	6
47#1#3 Number of 2nd instance presidents	3	NAP
47#1#4 Number of supreme court presidents	1	2
47#2#1 Total Nr of court presidents_males	7	5
47#2#2 Number of 1st instance presidents_males	5	3
47#2#3 Number of 2nd instance presidents_males	2	NAP
47#2#4 Number of supreme court presidents_males	0	2
47#3#1 Total Nr of court presidents_females	4	3
47#3#2 Number of 1st instance presidents_females	2	3
47#3#3 Number of 2nd instance presidents_females	1	NAP
47#3#4 Number of supreme court presidents_females	1	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NAP
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a		

simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NA
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	Yes
164#1#2 Court annexed mediation_Family law cases	No	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	Yes
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No

164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	511 840	525 000
166#1#2 Number of accredited mediators		110
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	511 840	525 000
46#1#1 Total Nr of professional judges	188	212
52#2#1 Nr_non-judge staff who are working in courts	303	355
146 Total number of practicing lawyers	1 903	2 020
170 Number of enforcement agents		19 19
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	1 903	2 020
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	188	212
1 Number of inhabitants	511 840	525 000
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes

149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	No	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	19	19
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	0	1
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	1
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	0	
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	
187#2#5 Nr_Discipl proc against EA_Other	0	
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	0	1
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	0	0
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	1
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	0
188#2#6 Nr_Sanctions pronounced against EA_Other	0	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes

178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	Yes
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	No
183#1#8 Users' complaints enf proc_Other 2010	No	Yes
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	303	355
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	150	191
52#2#4 Number_Staff in charge of administrative tasks	108	117
52#2#5 Number of Technical staff	5	7
52#2#6 Number of Other non-judge staff	40	40
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Malta (2012 data)

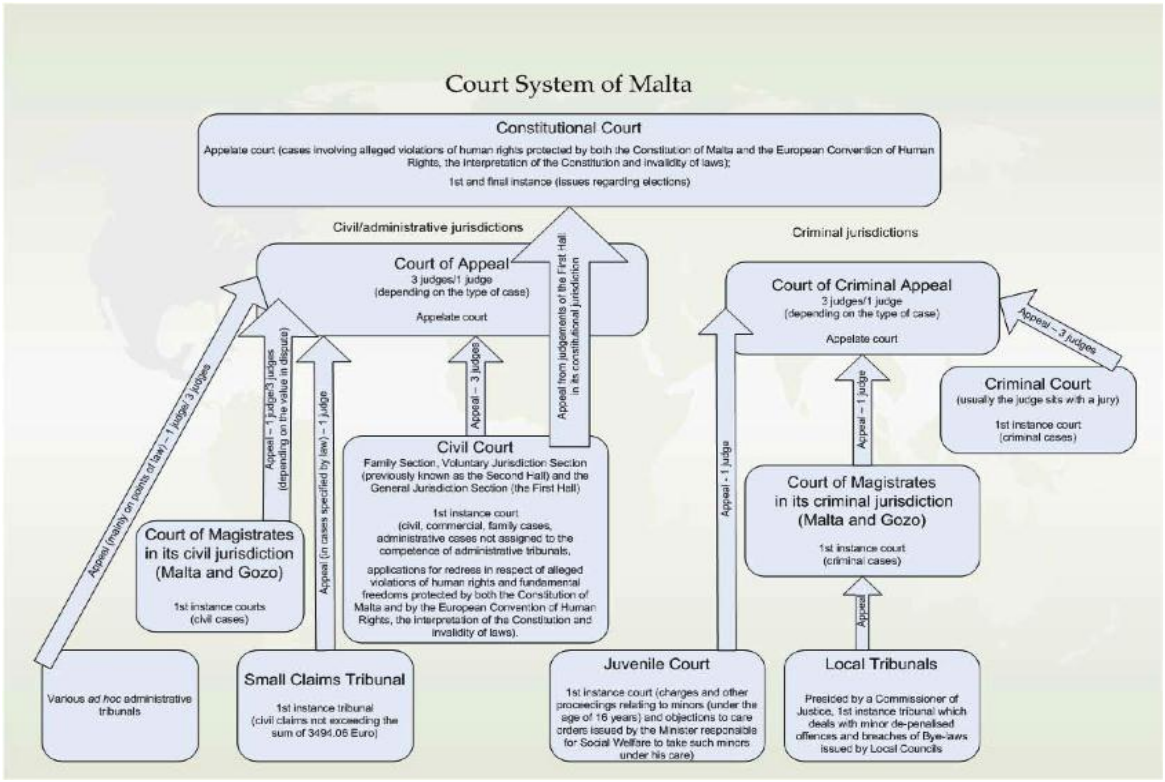
NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Malta	421 364	3 668 677 000	21 100	€ 19 500

1. Presentation of the functioning of the judicial system

According to 2012 data, in Malta there is 1 first instance court of general jurisdiction and 7 specialized courts, among which, the Family Court, the Court of First Instance and the Administrative Tribunal. There exist a couple of Tribunals, these being the Industrial Tribunal and the Small Claims Tribunal. Several other Boards exist: the Land Arbitration Board, Rural Leases Control Board, Value Added Tax Board, Partition of Inheritance Board and the Rent Regulation Board. In Malta there is no Supreme Court, the Court of Appeal is the Court of Second Instance. The Constitutional Court, then, is presided over by the 5 Judges who compose the Court of second Instance also known as the Court of Appeal in its Superior Jurisdiction.



There are 2 first instance courts competent for a debt collection for small claims and 2 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in Malta is 21, which is 5 % more than in 2010.
It represents 5 enforcement agents per 100 000 inhabitants (equal to the EU median of 5 enforcement agents per 100 000 inhabitants).

Concerning the enforcement fees, they are of easy access, and transparent for the court users and they not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between1-5 days.
There is no body entrusted with supervising and monitoring the enforcement agents' activity. They can be taken up to Court if they fail their duties but, as such, there is no body controlling them. The Court Administration employs them, as a result of which, they may discipline them as employees, but will not go into the legal issues as to whether the enforcement agent acted correctly or not.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 13 405 486 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 31,81 euros.

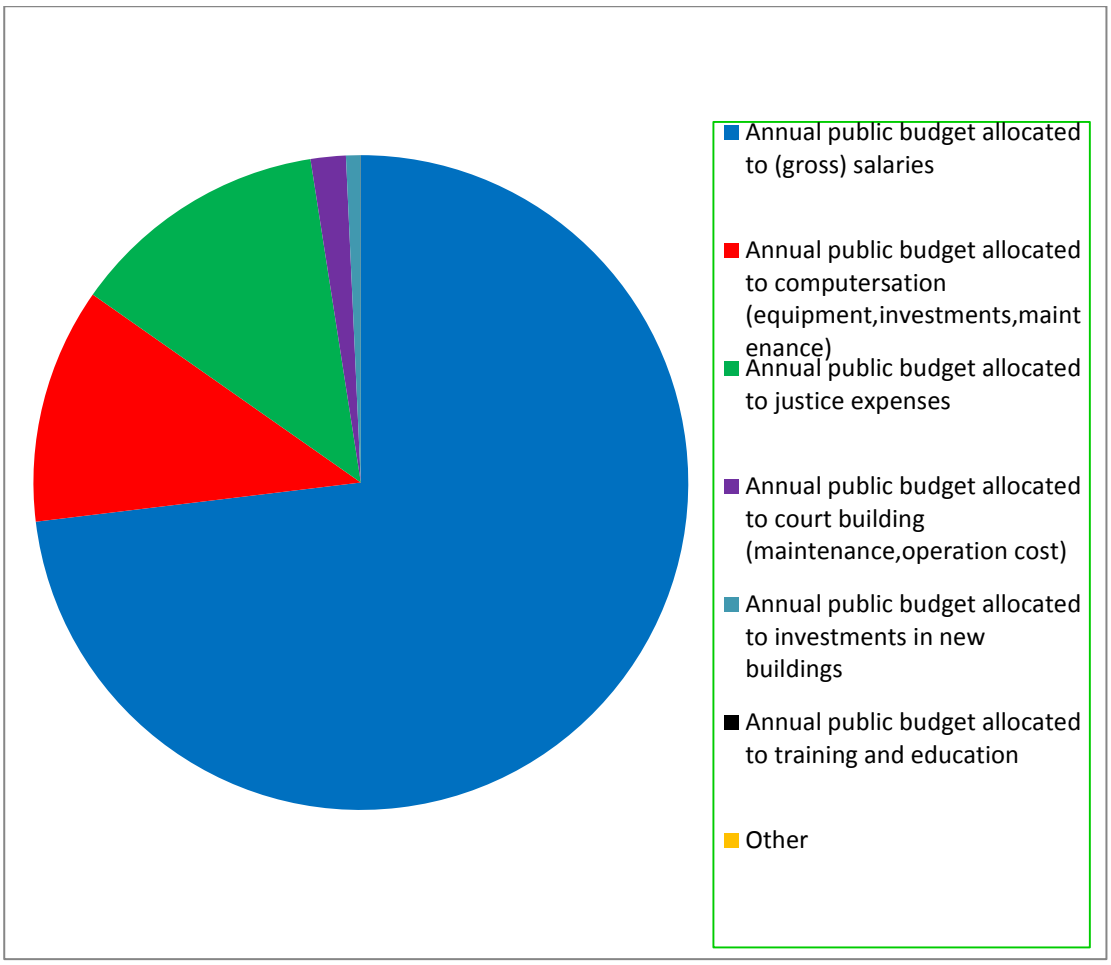
This ratio is lower than the EU average of 62,22 euros per capita and lower than the EU median of 47,43 per capita. Malta belongs to the group of European States with the lowest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries

- Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid

- Annual public budget allocated to computerisation (equipment, investments, maintenance)



- **Budget allocated to the whole justice system : 105 152 000 euros.**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, Council of the judiciary, Constitutional Court, judicial management body, state advocacy, enforcement services, judicial protection of juveniles, refugees and asylum seekers services.

Between 2010 and 2012, the justice system cost per capita has increased by 24 %.

Since this approved budgets actually spread between different ministries, a breakdown of the amount indicated in accordance with the various information collected is being provided for clarity: Attorney General's Office - €1,828,559; Courts -€11 527 427; Probation & Parole Services - €655,079; Prison system - €8,974,218; Commissioner for Refugees Office - €125,841; Commission for the Administration of Justice - €29,928;

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Austria is 40 which is 3 % more than in 2010.

This represents 9 judges per 100 000 inhabitants (less than the EU median of 19 judges per 100 000 inhabitants).

Judges are appointed by the Executive (appointed by the Head of State, having been proposed by the Government) and are chosen amongst the members of the legal profession by the Government, basing itself on the reputation, standing and experience of the lawyer chosen to sit as a Judge or Magistrate. Judges are

expected to have had 12 years' experience as a lawyer whilst Magistrates are expected to have had 7 years of experience as a lawyer.

The gross annual salary of a first instance professional judge is 40 221 euros (2,1 x the national average gross annual salary), which is less than the EU average (45 578 euros).

Judges are appointed to office for an indefinite period of time (the compulsory retirement age is 65).

A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists.

- Non-judge staff

In Malta there are 360 non-judges staff including:

- 213 non-judge staff whose task is to assist the judges such as registrars,
- 111 staff in charge of different administrative tasks and of the management of the courts,
- 8 technical staff
- 28 other staff

In Malta we do not have part time professional judges who sit in the Courts, as all the Courts are presided over by a Judge or a Magistrate, depending on the competency. Nevertheless, there is the Small Claims Tribunal, which is presided by a lawyer, not being a judge, acting on a part-time basis and who has a security of tenure for a period of five years, and which decide all money claims up till €3,494. Furthermore, we also have Commissioners for Justice, acting on a part-time basis, who hear and decide upon depenalised contraventions, such as traffic contraventions and petty offences. The figures indicated as professional judges on an occasional basis reflect these two Tribunals, there being 9 Commissioners for Justice and 10 Small Claim Tribunal adjudicators.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 49 500 euros (0,12 euros per capita)

The legal aid is granted for representation in court in criminal and non-criminal cases.

The amount indicated above represents the full amount allocated by the Government to the appointment of Legal Aid lawyers for persons requiring their services. This fund caters solely for the legal aid services provided for lawyers who would give their services to persons requiring such an assistance. All judicial fees incurred by such persons are also borne by the Government, however it is not possible to quantify such expenses as these vary from case to case.

The total number of cases granted with legal aid per 100 000 inhabitants is 125 (less than the EU average of 765 and less than the EU median of 551). The average amount of legal aid allocated per case is 94 euros (less than the EU average: 2 543 euros and less than the EU median of 803 euros).

  - **Court fees**

The annual income of court fees or taxes received by State is 6 399 974 euros and the share of court fees or taxes in the annual budget allocated to all courts is 48% (more than the EU average of 21% and more than the EU median of 16%).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

Court fees are calculated in accordance with Tariffs set out in Schedules A to K of the Code of Organisation and Civil Procedures (Chapter 12), which provides for Registry Fees, Lawyers' Fees and various other Fees which may arise in proceedings in Court.

- **Lawyers**

In Malta, there are 1 400 lawyers (this number does not include the legal advisors), which is 13% less than in 2010.

This data represent 332 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 35 lawyers per professional judges.

Lawyers have monopoly on legal representation in civil and criminal cases.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws and bar associations provide rules on lawyers' fees, which are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the level for the indicator of the clearance rate in first instance (total non criminal cases) testifies of a performing system, able to deal with cases while decreasing backlogs. The average length of such procedures does not exceed two years. Nevertheless, the system is considerably less performing in second instance where the level for the indicator of the clearance rate reveals a generation of important backlogs. Additionally, the level for the indicator of the disposition time (1065 days) shows that the length of proceedings is meaningful.

  - Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance are not available.

  - The Maltese legislation provides for specific procedures for urgent matters for civil, criminal, and administrative cases and sets forth simplified procedures for small disputes in civil cases and for small offences in criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

In Civil cases, there exists a procedure, regulated by Section 166A of the Code of Organization and Civil Procedure, wherein anyone having a claim, which is certain and due, of up to €23 300, may file a judicial letter and notify it onto the debtor and, should the debtor fail to reply within 30 days, then the amount being requested is considered to have been admitted and the creditor is given an executive title against the debtor without any further act to be filed. In Criminal cases, proceedings up to six months imprisonment are heard summarily and are decided in one hearing.

- Systems for measuring and evaluating the court performance

In Malta, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning incoming cases, number of decisions, and number of postponed cases exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist. In this respect, Malta has not defined performance and quality indicators.

The Maltese system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances are not defined for each judge and they are not set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system.
There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

- **Alternative dispute resolutions**

In Malta, the possibility to resort to judicial mediation exists for: civil and commercial cases and for family law cases.

In Malta, mediation is mandatory in all family law related proceedings. Mediation in family cases may take place either before one of the 10 mediators employed by the Court or else, privately, by any other mediator from the list of mediators. As to proceedings in Civil law cases, these are not mandatory and no record is kept of such cases but the Judge or Magistrate, at any given moment in time, may order the parties to go to mediation.

There are 69 accredited mediators.

Malta also knows arbitration, conciliation and mediation other judicial mediation.

- **The ICT tools of courts and for court users**

Malta has developed a very complete ICT system: all categories are 100% of the courts: for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail), for administration and management (case registration system, court management information system, financial information system, videoconferencing) and for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are 100 **%.**

Videoconferencing is used in all type of cases. A specific legislation on the conditions for using videoconferencing in the courts does not exist. Videoconferences are used in civil cases in relation to family matters when minors necessitating protection are involved.

4. National data collection system

There exists an in-house 'ad hoc' database and management system of all the acts and proceedings taking place in Court, which system is maintained by the Court Administration together with the Malta Information Technology and Training Services Limited (MITTS) which is entrusted with the technical upkeep of the system.

Statistics on the functioning of each court are published on the internet.
The system of collecting statistical data does not allow accessing to data concerning the number of cases for certain categories (civil non litigious cases, non litigious enforcement cases, non litigious land registry cases, non litigious business registry cases) as well as for specific procedures (litigious divorce cases, employment dismissal cases, insolvency) in first instance. Certain data are not available as regards the second instance (civil non litigious cases for example).

No data related to the average length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency) are available.

5. Reforms

Foreseen reforms:

A Justice Reform Commission was set up in April 2013. The Commission issued two reports for consultation which included many proposals intended to improve the whole administration of Justice in Malta. These two reports were discussed with all the major stakeholders in the Maltese judicial system and, on the 30th November 2013, the final report was presented to the Government.

The final report put forward 450 different proposals on how various aspects of the judicial system could be improved. These ranged from changes to the procedure in summary criminal proceedings in the absence of the accused, up to changes to the procedures of discipline and removal of Judges and Magistrates. Changes to the composition of the Commission of the Administration of Justice are also being proposed, as well as the setting up of three authorities within this Commission, an Agency for the Appointment of Judicial Services, an Agency for the Discipline of Judicial Service Providers and an Agency for the Supervision of the Judicial

Services. Due to limited space it is impossible to indicate all the changes being proposed, as there are too many to report in detail. However, wide ranging and fundamental changes are being proposed.

This report will now be discussed with the Judiciary and the legal community, and will be debated in Parliament. Proposals which enjoy support by all the judicial stakeholders will be implemented in the near future while those which require more discussion, will be debated in detail so as to ensure that consensus on the proposals be attained prior to implementing them. Legislative instruments will then be drawn up to reflect the proposals made and discussions which ensued, so as to implement reforms in the judicial system and improve the quality of justice.

Malta – Data tables for each indicator (2010/2012)

Malta	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	417 617	421 364
2#1#1 Total of annual State pb expenditure State level	3 121 279 000	3 668 677 000
3 GDP Per capita GDP (in €)	20 200	21 100
4 Average gross annual salary in €	14 466	19 500
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	10 260 000	11 527 427
12#1#1 Total annual appr pb budget allocated to LA	85 000	49 500
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	10 260 000	11 527 427
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	7 151 000	8 425 403
6#2#3 Amount_Annnual appr bd of the courts_Computer	1 308 000	1 342 265
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	1 399 000	1 476 078
6#2#5 Amount_An appr bd_courts alloc_Court buildings	100 000	200 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build	300 000	82 681
6#2#7 Amount_Annnual appr budget_courts alloc_Training	2 000	1 000
6#2#8 Amount_Annual approved budget_courts alloc_Other		
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	83 998 000	105 152 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	Yes
Constitu-tionnal court		Yes
Judicial manage-ment body		Yes
State advocacy		Yes
Enforcement services		Yes
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	No
Budgetary elements include or not_Refugees services	Yes	Yes
Budgetary elements include or not_Other	Yes	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	417 617	421 364
Amount_An approved budget alloc whole justice	83 998 000	105 152 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	Yes
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	No
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	1	1
42#1#2 Specialised first instance courts	3	7
42#1#3 All the courts (geographic locations)	2	2

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	3	7
43#1#2 Nr of commercial courts	NA	0
Insolvency courts	0	0
43#1#3 Nr of labour courts	NA	0
43#1#4 Nr of family courts	1	1
43#1#5 Nr of rent and tenacies courts	NA	0
43#1#6 Nr of enforc_crim_sanctions courts	NA	0
Fight against terrorism, organised crime and corruption	0	0
Internet related disputes	0	0
43#1#7 Nr of administrative courts	1	1
43#1#8 Nr of insurance_soc welfare courts	NA	0
43#1#9 Nr of military courts	NA	0
43#1#10 Nr ofother specialised 1st instance courts	NA	5

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	2	2
45#1#2 Nr_1st instance courts competent_dismissal	2	2
45#1#3 Nr_1st instance courts competent_robbery	2	2

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	No
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	10 022	9 805
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	9 729	9 457
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
91#1#5 Pending cases_1 Jan _Land registry cases	216	NA
91#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
91#1#7 Pending cases_1 Jan _Admin law cases	91	348
91#1#8 Pending cases_1 Jan _Other cases	NA	NA
91#2#1 Incoming cases_Total_non crim cases	5 090	4 507
91#2#2 Incoming cases_Civil&com litig cases	4 994	4 161
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#5 Incoming cases_Land registry cases	33	NA
91#2#6 Incoming cases_Business reg cases	NA	NA
91#2#7 Incoming cases_Admin law cases	63	346
91#2#8 Incoming cases_Other cases	NA	NA
91#3#1 Resolved cases_Total_non crim cases	4 485	4 875
91#3#2 Resolved cases_Civil&com litig cases	4 428	4 736
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	NA	NA
91#3#5 Resolved cases_Land registry cases	39	NA
91#3#6 Resolved cases_Business reg cases	NA	NA
91#3#7 Resolved cases_Admin law cases	18	139
91#3#8 Resolved cases_Other cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	10 641	9 437
91#4#2 Pending cases_31 Dec _Civil&com litig cases	10 295	8 882
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#5 Pending cases_31 Dec _Land registry cases	210	NA
91#4#6 Pending cases_31 Dec _Business reg cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	136	555

91#4#8 Pending cases_31 Dec _Other cases	NA	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	88%	108%
CR Civil&com litig cases	89%	114%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases	118%	
CR Business reg cases		
CR Admin law cases	29%	40%
CR Other cases		
DT Total non DTim cases	866	707
DT Civil&com litig cases	849	685
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases	1 965	
DT Business reg cases		
DT Admin law cases	2 758	1 457
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		23%
CR Civil&com litig cases		28%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		41%
CR Other cases		
DT Total non DTim cases		-18%
DT Civil&com litig cases		-19%
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-47%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NAP
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	NA	NA
101#2#2 Incoming cases_Employment dismissal	NA	NAP
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	NA	NA
101#3#2 Resolved cases_Employment dismissal	NA	NAP
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NAP
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	797	1 134
97#1#2 Pending cases_1 Jan _Civil&com litig cases	797	1 134
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NAP
97#1#5 Pending cases_1 Jan _Land registry cases	NA	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	639	990
97#2#2 Incoming cases_Civil&com litig cases	639	990
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NAP
97#2#5 Incoming cases_Land registry cases	NA	NAP
97#2#6 Incoming cases_ Business reg cases	NA	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	628	542
97#3#2 Resolved cases_Civil&com litig cases	628	542
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NAP
97#3#5 Resolved cases_Land registry cases	NA	NAP
97#3#6 Resolved cases_ Business reg cases	NA	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA

97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	808	1 582
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	808	1 582
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NAP
97#4#5 Pending cases_31 Dec _Land registry cases	NA	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	98%	55%
CR Civil&com litig cases	98%	55%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	470	1 065
DT Civil&com litig cases	470	1 065
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	49	NAP
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NAP
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	49	NAP
99#2#1 Incoming cases_Total _non crim law cs	46	NAP
99#2#2 Incoming cases_Civil litigious cs	NA	NAP
99#2#3 Incoming cases_Civil non_litigious cs	NA	NAP
99#2#4 Incoming cases_Enforcement cs	NA	NAP
99#2#5 Incoming cases_Land registry cs	NA	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	46	NAP

99#3#1 Resolved cases_Total _non crim law cs	36	NAP
99#3#2 Resolved cases_Civil litigious cs	NA	NAP
99#3#3 Resolved cases_Civil non_litigious cs	NA	NAP
99#3#4 Resolved cases_Enforcement cs	NA	NAP
99#3#5 Resolved cases_Land registry cs	NA	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	36	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	59	NAP
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NAP
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	59	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	78%	
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases	78%	
DT Total non DTim cases	598	
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases	598	
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NAP
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NAP
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NAP
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NAP
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NAP
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NAP
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	417 617	421 364
91#2#1 Incoming cases_Total_non crim cases	5 090	4 507
91#2#2 Incoming cases_Civil&com litig cases	4 994	4 161
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NA	NA
91#2#7 Incoming cases_Admin law cases	63	346
91#4#1 Pending cases_31 Dec _Total_non crim cases	10 641	9 437
91#4#2 Pending cases_31 Dec _Civil&com litig cases	10 295	8 882
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NA	NA
91#4#7 Pending cases_31 Dec _Admin law cases	136	555
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges		No

deliver an oral judgement with a written order and dispense with a full reasoned judgement?	
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?	Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	Yes	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	No	No
68#1#5 Other	No	No

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	No	No

78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	Yes	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	No	No
71#1#4 Quality indicator_Pending cases and backlogs	No	No
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No

38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	417 617	421 364
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	85 000	49 500
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	No	No
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	No	No

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	No
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	No	No

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	417 617	421 364
12#1#1 Total annual appr pb budget allocated to LA	85 000	49 500
20#1#1 Total Number of cases granted with legal aid	NA	528
20#1#2 Nr of criminal cases granted with legal aid	NA	217
20#1#3 Nr non criminal cases granted with legal aid	NA	311

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	10 260 000	11 527 427
9 Annual income of court taxes received by the State	6 702 000	6 399 974

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	No
65#3#1 Legislation_using videoconferencing in courts	No	No
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No

110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	No training offered	No training offered
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	No training offered
127#1#5 Judges' training: In serv Tr_use of computer	No training offered	No training offered
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	NAP
131#1#2 One instit for prosecutors_Initial training	No	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	NAP
131#2#1 One instit for judges_Continuous training	No	Yes
131#2#2 One instit for prosecutors_Continuous training	No	NAP
131#2#3 One instit for judges&proc_Continuous training	No	NAP
131#3#1 One instit for judges_Init&Cont trainings	No	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	No	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	No	NAP
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NAP
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	38 487	40 221
132#1#2 Gross An sal: Judge_Supr Ct	38 487	40 221
132#1#3 Gross An sal: Pb prosecutor_beg_carrier		22 515
132#1#4 Gross An sal: Pb prosecutor_Supr Ct		32 434
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		32 919
132#2#2 Net An sal: Judge_Supr Ct		32 919
132#2#3 Net An sal: Pb prosecutor_beg_carrier		20 792
132#2#4 Net An sal: Pb prosecutor_Supr Ct		27 861
4 Average gross annual salary in €	14 466	19 500
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No

133#2#4 Add benef_pb prosecutors: Other fin benefit	No	Yes
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	65
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	NA	NA
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	NA
144#1#3 Discipl proc against judges_Prof inadequancy	NA	NA
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	NA	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	Yes
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	Yes	Yes
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	Yes
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	NA	NA
145#1#2 Sanctions against judges_Reprimand	NA	NA

145#1#3 Sanctions against judges_Suspension	NA	NA
145#1#4 Sanctions against judges_Removal of cases	NA	NA
145#1#5 Sanctions against judges_Fine	NA	NA
145#1#6 Sanctions against judges_Temp reduction_sal	NA	NA
145#1#7 Sanctions against judges_Position downgrade	NA	NA
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	NA
145#1#9 Sanctions against judges_Dismissal	NA	NA
145#1#10 Sanctions against judges_Other	NA	NA

Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		

Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	1	3
47#1#2 Number of 1st instance presidents	NA	2
47#1#3 Number of 2nd instance presidents	NA	1
47#1#4 Number of supreme court presidents	NA	NAP
47#2#1 Total Nr of court presidents_males	NA	3
47#2#2 Number of 1st instance presidents_males	NA	2
47#2#3 Number of 2nd instance presidents_males	NA	1
47#2#4 Number of supreme court presidents_males	NA	NAP
47#3#1 Total Nr of court presidents_females	NA	0
47#3#2 Number of 1st instance presidents_females	NA	0
47#3#3 Number of 2nd instance presidents_females	NA	0
47#3#4 Number of supreme court presidents_females	NA	NAP
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NAP

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	€ 16,0	Yes

48#2#1 Nr_professional judges_gross figure		€ 19,0
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	No
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	Yes	Yes
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No

164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	417 617	421 364
166#1#2 Number of accredited mediators	50	69
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		1 581
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	417 617	421 364
46#1#1 Total Nr of professional judges	39	40
52#2#1 Nr_non-judge staff who are working in courts	374	360
146 Total number of practicing lawyers	1 600	1 400
170 Number of enforcement agents		20 21
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	1 600	1 400
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	39	40
1 Number of inhabitants	417 617	421 364
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes

149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	20	21
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total		
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total		
188#2#2 Nr_Sanctions pronounced against EA_Reprimand		
188#2#3 Nr_Sanctions pronounced vs EA_Suspension		
188#2#4 Nr_Sanctions pronounced against EA_Dismissal		
188#2#5 Nr_Sanctions pronounced against EA_Fine		
188#2#6 Nr_Sanctions pronounced against EA_Other		
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No

178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	Yes	Yes
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	374	360
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	274	213
52#2#4 Number_Staff in charge of administrative tasks	100	111
52#2#5 Number of Technical staff		8
52#2#6 Number of Other non-judge staff		28
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	No	No
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Netherlands (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Netherlands	16 778 025	302 089 000 000	35 772	€ 52 800

1. Presentation of the functioning of the judicial system

In the Netherlands, according to 2012 data, there are 19 courts of first instance (district courts) with general jurisdiction, 1 specialised first instance court Trade and Industry Tribunal (College van Beroep voor het bedrijfsleven (CBb)), 1 Central Appeals Tribunal (Centrale Raad van Beroep (CRvB)), 5 general appeal (second instance) courts, 1 Supreme Court and 1 High Court/Council (Hoge Raad en Raad van State). The 19 district courts also have 35 separate "kanton" locations that are not separate legal entities. There are specialised chambers within certain courts, for instance a military tribunal at the court of Arnhem, but they are not legal entities.
The Netherlands is divided into 19 districts, each with its own court. Each district court is made up of a maximum of five sectors, which always include administrative law, civil law, criminal law and sub-district law sector. Appeals against judgments of district courts in civil and criminal law cases can be lodged at the competent Court of Appeal (there are five Courts of Appeal in total); appeals against administrative law judgments at the competent specialised administrative law tribunal - the Administrative Jurisdiction Division of the Council of State, the Central Appeals Tribunal or the Trade and Industry Appeals Tribunal, also known as Administrative High Court for Trade and Industry, depending on the type of case. Appeals in cassation in civil, criminal and tax law cases are lodged at the Supreme Court of the Netherlands. (Source: http://www.rechtspraak.nl/Pages/default.aspx).

There are 51 first instance courts competent for a debt collection for small claims and 51 first instance courts competent for a dismissal.
According to 2012 data, the number of enforcement agents in the Netherlands is 950, which is equal to the 2010 numbers.
It represents 6 enforcement agents per 100 000 inhabitants (more than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easily accessed and transparent for the court users and not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 6-10 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 2 103 688 000 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 125,38 euros.

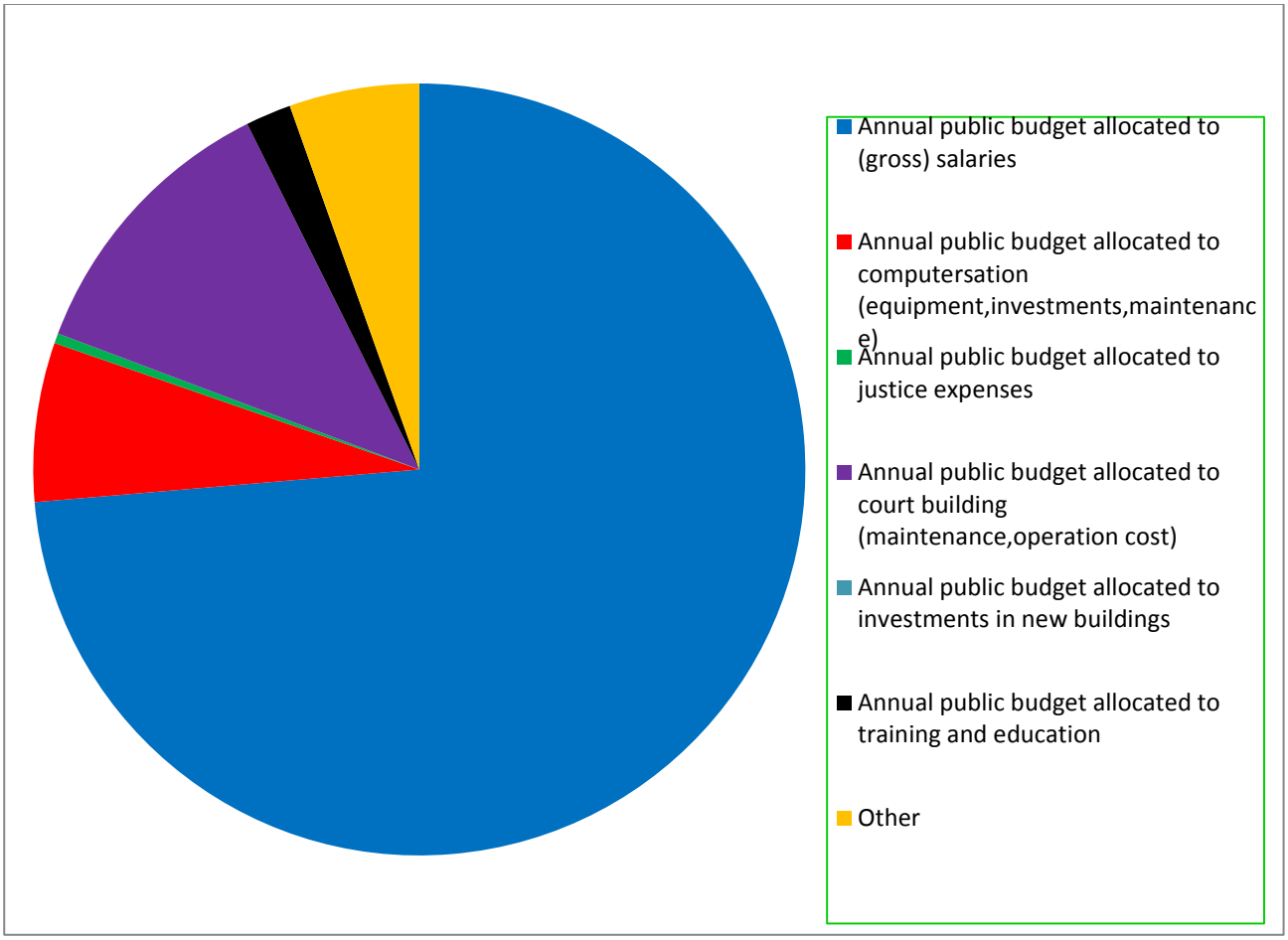
This ratio is higher than the EU average of 62,22 euros per capita and higher than the EU median of 47,43 euros per capita. Netherlands belongs to the group of European States with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to gross salaries

- annual public budget allocated to court building (maintenance, operation cost)

- annual public budget allocated to computerisation (equipment, investments, maintenance)



Justice expenses excludes the justice expenses for criminal cases.

- **Budget allocated to the whole justice system: 5 972 900 000 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution, prison system, probation systems, council of the judiciary, judicial management body, state advocacy, enforcement services, forensic services, judicial protection of juveniles, functioning of the Ministry of justice, refugees and asylum seekers service, other.

Between 2010 and 2012, the justice system cost per capita has decreased by 3%.

- **Human resources**

- Judges

According to 2012 data, the number of professional judges sitting in courts in Austria is 2 410 which is 5 % less than in 2010.

This represents 14 judges per 100 000 inhabitants (less than the EU median of 19 judges per 100 000 inhabitants). Despite this ratio lower than the European median, the analyse of the clearance rate and the disposition time (as to the total number of non-criminal cases) testifies of the performance of the system and, consequently, human resources (in term of judges' number) seem to be in adequacy with the concrete needs of the system.

Judges are recruited through a combination of a competitive exam and work-experience. The number of female judges surpassed the number of their male colleagues some years ago. Judges have an initial compulsory training, general in-service training, and in-service training for management functions of the court.

The gross annual salary of a first instance professional judge is 74 000 euros (1,4 x the national average gross annual salary), which is more than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 128 900 euros (2,4 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office for an indefinite period of time.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists (42 successful challenges in 2012).

- Non-judge staff

In the Netherlands there are 6 252 non-judges staff including:

- 4 847 non-judge staff whose task is to assist the judges such as registrars,
- 1 405 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid : 483 000 000 euros (28,79 euros per capita).

The legal aid is granted for representation and legal advice in criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 2 143 (more than the EU average of 765 and more than the EU median of 551). The average amount of legal aid allocated per case is 1 343 euros (less than the EU average: 2 543 euros and more than the EU median of 803 euros). The policy chosen by Netherlands consists in favouring the number of cases which can aspire to legal aid rather than the amount granted to each individual case.

Although there were several cutbacks in the system, the public expenditure on legal aid is still increasing each year. The reason for this is, on the one hand, the higher fees the lawyers receive, and, on the other, the growing number of people seeking recourse to the system.

A major cost-cutting measure in 2008 was to further stimulate alternative ways of dispute settlement; mediation and the 'Roadmap to Justice' were the first steps in that direction. Other spending cuts that were implemented included increasing the financial significance a case should have before it becomes liable for legal aid and the introduction of the diagnosis & triage measure, which should encourage people to resolve their dispute at an earlier stage. In 2010 the client's contributions for certificates for legal aid were increased; these apply if people seeking justice are unable to submit a diagnosis document (diagnosis and triage measure).

In 2012 and 2013, the lawyers' fees were adjusted and not index linked. Moreover, the LAB itself has to make cuts of € 5 million; one of the measures to achieve this is by introducing the web portal. All client's

contributions were increased in October 2013. Furthermore, the client's contribution in divorce cases went up even more. The State Secretary for Security and Justice believes that in due course the system of legal aid needs to be reviewed.

- **Court fees**

The annual income of court fees or taxes received by State is 237 570 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 11% (lower than the EU average of 21% and lower than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In the Netherlands, there are 17000 lawyers (this category does not include the legal advisors), which is 2% more than in 2010.

This data represents 7,1 lawyers per professional judges (without legal advisors).

Lawyers have monopoly on legal representation in civil cases, and in criminal cases concerning the defendant.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organised. Laws do not provide rules on lawyers' fees, which are provided by Bar associations' standards. These fees are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate (as to the total number of non-criminal cases) reveals a sound situation at all jurisdictional levels. The disposition time indicator related to the same category of cases in first and second instances shows that the system is performing since cases are resolved respectively in less than six months and one year.

  - Insolvency

Data related to the clearance rate and the disposition time for insolvency cases in first instance are not available.

  - The Dutch legislation provides for specific procedures for urgent matters for civil, administrative and criminal cases and sets forth simplified procedures for small offenses in criminal cases.

- Systems for measuring and evaluating the court performance

In the Netherlands, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning number of incoming cases, number of decisions, number of postponed cases, length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, the Netherlands have defined performance and quality indicators, among which the 4 main are: Length of proceedings; Closed cases; Percentage of cases that are processed by a single sitting judge.

The Dutch system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for criminal, civil and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system.

- **Alternative dispute resolutions**

In The Netherlands, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, employment dismissals cases and administrative cases.

There are 2 949 accredited mediators and in 2012 the number of judicial mediation was 2 531 cases.

The Netherlands also know arbitration and mediation other than judicial mediation and other kind of alternative dispute resolution methods.

- **The ICT tools of courts and for court users**

The Netherlands developed a quite complete ICT system:

- for direct assistance of the judges/court clerk: highest level as concerns word processing, electronic data base of case-law, e-mail, internet connection (100%); low level as concerns electronic files (-10%);

- for administration and management: highest level for case registration system, court management information system, financial information system (100%); above the average as concerns videoconferencing (+50%);

- for electronic communication and exchange of information between the courts and their environment: highest level as concerns electronic web forms, website, follow-up of cases online, electronic registers, videoconferencing and other electronic communication facilities (100%); total absence as concerns electronic processing of small claims, electronic processing of undisputed debt recovery, electronic submission of claims (0%).

Follow-up of cases online by lawyers is possible but only in civil cases. Electronic registers are used only for insolvencies and legal restraint cases.

In the Netherlands, videoconferencing is used in criminal and other than criminal cases. In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing cannot be held in the police station or in the prison. A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defense does not exist.

Videoconferencing is used in immigration law cases and in some specific areas of criminal law, i.e. concerning issues related to punishment. It is not possible to use it in case of minor suspects and suspects of murder and sexual offenses.

4. National data collection system

The council of the Judiciary collects the data, both for internal planning and control, and communication with Department of Justice. Also the Dutch Central Bureau of Statistics collects data, either directly from the courts and in some instances from the Council of the Judiciary.

Statistics on the functioning of each court are published on the internet.
The system of collecting statistical data allows providing certain data with regard to the number of cases at all jurisdictional levels. Nevertheless, some selected categories of cases are not included: civil and commercial litigious cases and enforcement cases in first instance; civil and commercial litigious and non-litigious cases in second instance for example. As to the last instance, few data are available. In respect of the specific procedures (litigious divorce cases, employment dismissal cases, insolvency) few data are collected concerning the number of cases and the average length of proceedings.

5. Reforms

Comprehensive reform plans:

In 2012 a new coalition of liberal and social-democratic parties formed a new coalition government Rutte-Asher, which aims at a budget cut in the public sector of a total of € 16 billion before 2016. Part of these budget cuts regard the justice system and are realised by comprehensive reform plans which are under serious preparation, to be realised before 2016.

Reforms regarding budget:

The main budget cuts concerning the judicial system 2012-2016 regard mainly the legal aid (- 20%) and the prosecution office (- 25%). Budget cuts on the judiciary were rather limited.

In order to maintain the current quality and to the expected influx of Justice can handle, the court fees will be increased in 2014 by an average of 15%. The increase affects both the expenditure to the jurisdiction as well as the total court fees revenues. The increases are differentiated and for most cases are modest (about 2%). A slightly larger increase ends up with it at a large financial interest of legal persons, appeals and administrative cases where the nominal rates are very low.

Reforms regarding courts:

A law is in the making, which will introduces the merger of the 19 (boards of) courts of first instance into 10 (boards of) courts. The 5 (boards of) courts of appeal will merge into 4. There will be 20 locations where all types of first instance cases will be handled, and a number of other locations where only some (common) types of cases will be handled.

In January 2013, the first instance courts, prosecution offices and police offices are administravely organised on the same ten regional levels in the Netherlands. So the judicial map has been realised. The main programmatic issue now at stake is strengthening the performance of the criminal chain (police, prosecution, judges, prisons). This program started in 2012 and aims at a better quality prosecution of criminal matters, better cooperation between the partners in the criminal chain and thus better performance from the chain as a whole. Starting from 2012, permanent monitoring of disposition times takes place. The direct handling of common crime by police and to put together ' on the front "in cooperation with all relevant partners in the chain is an important example of such a new form of cooperation, which will be introduced this year on a national level. In support of the initiatives to achieve a faster and better prosecution of criminal matters a continuous work towards the digitization of procedural documents and procedures in the criminal justice chain will be pursued. Furthermore, a Bill is being prepared to create conditions starting in 2016 for digital criminal files in the criminal justice chain .

In 2012 the organization structure of courts has changed through mergers. The first instance courts (‘rechtbanken’) have merged from 19 to 10 and the general appeal courts (‘gerechtshoven’) from 5 to 4. The rationale is that courts operations at larger scale are able to organize ahead more efficiently and are better equipped to specialize and to improve the quality of case handling.

A program called Quality and Innovation (‘Kwaliteit en Innovatie’, abbreviated KEI) is in development. Its aims are to introduce electronic and efficient processing of all types of court cases and to streamline and, where possible, simplify civil and administrative law procedures. The program includes changes in law, the handling of court procedures and the organization of courts.

A law aimed at raising court fees in civil and administrative cases, especially in appeal cases and cases with large financial stakes, has been proposed. Court fees in civil cases have been raised from 2010 onwards, especially for legal persons.

Reforms regarding access to justice and legal aid:

The government aims at restructuring the system of legal aid in the Netherlands in order to limit the ever expanding costs: measures that limit the influx of additional business, the allocation system (allocation and subsequent verification, to selection at the gate) change, the device cost of the Government and the benefits for the legal profession and to dismiss it as simple as possible by business. As a result, € 80 million cut in the long term a system of which spending about € 400 mln. The most important measures taken are notably more stringent selection of the port on the basis of a strict necessity criterion. Exclude in principle contract law, tenancy law and divorce on joint application without minor children. Adjusting the income limits and private contributions for the citizens. And finally a lower hourly rate in laborious business for the lawyers.

Reforms regarding legal professionals:

The aim is that by 2014 there will be a bill into force that involves a change in the supervision of lawyers. The core of this legislative amendment is to strengthen the supervision of lawyers, with extended powers

of the local dean of lawyers. The ultimate national responsibility for monitoring will be given to an independent regulator.

Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities:

Concerning the main reform of criminal law the programme strengthening the performance of the criminal chain has started (see number 3). Civil and administrative proceedings are also reformed. To contribute to a good, fast, efficient, accessible and affordable case-law, the program 'quality and innovation' was launched in September 2012. This program aims to simplify procedural law for civil and administrative cases and to unify as much as possible by – amongst other things - streamlining the procedure for appeal, and increasing the control of the judge. In 2015, all civil and administrative procedures in courts will be simplified, uniformed and digitized, which will improve accessibility and timeliness of justice further.

Reforms regarding mediation: A register for mediators will be introduced.

Netherlands - Data tables for each indicator (2010/2012)

*The Netherlands also provided measured disposition time (and not the calculated disposition time):
First instance administrative cases: 266 days.
Second instance non criminal cases: 399 days.
Second instance administrative cases: 518 days.

Netherlands	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	16 655 799	16 778 025
2#1#1 Total of annual State pb expenditure State level	301 236 000 000	302 089 000 000
3 GDP Per capita GDP (in €)	35 414	35 772
4 Average gross annual salary in €	50 900	52 800
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	990 667 000	983 764 000
12#1#1 Total annual appr pb budget allocated to LA	460 000 000	483 000 000
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	990 667 000	983 764 000
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	733 603 000	724 526 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	98 485 000	65 557 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	3 673 000	4 089 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	109 615 000	117 266 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	20 522 000	18 753 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	24 769 000	53 573 000
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	6 098 900 000	5 972 900 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No

Judicial manage-ment body		Yes
State advocacy		Yes
Enforcement services		Yes
Notariat		No
Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	Yes	Yes
Budgetary elements include or not_Other	No	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	16 655 799	16 778 025
Amount_An approved budget alloc whole justice	6 098 900 000	5 972 900 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	Yes	Yes
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	Yes	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	Yes	Yes
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	Yes	Yes
14#4#6 Evaluation_Court budget_Courts Courts	No	No

14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	Yes

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	Yes	Yes
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	Yes	Yes
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	Yes	Yes
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	Yes	Yes
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	19	19
42#1#2 Specialised first instance courts	2	1
42#1#3 All the courts (geographic locations)	64	60

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	2	1
43#1#2 Nr of commercial courts	NAP	1
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP

43#1#7 Nr of administrative courts	1	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	NAP	NAP
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	19 legal entities, 54 locations	51
45#1#2 Nr_1st instance courts competent_dismissal	19 legal entities, 54 locations	51
45#1#3 Nr_1st instance courts competent_robbery	19	51
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?		No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	287 690	279 460
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	NA	NA
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	60 920	48 010
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	1 451 879	1 258 187
91#2#2 Incoming cases_Civil&com litig cases	NA	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	114 638	114 930
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	1 461 153	1 243 457
91#3#2 Resolved cases_Civil&com litig cases	NA	159 165
91#3#3 Resolved cases_Civil&com nonlit cases	NA	972 185
91#3#4 Resolved cases_Enforcement cases	NAP	NAP
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	122 273	112 107
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	274 170	285 340

91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	53 410	50 010
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	101%	99%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	107%	98%
CR Other cases		
DT Total non DTim cases	68	84
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	159	163
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-2%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		-9%
CR Other cases		
DT Total non DTim cases		22%
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		2%
DT Other cases		
Table 3.4 Number of cases received and processed by		

first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	NA	NA
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	NA	NA
101#2#2 Incoming cases_Employment dismissal	22 132	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	5 945	6 118
101#3#2 Resolved cases_Employment dismissal	5 033	4 676
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	3 141	3 757
101#3#4 Resolved cases_Intentional homicide	985	817
101#4#1 Pending cases_31 Dec _Litigious divorce cs	NA	NA
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	30 900	28 220
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	13 420	13 020
97#1#8 Pending cases_1 Jan _Other cases	NAP	NA
97#2#1 Incoming cases_Total_non crim cases	26 350	26 839
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NAP	NAP
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	10 772	11 006
97#2#8 Incoming cases_Other cases	NAP	NA
97#3#1 Resolved cases_Total_non crim cases	27 868	27 298

97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NAP	NAP
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	11 207	10 871
97#3#8 Resolved cases_Other cases	NAP	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	29 610	27 490
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NAP	NAP
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	12 990	13 100
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	106%	102%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	104%	99%
CR Other cases		
DT Total non DTim cases	388	368
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	423	440
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NAP	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NA
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NAP	NA
99#2#1 Incoming cases_Total _non crim law cs	1 662	1 676
99#2#2 Incoming cases_Civil litigious cs	NA	NA

99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NAP	NA
99#2#5 Incoming cases_Land registry cs	NAP	NA
99#2#6 Incoming cases_Business register cs	NAP	NA
99#2#7 Incoming cases_Administrative law cs	1 009	NA
99#2#8 Incoming cases_Other cs	NAP	NA
99#3#1 Resolved cases_Total _non crim law cs	1 595	1 688
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NAP	NA
99#3#5 Resolved cases_Land registry cs	NAP	NA
99#3#6 Resolved cases_Business register cs	NAP	NA
99#3#7 Resolved cases_Administrative law cs	968	NA
99#3#8 Resolved cases_Other cs	NAP	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	NA
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	96%	101%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	96%	
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA

% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		0
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	344	102
102#3#2 1st inst average length_Empl dismissal	21	49
1st inst average length Insolvency		710
102#3#3 1st inst average length_Robbery cases	39	42
102#3#4 1st inst average length_Intent homicide	116	130
102#4#1 2nd inst average length_Lit divorce cs	240	227
102#4#2 2nd inst average length_Empl dismissal	NAP	NAP
2nd inst average length Insolvency		NAP
102#4#3 2nd inst average length_Robbery cases	295	302
102#4#4 2nd inst average length_Intent homicide	295	302
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NAP
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		329
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		344
Average total length_Intent homicide		432
Table 3.11. Caseload in the EU		
1 Number of inhabitants	16 655 799	16 778 025
91#2#1 Incoming cases_Total_non crim cases	1 451 879	1 258 187
91#2#2 Incoming cases_Civil&com litig cases	NA	NA
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	114 638	114 930
91#4#1 Pending cases_31 Dec _Total_non crim cases	274 170	285 340
91#4#2 Pending cases_31 Dec _Civil&com litig cases	NA	NA
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	53 410	50 010
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	No	No
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		NA
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		NA

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	Yes
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	Yes	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes

68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	Yes	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	No	No
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	Yes	Yes
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	Yes	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	Yes	Yes
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes

80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	Yes	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	16 655 799	16 778 025
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	460 000 000	483 000 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes
Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	16 655 799	16 778 025
12#1#1 Total annual appr pb budget allocated to LA	460 000 000	483 000 000
20#1#1 Total Number of cases granted with legal aid	346 000	359 573
20#1#2 Nr of criminal cases granted with legal aid	101 000	109 091
20#1#3 Nr non criminal cases granted with legal aid	245 000	250 482

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not	60 312

applicable in your country, please indicate NAP.		
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	990 667 000	983 764 000
9 Annual income of court taxes received by the State	190 743 000	237 570 000
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	-10% of courts	-10% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	+50% of courts	+50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	0 % of courts	0 % of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	No

65#3#1 Legislation_using videoconferencing in courts	No	No
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Compulsory	Compulsory
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	NAP	NAP
131#1#2 One instit for prosecutors_Initial training	NAP	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	NAP	NAP
131#2#2 One instit for prosecutors_Continuous training	NAP	NAP
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	NAP	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		NAP
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	74 000	74 000
132#1#2 Gross An sal: Judge_Supr Ct	128 900	128 900
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	54 036	62 855
132#1#4 Gross An sal: Pb prosecutor_Supr Ct		94 585
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	43 000	43 000
132#2#2 Net An sal: Judge_Supr Ct	67 000	67 000
132#2#3 Net An sal: Pb prosecutor_beg_carrier	32 604	NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	50 900	52 800
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No

133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	NAP
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	4	NA
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	NA
144#1#3 Discipl proc against judges_Prof inadequancy	NA	NA
144#1#4 Discipl proc against judges_Criminal offence	NA	NA
144#1#5 Discipl proc against judges_Other	NA	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	Yes	Yes
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	Yes	Yes
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No

142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	1	1
145#1#2 Sanctions against judges_Reprimand	NA	0
145#1#3 Sanctions against judges_Suspension	NA	NA
145#1#4 Sanctions against judges_Removal of cases	NA	NA
145#1#5 Sanctions against judges_Fine	NA	NA
145#1#6 Sanctions against judges_Temp reduction_sal	NA	NA
145#1#7 Sanctions against judges_Position downgrade	NA	NA
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	NA
145#1#9 Sanctions against judges_Dismissal	NA	1
145#1#10 Sanctions against judges_Other	NA	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)	21	42
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	27	20
47#1#2 Number of 1st instance presidents	19	13
47#1#3 Number of 2nd instance presidents	7	6
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	24	18
47#2#2 Number of 1st instance presidents_males	17	11
47#2#3 Number of 2nd instance presidents_males	6	6
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	3	2
47#3#2 Number of 1st instance presidents_females	2	2
47#3#3 Number of 2nd instance presidents_females	1	0
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	Yes	No
48#2#1 Nr_professional judges_gross figure	€ 900,0	€ 1 100,0
48#1#2 Professional judges	NA	NA
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	No	No
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		NAP
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		NAP
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	Yes	Yes
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes

164#2#3 Private mediator_Administrative cases	Yes	Yes
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	16 655 799	16 778 025
166#1#2 Number of accredited mediators	4 015	2 949
167#2#1 Judicial mediation procedures_Total Nr	3 880	2 531
167#2#2 Judicial mediation procedures_Civil cases Nr	461	330
167#2#3 Judicial mediation procedures_Family cases Nr	2 537	2 016
167#2#4 Judicial mediation procedures_Admin cases Nr	882	185
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	16 655 799	16 778 025
46#1#1 Total Nr of professional judges	2 530	2 410
52#2#1 Nr_non-judge staff who are working in courts	6 674	6 252
146 Total number of practicing lawyers	16 728	17 000
170 Number of enforcement agents		949 950
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		

146 Total number of practicing lawyers	16 728	17 000
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	2 530	2 410
1 Number of inhabitants	16 655 799	16 778 025
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	Yes
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	No	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	949	950
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	907	1 049
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	30	30
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	26	28
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	2	0

188#2#4 Nr_Sanctions pronounced against EA_Dismissal	2	2
188#2#5 Nr_Sanctions pronounced against EA_Fine		0
188#2#6 Nr_Sanctions pronounced against EA_Other		0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	Yes	No
178#1#1 Auth resp_supervision_EA_Professional body	Yes	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	6 674	6 252
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges		4 847
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		1 405
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	No

Indicator 10: The methods, sources and

efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)

66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Poland (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Poland	38 533 000	77 785 333 399	10 126	€ 10 338

1. Presentation of the functioning of the judicial system

According to 2012 data, in Poland, there are 287 first instance courts of general jurisdiction and 26 first instance specialised courts including 17 administrative courts and 9 military courts. The highest instance courts are the Supreme Court, the Supreme Administrative Court and the Constitutional tribunal.
Polish judiciary system contains the specific role of district courts which act as first instance courts (in specified cases) and second instance courts (when the regional courts delivered the sentence).
There are 245 first instance courts competent for a debt collection for small claims and 245 first instance courts competent for a dismissal. Small civil claims: property claims based on contracts and breach of contracts relations, with total value not exceeding 10. 000 PLN ; rent payment disputes in a housing matters ; court's deposits.
According to 2012 data, the number of enforcement agents in Poland is 1 066, which is 26 % more than in 2010.
It represents 3 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy to establish and transparent for the court users and not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 1 827 573 567euros.

This figure includes the public prosecution services and the budget per legal aid

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 47,43 euros

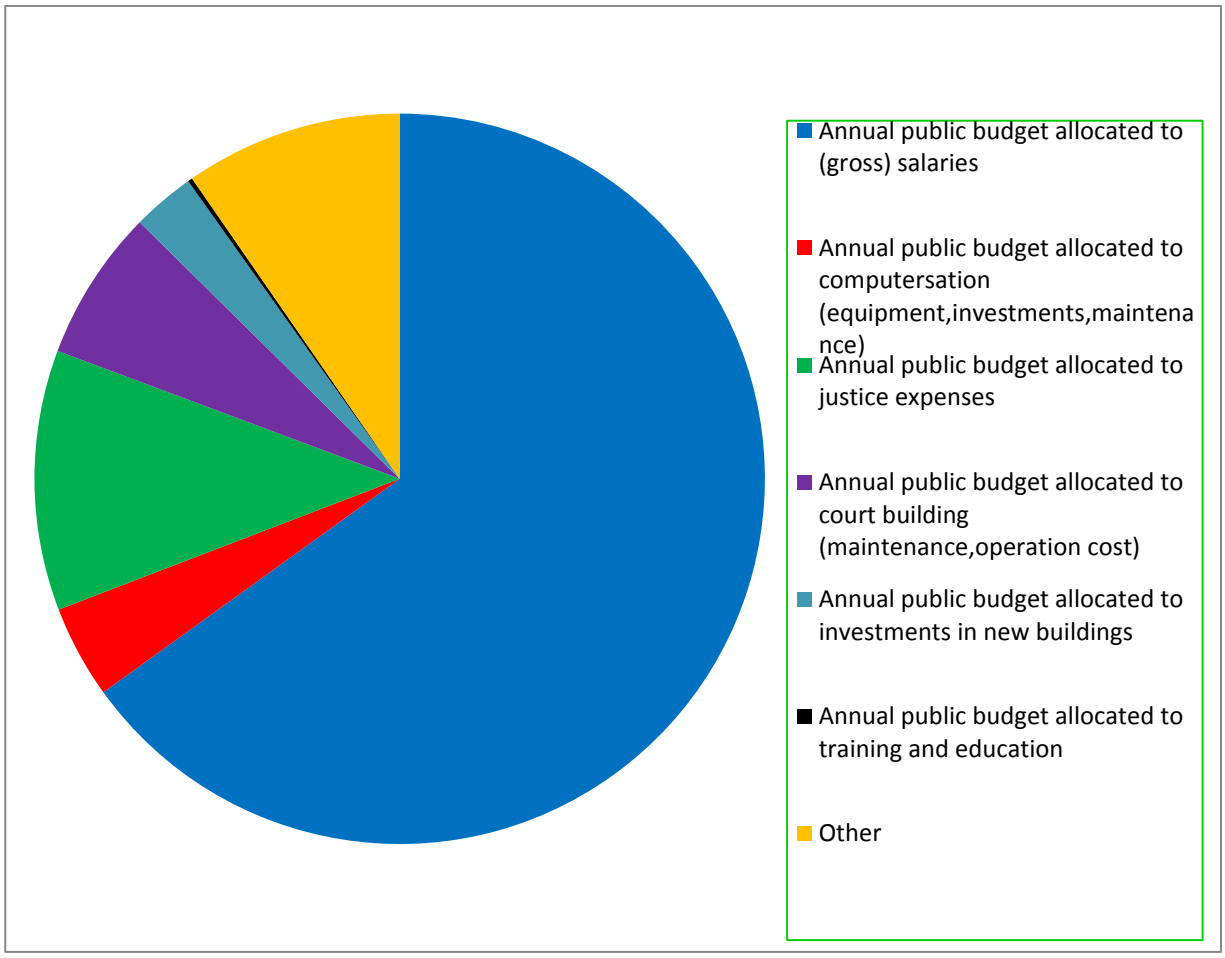
This ratio is lower than the EU average of 62,22 euros per capita and equal to the EU median of 47,43 euros per capita.

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries

- annual public budget allocated to justice expenses

- other



- **Budget allocated to the whole justice system : 2 472 780 000 euros**

This budget includes the following budgetary elements: court, legal aid, prison system, probation services, judicial management body, enforcement services, judicial protection of juveniles, functioning of the Ministry of justice, other.

Between 2010 and 2012, the justice system cost per capita has decreased by 13%.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Poland is 10 114 which is 5 % less than in 2010.

This represents 26 judges per 100 000 inhabitants (more than the EU median of 19 judges per 100 000 inhabitants).

Judges are recruited through a combination of a competitive exam and work experience. An initial training and general in-service training are compulsory.

The gross annual salary of a first instance professional judge is 21 942 euros (2,1 x the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 60 998 euros (5,9 x the national average gross annual salary), which is lower than the EU average (88 218 euros).

Judges are appointed to office for an indefinite period of time (the compulsory retirement age is 67).
A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists (1 873 successful challenges in 2012).

- Non-judge staff

In Poland there are 40 844 non-judges staff including:

- 1 810 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 23 110 non-judge staff whose task is to assist the judges such as registrars,
- 7 239 staff in charge of different administrative tasks and of the management of the courts,
- 3 487 technical staff
- 5 198 other staff.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 24 107 000 euros (0,63 euros per capita)

The legal aid is granted for representation in court in criminal and non-criminal cases.

  - **Court fees**

The annual income of court fees or taxes received by State is 408 787 000 euros and the share of court fees or taxes in the annual budget allocated to all courts is 22% (higher than the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

  - **Lawyers**

In Poland, there are 44 082 lawyers (this category does not include the legal advisors), which is 50 % more than in 2010.

This data represents 114 lawyers (without legal advisers) per 100 000 inhabitants (higher than the EU median of 106 lawyers per 100 000 inhabitants) and 4,4 lawyers per professional judges.

Lawyers have a monopoly on legal representation in criminal cases concerning the defendant.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is not organized. Laws provide rules on lawyers' fees but they are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate (as to the total number of non-criminal cases) reveals a sound situation in first instance, an increase of backlogs in second instance and, by contrast, the performance of the system in last instance implying a decrease of backlogs. However, there has been a deterioration of the performance of courts to resolve civil and commercial litigious cases at 1st instance. As to the disposition time, this indicator shows that the length of proceedings does not exceed respectively six months in first and second instances and one year in last instance.

  - Insolvency

The clearance rate for insolvency cases in first instance in Poland is 96. The disposition time for insolvency cases in first instance is 83 days.

- The Polish legislation provides for specific procedures for urgent matters for civil and criminal cases (not for administrative cases) and sets forth simplified procedures for small disputes in civil cases and small offenses in criminal cases.

- Systems for measuring and evaluating the court performance

In Poland, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, the length of proceedings and other elements exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Poland has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Closed cases; Pending cases and backlogs; Other.

The Polish system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are set up at the level of the court. For certain cases the law imposes timeframe for performing specific action or handling specific matters. The president of the court sets the performance target using indicators such as: average performance that court and individual judge is expected to achieve; timeframes for specific actions imposed by law; productivity of court and judges – number of decided cases to number of incoming cases, backlogs generating; number of decisions reversed or annulled within procedure of appeal.

A set of quality standards is defined with regard to the whole judicial system.

- **Alternative dispute resolutions**

In Poland, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissal cases and criminal cases.

In 2012 the number of judicial mediation was 9 544 cases.

Poland also knows arbitration, conciliation and mediation other than judicial mediation.

- **The ICT tools of courts and for court users**

Poland has developed an ICT system:

-for direct assistance of the judges/court clerk (word processing: 100% of courts, electronic data base of case-law: 100% of courts, electronic files:-10% of courts, e-mail, internet connection: 100% of courts),

-for administration and management (case registration system: 100% of courts, court management information system: +50% of courts, financial information system: 100% of courts, videoconferencing: -50% of courts)

- for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are very variable.

Videoconferencing is used in all type of cases. In criminal cases, hearings can be held in the police station and/or in prison.

4. National data collection system

Department of Strategy and Deregulation, Ministry of Justice are the centralized institution that are responsible for collecting statistical data regarding the functioning of the courts and judiciary. It publishes statistics on the functioning of each court on the internet.

The system of collecting statistical data allows providing data concerning the number of selected cases in respect of all categories in first and second instances. In last instance, certain data are not available. As to the specific procedures (litigious divorce cases, employment dismissal cases, insolvency), the number of cases is provided but no data related to the length of proceedings are accessible.

5. Reforms

Foreseen reforms:

There is a forthcoming reform in the area of criminal law and Prosecution Service which implements the contradictory elements to the criminal procedure.

In the area of civil law, the new insolvency law is being prepared. It is based on second-chance principle in insolvency procedures.

There are also many IT projects aimed at providing online services for parties to proceedings and citizens (e.x electronic protocol, land register features, online payments, courts internet central gate)

There is also a pending discussion about the court structure aimed at solving the problem of unequal workload distribution between courts. Some District Courts were transformed into divisions of other courts.

Poland - Data tables for each indicator (2010/2012)

Poland	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	38 200 000	38 533 000
2#1#1 Total of annual State pb expenditure State level	74 462 509 910	77 785 333 399
3 GDP Per capita GDP (in €)	9 359	10 126
4 Average gross annual salary in €	9 769	10 338
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	1 365 085 000	1 379 338 000
12#1#1 Total annual appr pb budget allocated to LA	23 244 000	24 107 000
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	1 365 085 000	1 379 338 000
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	894 463 000	897 425 000
6#2#3 Amount_Annnual appr bd of the courts_Computer	10 512 000	56 686 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	148 297 000	158 928 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	68 961 000	92 443 000
6#2#6 Amount_An appr bd_courts alloc invest_ new build	42 381 000	38 237 000
6#2#7 Amount_Annnual appr budget_courts alloc_Training	2 329 000	2 822 000
6#2#8 Amount_Annual approved budget_courts alloc_Other	198 142 000	132 797 000
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	2 821 561 570	2 472 780 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	No
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	No	No
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		No
Enforcement services		Yes
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	NAP	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	38 200 000	38 533 000
Amount_An approved budget alloc whole justice	2 821 561 570	2 472 780 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	Yes	Yes
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	Yes
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	Yes
14#4#3 Evaluation_Court budget_Parliament	Yes	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	Yes
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	365	287
42#1#2 Specialised first instance courts	28	26
42#1#3 All the courts (geographic locations)	705	827

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	28	26
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	NAP
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	16	17
43#1#8 Nr of insurance_soc welfare courts		NAP
43#1#9 Nr of military courts	12	9
43#1#10 Nr ofother specialised 1st instance courts		NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	320	245
45#1#2 Nr_1st instance courts competent_dismissal	213	245
45#1#3 Nr_1st instance courts competent_robbery	365	287

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	1 228 163	1 431 356
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	344 160	382 664
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	189 050	577 465
91#1#4 Pending cases_1 Jan _Enforcement cases	123 709	140 844
91#1#5 Pending cases_1 Jan _Land registry cases	449 546	204 376
91#1#6 Pending cases_1 Jan _Business reg cases	24 557	20 595
91#1#7 Pending cases_1 Jan _Admin law cases	17 588	21 837
91#1#8 Pending cases_1 Jan _Other cases	79 553	83 575
91#2#1 Incoming cases_Total_non crim cases	9 320 293	10 045 154
91#2#2 Incoming cases_Civil&com litig cases	819 861	1 066 935
91#2#3 Incoming cases_Civil&com nonlit cases	3 004 287	3 899 687
91#2#4 Incoming cases_Enforcement cases	1 422 749	900 397
91#2#5 Incoming cases_Land registry cases	3 135 852	3 194 947
91#2#6 Incoming cases_Business reg cases	564 172	610 397
91#2#7 Incoming cases_Admin law cases	67 830	72 160
91#2#8 Incoming cases_Other cases	305 542	300 631
91#3#1 Resolved cases_Total_non crim cases	9 311 414	10 100 564
91#3#2 Resolved cases_Civil&com litig cases	778 641	944 559
91#3#3 Resolved cases_Civil&com nonlit cases	2 926 076	4 054 364
91#3#4 Resolved cases_Enforcement cases	1 383 667	890 032
91#3#5 Resolved cases_Land registry cases	3 299 519	3 240 327
91#3#6 Resolved cases_Business reg cases	567 840	603 887
91#3#7 Resolved cases_Admin law cases	64 121	71 865
91#3#8 Resolved cases_Other cases	291 550	295 530
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 238 599	1 375 396
91#4#2 Pending cases_31 Dec _Civil&com litig cases	385 035	505 040
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	267 610	422 221
91#4#4 Pending cases_31 Dec _Enforcement cases	162 791	151 229
91#4#5 Pending cases_31 Dec _Land registry cases	287 462	158 992
91#4#6 Pending cases_31 Dec _Business reg cases	20 889	27 106
91#4#7 Pending cases_31 Dec _Admin law cases	21 267	22 132

91#4#8 Pending cases_31 Dec _Other cases	93 545	88 676
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	100%	101%
CR Civil&com litig cases	95%	89%
CR Civil&com nonlit cases	97%	104%
CR Enforcement cases	97%	99%
CR Land registry cases	105%	101%
CR Business reg cases	101%	99%
CR Admin law cases	95%	100%
CR Other cases	95%	98%
DT Total non DTim cases	49	50
DT Civil&com litig cases	180	195
DT Civil&com nonlit cases	33	38
DT Enforcement cases	43	62
DT Land registry cases	32	18
DT Business reg cases	13	16
DT Admin law cases	121	112
DT Other cases	117	110
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		1%
CR Civil&com litig cases		-7%
CR Civil&com nonlit cases		7%
CR Enforcement cases		2%
CR Land registry cases		-4%
CR Business reg cases		-2%
CR Admin law cases		5%
CR Other cases		3%
DT Total non DTim cases		2%
DT Civil&com litig cases		8%
DT Civil&com nonlit cases		14%
DT Enforcement cases		44%
DT Land registry cases		-44%
DT Business reg cases		22%
DT Admin law cases		-7%
DT Other cases		-6%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	49 855	42 786
101#1#2 Pending cases_1 Jan _Employment dismissal	9 140	11 102
Pending Insolvency cases		794
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	112 152	90 933
101#2#2 Incoming cases_Employment dismissal	20 578	22 070
Incoming Insolvency cases		4 589
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	112 135	89 217
101#3#2 Resolved cases_Employment dismissal	20 051	20 924
Resolved Insolvency cases		4 390
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	49 872	44 750
101#4#2 Pending cases_31 Dec _Employment dismissal	9 667	12 249
Pending Insolvency cases		993
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		96%
DT - Insolvency cases		83
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	32 876	43 509
97#1#2 Pending cases_1 Jan _Civil&com litig cases	12 588	16 468
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	1 738	3 538
97#1#4 Pending cases_1 Jan _Enforcement cases	0	0
97#1#5 Pending cases_1 Jan _Land registry cases	0	0
97#1#6 Pending cases_1 Jan _Business reg cases	46	114
97#1#7 Pending cases_1 Jan _Admin law cases	10 427	13 596
97#1#8 Pending cases_1 Jan _Other cases	8 077	9 793
97#2#1 Incoming cases_Total_non crim cases	185 567	215 523
97#2#2 Incoming cases_Civil&com litig cases	110 195	128 986
97#2#3 Incoming cases_Civil&com nonlit cases	19 399	21 232
97#2#4 Incoming cases_Enforcement cases	0	0
97#2#5 Incoming cases_Land registry cases	0	0
97#2#6 Incoming cases_ Business reg cases	297	492
97#2#7 Incoming cases_Admin law cases	15 642	19 892
97#2#8 Incoming cases_Other cases	40 034	44 921
97#3#1 Resolved cases_Total_non crim cases	180 626	200 797
97#3#2 Resolved cases_Civil&com litig cases	109 231	121 722
97#3#3 Resolved cases_Civil&com nonlit cases	19 248	19 889
97#3#4 Resolved cases_Enforcement cases	0	0
97#3#5 Resolved cases_Land registry cases	0	0
97#3#6 Resolved cases_ Business reg cases	299	479
97#3#7 Resolved cases_Admin law cases	11 747	17 195

97#3#8 Resolved cases_Other cases	40 101	41 512
97#4#1 Pending cases on 31 Dec _Total_non crim cs	37 817	58 235
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	13 552	23 732
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	1 889	4 935
97#4#4 Pending cases on 31 Dec _Enforcement cases	0	0
97#4#5 Pending cases_31 Dec _Land registry cases	0	0
97#4#6 Pending cases_31 Dec _ Business reg cases	44	127
97#4#7 Pending cases on 31 Dec _Admin law cases	14 322	16 293
97#4#8 Pending cases on 31 Dec _Other cases	8 010	13 202
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	97%	93%
CR Civil&com litig cases	99%	94%
CR Civil&com nonlit cases	99%	94%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases	101%	97%
CR Admin law cases	75%	86%
CR Other cases	100%	92%
DT Total non DTim cases	76	106
DT Civil&com litig cases	45	71
DT Civil&com nonlit cases	36	91
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases	54	97
DT Admin law cases	445	346
DT Other cases	73	116
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	12 400	22 872
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NA	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	10 427	13 596
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	22 883	21 550
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NA	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	15 642	19 892
99#2#8 Incoming cases_Other cs	NA	NA

99#3#1 Resolved cases_Total _non crim law cs	18 622	25 013
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NA	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	11 747	17 195
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	16 661	19 409
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NA	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	14 322	16 293
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	81%	116%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	75%	86%
CR Other cases		
DT Total non DTim cases	327	283
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	445	346
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	3,27	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	14,97	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	0,39	1
102#2#2 % pending cases>3 years_Empl dismissal	1,3	NA
% pending cases>3 years Insolvency		10

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA

Table 3.11. Caseload in the EU		
1 Number of inhabitants	38 200 000	38 533 000
91#2#1 Incoming cases_Total_non crim cases	9 320 293	10 045 154
91#2#2 Incoming cases_Civil&com litig cases	819 861	1 066 935
91#2#3 Incoming cases_Civil&com nonlit cases	3 004 287	3 899 687
91#2#4 Incoming cases_Enforcement cases	1 422 749	900 397
91#2#7 Incoming cases_Admin law cases	67 830	72 160
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 238 599	1 375 396
91#4#2 Pending cases_31 Dec _Civil&com litig cases	385 035	505 040
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	267 610	422 221
91#4#4 Pending cases_31 Dec _Enforcement cases	162 791	151 229
91#4#7 Pending cases_31 Dec _Admin law cases	21 267	22 132

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	No

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No

88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NAP	NAP
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NAP	NAP
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NAP	NAP
186#1#4 Notification_dec_parties_same city as Ct_more	NAP	NAP

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	Yes

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	Yes	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		Yes
73#1#4 Other	Yes	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	No	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	Yes	Yes
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	Yes
75#1#2 Legislative power 2010	Yes	Yes
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		Yes
75#1#4 Other 2010	Yes	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		

38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	No
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	No
38#1#7 Measure trust with_Surveys aimed at victims	No	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	38 200 000	38 533 000
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	23 244 000	24 107 000
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	No	No
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	No	No

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	38 200 000	38 533 000
12#1#1 Total annual appr pb budget allocated to LA	23 244 000	24 107 000
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NAP

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	1 365 085 000	1 379 338 000

9 Annual income of court taxes received by the State	530 161 000	408 787 000
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	-10% of courts	-10% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	+50% of courts	+50% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	-50% of courts	-50% of courts
64.1.1 Electronic Web forms	+50% of courts	+50% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	-10% of courts	-10% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	-10% of courts	-10% of courts
64.1.6 Electronic processing of undisputed debt recovery	-10% of courts	-10% of courts
64.1.7 Electronic submission of claims	-10% of courts	-10% of courts
64.1.8 Videoconferencing	-50% of courts	-50% of courts
64.1.9 Other electronic communication facilities	-50% of courts	-50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes
Indicator 7: Career and status of judges		

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	NAP	NAP
131#1#2 One instit for prosecutors_Initial training	NAP	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	NAP	NAP
131#2#2 One instit for prosecutors_Continuous training	NAP	NAP
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	NAP	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	20 736	21 942
132#1#2 Gross An sal: Judge_Supr Ct	57 650	60 998
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	20 736	21 942
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	44 454	60 998
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	16 711	17 489
132#2#2 Net An sal: Judge_Supr Ct	41 061	43 445
132#2#3 Net An sal: Pb prosecutor_beg_carrier	16 492	17 489
132#2#4 Net An sal: Pb prosecutor_Supr Ct	33 675	43 445
4 Average gross annual salary in €	9 769	10 338
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes

133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	67
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	NAP
122#1#2 Duration of the probation period		NAP
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	47	50
144#1#2 Discipl proc against judges_Breach_pro ethics	13	12
144#1#3 Discipl proc against judges_Prof inadequancy	29	38
144#1#4 Discipl proc against judges_Criminal offence	5	0
144#1#5 Discipl proc against judges_Other	NAP	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	38	25

145#1#2 Sanctions against judges_Reprimand	33	20
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	1	0
145#1#8 Sanctions against judges_Transfer_another geo loc	4	3
145#1#9 Sanctions against judges_Dismissal	NA	2
145#1#10 Sanctions against judges_Other	NA	0

Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)	1 098	1 873

Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	392	299
47#1#2 Number of 1st instance presidents	334	282
47#1#3 Number of 2nd instance presidents	56	11
47#1#4 Number of supreme court presidents	2	6
47#2#1 Total Nr of court presidents_males	218	157
47#2#2 Number of 1st instance presidents_males	178	142
47#2#3 Number of 2nd instance presidents_males	38	9
47#2#4 Number of supreme court presidents_males	2	6
47#3#1 Total Nr of court presidents_females	174	142
47#3#2 Number of 1st instance presidents_females	156	140
47#3#3 Number of 2nd instance presidents_females	18	2
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)

48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	NA
49#2#1 Number of non-professional judges_Gross figure	€ 22 076,0	
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	No	No
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	Yes	Yes
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	Yes
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No

164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	38 200 000	38 533 000
166#1#2 Number of accredited mediators	2 470	NA
167#2#1 Judicial mediation procedures_Total Nr	14 782	9 544
167#2#2 Judicial mediation procedures_Civil cases Nr	5 426	5 199
167#2#3 Judicial mediation procedures_Family cases Nr	1 704	1 756
167#2#4 Judicial mediation procedures_Admin cases Nr	11	25
167#2#5 Judicial med procedures_Empl dismissals Nr	447	284
167#2#6 Judicial mediation procedures_Criminal cs Nr	7 194	2 280
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	38 200 000	38 533 000
46#1#1 Total Nr of professional judges	10 625	10 114
52#2#1 Nr_non-judge staff who are working in courts	35 946	40 844
146 Total number of practicing lawyers	29 469	44 082
170 Number of enforcement agents		845 1 066
52.2.2 Number Non-judge staff (Rechtspfleger)	1 865	1 810
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	29 469	44 082
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	10 625	10 114
1 Number of inhabitants	38 200 000	38 533 000
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes

149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	No	No
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	845	1 066
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	30	
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other		
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	20	
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	17	
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	
188#2#5 Nr_Sanctions pronounced against EA_Fine	3	
188#2#6 Nr_Sanctions pronounced against EA_Other	0	
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	Yes	Yes

178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	35 946	40 844
52#2#2 Number Non-judge staff (Rechtspfleger)	1 865	1 810
52#2#3 Nr_Non-judge staff assisting the judges	20 283	23 110
52#2#4 Number_Staff in charge of administrative tasks	7 058	7 239
52#2#5 Number of Technical staff	3 536	3 487
52#2#6 Number of Other non-judge staff	3 204	5 198
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Portugal (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers (3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Portugal	10 487 289	80 869 200 000	15 607	€ 19 800

1. Presentation of the functioning of the judicial system

In Portugal, justice services are provided by ordinary courts and administrative courts. According to 2012 data, the ordinary justice administration in Portugal is organised on a three-level structure which includes: 231 courts of first instance with general jurisdiction, 5 courts of second instance and the Supreme Court of Justice. The ordinary justice administration comprises also 102 several specialized courts of first instance, such as 4 commercial courts, 47 labour courts and 19 family courts. The administrative justice is organised on a three-level structure which includes: 20 administrative and tax courts (first instance), the central administrative court and the supreme administrative court.
There is 1 first instance court competent for a debt collection for small claims and 56 first instance courts competent for a dismissal. The procedure for small claims applies whenever a party wishes to confer an enforceable status on a request for fulfillment of pecuniary obligations arising from contracts amounting to no more than € 15 000.
According to 2012 data, the number of enforcement agents in Portugal is 1 097, which is 55 % more than in 2010.
It represents 10 enforcement agents per 100 000 inhabitants (more than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are of easy access and transparent for the court users and they are not freely negotiated.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 60 5812 816 euros.

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 57,77 euros.

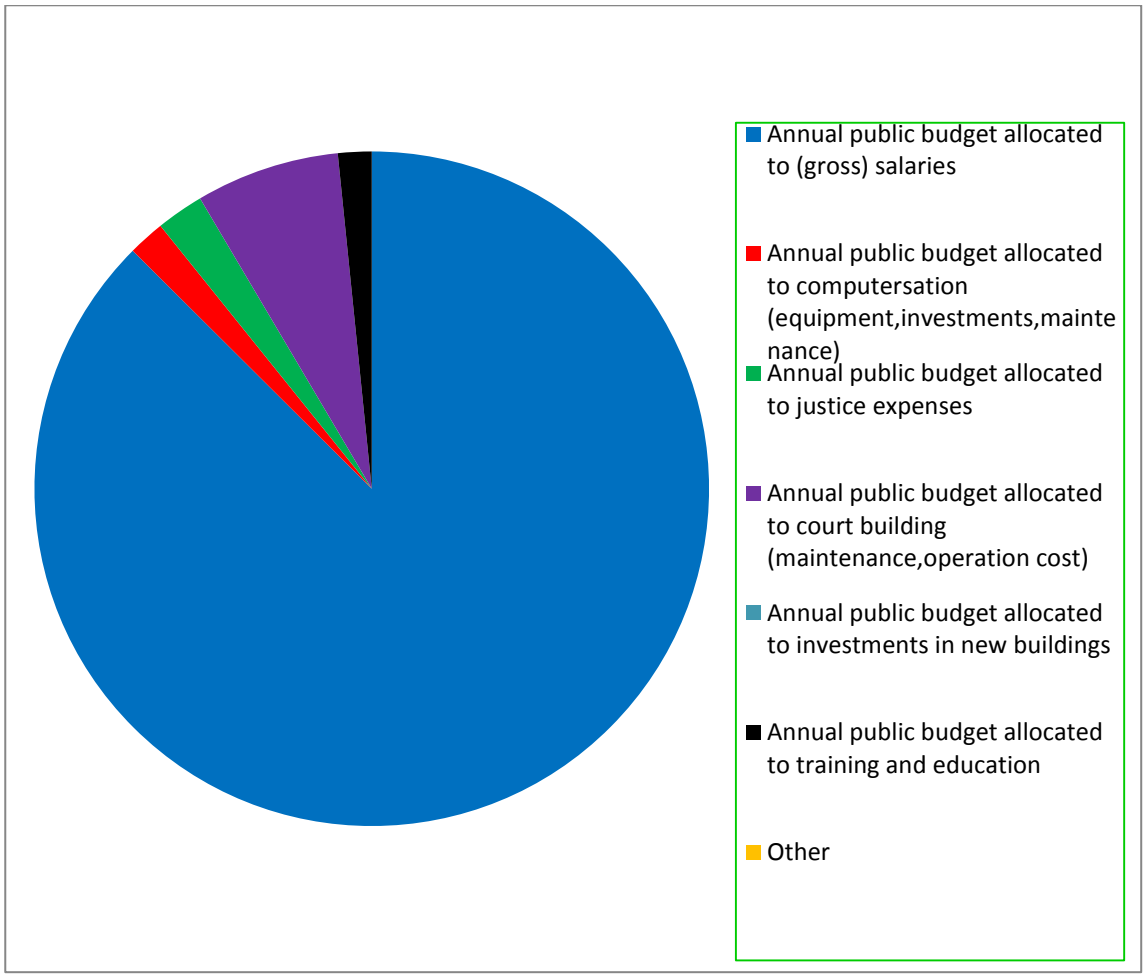
This ratio is lower than the EU average of 62,22 euros per capita and higher than the EU median of 47,43 euros per capita.

The three most important categories as concerns the break down by component of the court budget are:

-Annual public budget allocated to (gross) salaries

-Annual public budget allocated to court building

-Annual public budget allocated to justice expenses



- **Budget allocated to the whole justice system: 174 4093 667 euros.**

This budget includes the following budgetary elements: court, public prosecution services, prison system, probation services, council of the judiciary, judicial management body, forensic services, judicial protection of juveniles, functioning of the Ministry of Justice, and other expenses.

Between 2010 and 2012, the justice system cost per capita has increased by 4%.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Portugal is 2 009, which is 3 % more than in 2010.

This represent 19 judges per 100 000 inhabitants (equal to the EU median of 19 judges per inhabitant).

Judges are recruited via an open competition and the process by which applicants are chosen involves various methods of selection: admission based on academic qualifications; admission based on professional experience. In order to apply for admission based on professional experience, the applicant must also have

court experience or experience in related areas which are relevant to the performance of the duties of a judge or public prosecutor, and which took place for not less than five years.

The Centre for Judicial Studies (Centro de Estudos Judiciários) is the entity in charge of the recruitment procedure, in this procedure not only judges are involved but also other persons, such as psychologists, law professors and prosecutors.

The High Council for Judiciary (Conselho Superior da Magistratura) is involved in the nomination of judges.

Judges have an initial compulsory training, as well as in-service training for specialised judicial functions.

The gross annual salary of a first instance professional judge is 28 703 euros (1,4 X the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 66 204 euros (3,3 x the national average gross annual salary), which is lower than the EU average (88 218 euros).

Judges are appointed to office for an indefinite period of time, with the compulsory retirement age being 70. There is a probation period of two years.

A procedure to effectively challenge a judge if a party considers that a judge is not impartial exists.

- Non-judge staff

In Portugal there are 6 110 non-judges staff including:

- 5 601 non-judge staff whose task is to assist the judges such as registrars,
- 256 staff in charge of different administrative tasks and of the management of the courts,
- 251 technical staff
- 2 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 55 184 100 euros (5,26 euros per capita).

The legal aid is granted for representation and legal advice in both criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 1 592 (more than the EU average of 765 and more than the EU median of 551). The average amount of legal aid allocated per case is 331 euros (less than the EU average of 2 543 euros and less than the EU median of 803 euros). The policy applied by Portugal consists in favouring the number of cases that can aspire to legal aid rather than the amount granted to each individual case.

Legal protection may be granted for the resolution of any type of legal dispute or litigation and legal aid does not depend on any prior assessment of the purpose and complexity of the action to be commenced or already brought, its merit or the type of proceedings.

  - **Court fees**

The annual income of court fees or taxes received by State is 207 899 840 euros and the share of court fees or taxes in the annual budget allocated to all courts is 34% (higher than the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for both criminal and non-criminal cases.

- **Lawyers**

In Portugal, there are 28 341 lawyers (this category does not include the legal advisors), which is 3 % more than in 2010.

This data represents 270 lawyers (without legal advisers) per 100 000 inhabitants (higher than the EU median of 106 lawyers per 100 000 inhabitants) and 14,1 lawyers per professional judges.

Lawyers have monopoly on legal representation in criminal cases.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees and rules on lawyer's fees are provided by Bar associations' standards. They are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate and the disposition time (total non-criminal cases) in first instance reveals a relatively sound situation concerning the capacity to deal with cases (nevertheless, a slight increase of backlogs is to be noted). By contrast, the length of proceedings is meaningful since it exceeds two years. The situation is improving in second and third instances. The clearance rate allows concluding to a sound situation characterized by a slight decrease of backlogs of cases which are solved in less than six months.

  - Insolvency

The clearance rate for insolvency cases in first instance in Portugal is 96 %. The disposition time for insolvency cases in first instance is 80 days. These indicators lead to a more positive conclusion with regard to this specific category of cases in comparison with other cases solved in first instance.

  - The Portuguese legislation provides for specific procedures for urgent matters for civil, criminal and administrative cases and sets forth simplified procedures for administrative cases, small disputes in civil cases and small offenses in criminal cases. For these simplified procedures, judges may deliver an oral judgment with a written order without a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Portugal, individual courts are required to prepare an annual activity report. A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the number of postponed cases, and the length of proceedings exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Portugal has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Closed cases; Pending cases and backlogs.

The Portuguese system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative law cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are not set up at the level of the court.
No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Portugal, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, administrative cases, employment dismissals, criminal cases.

There are 255 accredited mediators and in 2012 the number of judicial mediation was 3391 cases.

Portugal also knows arbitration, conciliation and mediation other than judicial mediation.

Family, employment and criminal mediation have their own structures, with specialist mediators in these areas. Civil and Commercial mediation takes place as part of a judicial process before the Courts of Peace (julgados de Paz).

- **The ICT tools of courts and for court users**

Portugal has developed a very complete ICT system, being 100% for all courts in all the following categories:

-- for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail);

-- for administration and management (case registration system, court management information system, financial information system, videoconferencing);

-- for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts.

In Portugal, videoconferencing is used in criminal and other than criminal cases. In criminal cases, videoconferencing is used for hearing in the presence of defendants or witnesses or victims. Such hearing can be held in the police station or in the prison. A specific legislation on the conditions for using videoconferencing in the courts exists.
In civil cases, the Portuguese Civil Procedure Code establishes that witnesses testify at the final hearing in person or by videoconferencing except in a few precise circumstances.
Witnesses resident outside the legal district, or the respective island in the case of the autonomous regions can be heard by videoconferencing in the courtroom from the district court of their area of residence or, if that court does not have the necessary means for videoconferencing, from the main court of the legal district of their area of residence.
When witnesses reside outside the country they can also be heard by videoconferencing if the court abroad has the necessary means for videoconferencing.
In criminal proceedings, experts from official entities, laboratories or other official entities can be heard by videoconferencing at their place of work if it is technically possible (article 158, article 317 and 350 Penal Procedure Code)
The use of teleconference is also allowed for other special cases, such as protection of witnesses (Law n.93/99, July 14) and domestic violence (Law n.º 112/2009, September 16).

4. National data collection system

Every month a data collection of all courts is assembled. In addition, in the courts of first instance electronic procedures allow a daily basis analysis.
(http://www.siej.dgpj.mj.pt/webeis/index.jsp?username=Publico&pgmWindowName=pgmWindow_63391814 1195530467)
Statistics on the functioning of each court are published on the internet.
Every 4 years Portuguese authorities have a complete analysis of the work of all courts, with local inspectors appointed by the Judicial Council.
The system of collecting statistical data does provide numerous data as to the number of cases in first instance (namely with regard to specific procedures such as litigious divorce cases, employment dismissal cases and insolvency). By contrast, the system does not allow obtaining certain data concerning the number of cases in second and last instances (especially in respect of numerous selected categories of cases).
The system provides numerous data related to the length of specific procedures.

5. Reforms

Comprehensive reform plans:

There is an ongoing reform of the judiciary chart. After the setting up of the new judicial map, 2014 will mark the beginning of the operation of the new justice organization. Some steps still need to be taken, such as the approval and implementation of the Law of the Reorganization of the Judicial System (Lei de Organização do Sistema Judiciário).

Reforms regarding access to justice and legal aid:

There are plans to introduce some changes in the legal aid regime in order to improve transparency and more equality in the access to the justice system.

Reforms regarding legal professionals:

The Government intends to alter the professional statutes of some legal professions, such as judges, prosecutors, bailiffs and enforcement agents.

Reforms regarding civil laws:

After the reform in the civil procedural laws that took place in 2013, now it is time to assess and evaluate the implementation of the new Civil Procedural Code;

There are also on-going reforms on the revision of the Administrative Procedural Code, the Code of Procedure in Administrative Courts, in the Statute of administrative and tax courts, and the Expropriations Code.

Reforms regarding personal status:

The revision of the Civil Code regime governing disqualifications (suspension of civil rights, incapacitation), especially with regard to the elderly;

Portugal - Data tables for each indicator (2010/2012)

Portugal	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	10 636 979	10 487 289
2#1#1 Total of annual State pb expenditure State level	88 726 400 000	80 869 200 000
3 GDP Per capita GDP (in €)	16 245	15 607
4 Average gross annual salary in €	20 500	19 800
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	528 943 165	453 077 390
12#1#1 Total annual appr pb budget allocated to LA	51 641 260	55 184 100
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	528 943 165	453 077 390
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	429 475 486	396 291 048
6#2#3 Amount_Annnual appr bd of the courts_Computer	10 565 978	7 965 991
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	27 544 641	10 310 000
6#2#5 Amount_An appr bd_courts alloc_Court buildings	38 762 543	31 220 522
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	22 594 517	7 289 829
6#2#8 Amount_Annual approved budget_courts alloc_Other		
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	No
Amount_An approved budget alloc whole justice	1 693 952 793	1 744 093 667
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	No	No
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		NAP
Enforcement services		No
Notariat		NAP

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	10 636 979	10 487 289
Amount_An approved budget alloc whole justice	1 693 952 793	1 744 093 667
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	Yes	Yes
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	Yes	Yes
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	Yes
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	Yes	Yes
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	Yes
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	217	231
42#1#2 Specialised first instance courts	109	102
42#1#3 All the courts (geographic locations)	336	318

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	109	102
43#1#2 Nr of commercial courts	4	4
Insolvency courts	0	0
43#1#3 Nr of labour courts	48	47
43#1#4 Nr of family courts	27	19
43#1#5 Nr of rent and tenacies courts	NAP	0
43#1#6 Nr of enforc_crim_sanctions courts	4	0
Fight against terrorism, organised crime and corruption	0	0
Internet related disputes	0	0
43#1#7 Nr of administrative courts	17	20
43#1#8 Nr of insurance_soc welfare courts	NAP	0
43#1#9 Nr of military courts	NAP	0

43#1#10 Nr ofother specialised 1st instance courts	9	12
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	1	1
45#1#2 Nr_1st instance courts competent_dismissal	56	56
45#1#3 Nr_1st instance courts competent_robbery	229	229
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)		
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?		Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?		Yes
Indicator 3: The performances of courts at all stages of the proceedings		
Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	1 493 108	1 595 259
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	372 085	355 821
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
91#1#4 Pending cases_1 Jan _Enforcement cases	1 121 023	1 239 438
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
91#1#8 Pending cases_1 Jan _Other cases	NA	NA
91#2#1 Incoming cases_Total_non crim cases	589 286	718 369
91#2#2 Incoming cases_Civil&com litig cases	314 317	369 178
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	274 969	349 191
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	NA	NA
91#2#8 Incoming cases_Other cases	NA	NA
91#3#1 Resolved cases_Total_non crim cases	520 085	689 351
91#3#2 Resolved cases_Civil&com litig cases	320 267	360 694
91#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
91#3#4 Resolved cases_Enforcement cases	199 818	328 657
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	NA	NA
91#3#8 Resolved cases_Other cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 562 309	1 624 277
91#4#2 Pending cases_31 Dec _Civil&com litig cases	366 135	364 305
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	1 196 174	1 259 972
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP

91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
91#4#8 Pending cases_31 Dec _Other cases	NA	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	88%	96%
CR Civil&com litig cases	102%	98%
CR Civil&com nonlit cases		
CR Enforcement cases	73%	94%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	1 096	860
DT Civil&com litig cases	417	369
DT Civil&com nonlit cases		
DT Enforcement cases	2 185	1 399
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		9%
CR Civil&com litig cases		-4%
CR Civil&com nonlit cases		
CR Enforcement cases		30%
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases		-22%
DT Civil&com litig cases		-12%
DT Civil&com nonlit cases		
DT Enforcement cases		-36%
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	9 917	7 627
101#1#2 Pending cases_1 Jan _Employment dismissal	7 161	6 448

Pending Insolvency cases		3 568
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	10 640	9 638
101#2#2 Incoming cases_Employment dismissal	7 754	7 897
Incoming Insolvency cases		20 776
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	11 419	9 975
101#3#2 Resolved cases_Employment dismissal	7 120	8 659
Resolved Insolvency cases		19 969
101#3#3 Resolved cases_Robbery cases	2 860	2 850
101#3#4 Resolved cases_Intentional homicide	151	131
101#4#1 Pending cases_31 Dec _Litigious divorce cs	9 138	7 290
101#4#2 Pending cases_31 Dec _Employment dismissal	7 795	5 686
Pending Insolvency cases		4 375
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		96%
DT - Insolvency cases		80
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	6 399	5 493
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	18 099	19 056
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	18 009	19 319
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP

97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	6 492	5 230
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	100%	101%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	132	99
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	706	599
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	NA	NA
99#1#8 Pending cases_1 Jan _Other cs	NA	NA
99#2#1 Incoming cases_Total _non crim law cs	2 579	2 524
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP

99#2#7 Incoming cases_Administrative law cs	NA	NA
99#2#8 Incoming cases_Other cs	NA	NA
99#3#1 Resolved cases_Total _non crim law cs	2 716	2 608
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	NA	NA
99#3#8 Resolved cases_Other cs	NA	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	569	515
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	NA	NA
99#4#8 Pending cases_31 Dec _Other cs	NA	NA
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	105%	103%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	76	72
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA

102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	300	300
102#3#2 1st inst average length_Empl dismissal	300	330
1st inst average length Insolvency		60
102#3#3 1st inst average length_Robbery cases	330	300
102#3#4 1st inst average length_Intent homicide	360	330
102#4#1 2nd inst average length_Lit divorce cs	120	90
102#4#2 2nd inst average length_Empl dismissal	150	120
2nd inst average length Insolvency		60
102#4#3 2nd inst average length_Robbery cases	60	90
102#4#4 2nd inst average length_Intent homicide	90	90
3rd inst average length_Lit divorce cs		60
3rd inst average length_Empl dismissal		120
3rd inst average length Insolvency		60
3rd inst average length_Robbery cases		60
3rd inst average length_Intent homicide		60
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	10 636 979	10 487 289
91#2#1 Incoming cases_Total_non crim cases	589 286	718 369
91#2#2 Incoming cases_Civil&com litig cases	314 317	369 178
91#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
91#2#4 Incoming cases_Enforcement cases	274 969	349 191
91#2#7 Incoming cases_Admin law cases	NA	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	1 562 309	1 624 277
91#4#2 Pending cases_31 Dec _Civil&com litig cases	366 135	364 305
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	NA	NA
91#4#4 Pending cases_31 Dec _Enforcement cases	1 196 174	1 259 972
91#4#7 Pending cases_31 Dec _Admin law cases	NA	NA
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes

88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NA	NA
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NA	NA
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NA	NA
186#1#4 Notification_dec_parties_same city as Ct_more	NA	NA
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		Yes
Indicator 4: The efficiency and the quality of the judicial system		
Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	No
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system		

(Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal		

professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	No
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	No
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	Yes
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	10 636 979	10 487 289
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	51 641 260	55 184 100
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	10 636 979	10 487 289
12#1#1 Total annual appr pb budget allocated to LA	51 641 260	55 184 100
20#1#1 Total Number of cases granted with legal aid	150 511	166 919
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	1 359

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	528 943 165	453 077 390
9 Annual income of court taxes received by the State	217 961 874	207 899 840
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	Yes	Yes
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	100% of courts	100% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	100% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	No training offered	No training offered
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	NAP
131#1#2 One instit for prosecutors_Initial training	No	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	NAP
131#2#2 One instit for prosecutors_Continuous training	No	NAP
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	No	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	35 699	28 703
132#1#2 Gross An sal: Judge_Supr Ct	85 820	66 204
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	35 699	28 703
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	85 820	66 204
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		NA
132#2#2 Net An sal: Judge_Supr Ct		NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier		NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	20 500	19 800
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No

133#1#3 Add benef_judges: Housing	Yes	Yes
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	Yes	Yes
133#2#4 Add benef_pb prosecutors: Other fin benefit	Yes	Yes
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	2	2
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	48	47
144#1#2 Discipl proc against judges_Breach_pro ethics	0	NA
144#1#3 Discipl proc against judges_Prof inadequancy	48	NA
144#1#4 Discipl proc against judges_Criminal offence	0	NA
144#1#5 Discipl proc against judges_Other	0	NA
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No

142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	26	30
145#1#2 Sanctions against judges_Reprimand	9	5
145#1#3 Sanctions against judges_Suspension	2	5
145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	15	16
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	0	0
145#1#9 Sanctions against judges_Dismissal	0	1
145#1#10 Sanctions against judges_Other	0	3
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	NA	NA
47#1#2 Number of 1st instance presidents	NA	NA
47#1#3 Number of 2nd instance presidents	NA	NA
47#1#4 Number of supreme court presidents	NA	NA
47#2#1 Total Nr of court presidents_males	NA	NA
47#2#2 Number of 1st instance presidents_males	NA	NA
47#2#3 Number of 2nd instance presidents_males	NA	NA
47#2#4 Number of supreme court presidents_males	NA	NA
47#3#1 Total Nr of court presidents_females	NA	NA
47#3#2 Number of 1st instance presidents_females	NA	NA
47#3#3 Number of 2nd instance presidents_females	NA	NA
47#3#4 Number of supreme court presidents_females	NA	NA
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NA	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	Yes
164#2#3 Private mediator_Administrative cases	Yes	Yes

164#2#4 Private mediator_Employment dismissals	No	Yes
164#2#5 Private mediator_Criminal cases	No	Yes
164#3#1 Public authority_Civil and com cases	Yes	Yes
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	Yes	Yes
164#3#5 Public authority_Criminal cases	Yes	Yes
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	10 636 979	10 487 289
166#1#2 Number of accredited mediators	255	255
167#2#1 Judicial mediation procedures_Total Nr	2 854	3 391
167#2#2 Judicial mediation procedures_Civil cases Nr	2 406	3 270
167#2#3 Judicial mediation procedures_Family cases Nr	83	72
167#2#4 Judicial mediation procedures_Admin cases Nr	NA	
167#2#5 Judicial med procedures_Empl dismissals Nr	116	
167#2#6 Judicial mediation procedures_Criminal cs Nr	249	49
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	10 636 979	10 487 289
46#1#1 Total Nr of professional judges	1 956	2 009
52#2#1 Nr_non-judge staff who are working in courts	6 631	6110(3910)
146 Total number of practicing lawyers	27 591	28 341
170 Number of enforcement agents		706 1 097
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	27 591	28 341

148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 956	2 009
1 Number of inhabitants	10 636 979	10 487 289
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	Yes
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	706	1 097
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	53	255
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	13	
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		
187#2#4 Nr_Discipl proc against EA_Criminal offence	2	22
187#2#5 Nr_Discipl proc against EA_Other	38	35
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	12	18
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	1	3
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	4	2
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	1	6

188#2#5 Nr_Sanctions pronounced against EA_Fine	0	3
188#2#6 Nr_Sanctions pronounced against EA_Other	6	4
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	Yes	Yes
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	Yes	Yes
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	6 631	6110(3910)
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	6 010	5601(3635)
52#2#4 Number_Staff in charge of administrative tasks	339	256(96)
52#2#5 Number of Technical staff	273	251(179)
52#2#6 Number of Other non-judge staff	9	2
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and		

efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Romania (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Romania	21 305 097	33 329 365 079	6 200	€ 5 556

1. Presentation of the functioning of the judicial system

According to 2012 data, there are 233 first instance courts of general jurisdiction and 10 specialised first instance courts in Romania (3 commercial courts, 1 family court, 6 military courts).
All categories of courts have competence in first instance cases, but only the High Court of Cassation and Justice has competence in first instance cases only in criminal cases. According to the law, in Romania there are two appeals (first appeal and second appeal), the competence being rendered to tribunals, courts of appeal and the High Court of Cassation and Justice (HCCJ).
The hierarchy of courts is the following:
- courts of first instance (have full competence for judging in first instance; competence in the first and last instance, for trials and requests concerning claims for payment of an amount of money of maximum 2.000 lei inclusively; competence complaints against the judgments of the public administration authorities with jurisdictional activity and of other bodies with such activity, in the cases stipulated by law)
- law courts, which are generally courts of appeal but also judge in first instance and in appeal;
- courts of appeal, which are appeal courts, but judge in the first instance and in appeal (in first instance, the processes and requests in the matter of the contentious administrative concerning the acts of the central authorities and institutions; as courts of appeal, the appeals declared against the judgments pronounced by the courts of first instance and the appeal declared against the judgments pronounced by the law courts in appeal or against the judgments pronounced in the first instance by law courts which, according to law, are not submitted to the appeal, as well as in any other cases expressly stipulated by law)
- HCCJ, unique and Supreme Court, the appeals declared against the judgments of the courts of appeal and of other judgments, in the cases stipulated by law

There are 176 first instance court competent for a debt collection for small claims (200.000 RON, equivalent of 45351,47 EUR) and 42 first instance court competent for a dismissal.
According to 2012 data, the number of enforcement agents in Romania is 876, which is 74% more than in 2010.
It represents 4 enforcement agents per 100 000 inhabitants (less than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy of access and transparent for the court users and not freely negotiated.
As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 6-10 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 480 890 952 euros.

This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 22,57euros.

This ratio is lower than the EU average (62,22) and lower than the EU median (47,43). Romania is the Member State with the lowest degree of investments intended to the judicial system.

2012: The annual budget allocated to courts in 2012 knows a decrease compared to the budget allocated in 2010 because of the legislative amendments referring to the wage rights paid to the staff in the budgetary sector in the period 2010 – 2012, as follows:

- the budget approved for 2010 at Title I „Personnel expenditure" contains the funds for the payment of the 34% of judgments, in the amount of about 31483900 EUR;

- the budget approved for 2012 at Title I „Personnel expenditure" contains the funds for the payment of 5% of judgments, according to the Government Emergency Ordinance no. 71/2009, in the amount of about 19105442 EUR;

- according to the provisions of Law no. 285/2010 concerning the remuneration in 2011 of the staff paid from public funds, in 2011 no bonuses, no holiday premiums, no overtime, no aid have been granted, measures that were also kept in 2012 according to the provisions of Law no. 283/2011 approving Government Emergency Ordinance no. 80/2010 to complete Article 11 from the Government Emergency Ordinance no. 37/2008 regarding certain financial measures in the budget.

There is an increase in the budget allocated to salaries in 2012 compared to 2010, because:

- from June 2010, according to Law no. 118/2010, the salaries in the budgetary sector have been reduced by 25% (six months);

- from January 2011, according to Law no. 285/2010, the budgetary salaries have been increased by 15%;

- by the Government Emergency Ordinance no. 19/2012 on the approval of some measures for recovery of salary cuts, the salaries gave been increased by 8% from June 2012 compared to May 2012 and by 7,4% from December 2012;

- according to the Memorandum „Preparation of the judiciary for the entry into force of the new Code. Assessment of the current situation. Action plan", approved by the Government in the session of 26 September 2012, funds have been allocated in 2012 for financing a number of 564 positions at the level of the courts of appeal, law courts and courts of first instance (283 positions of judge and 281 positions of specialized auxiliary staff.

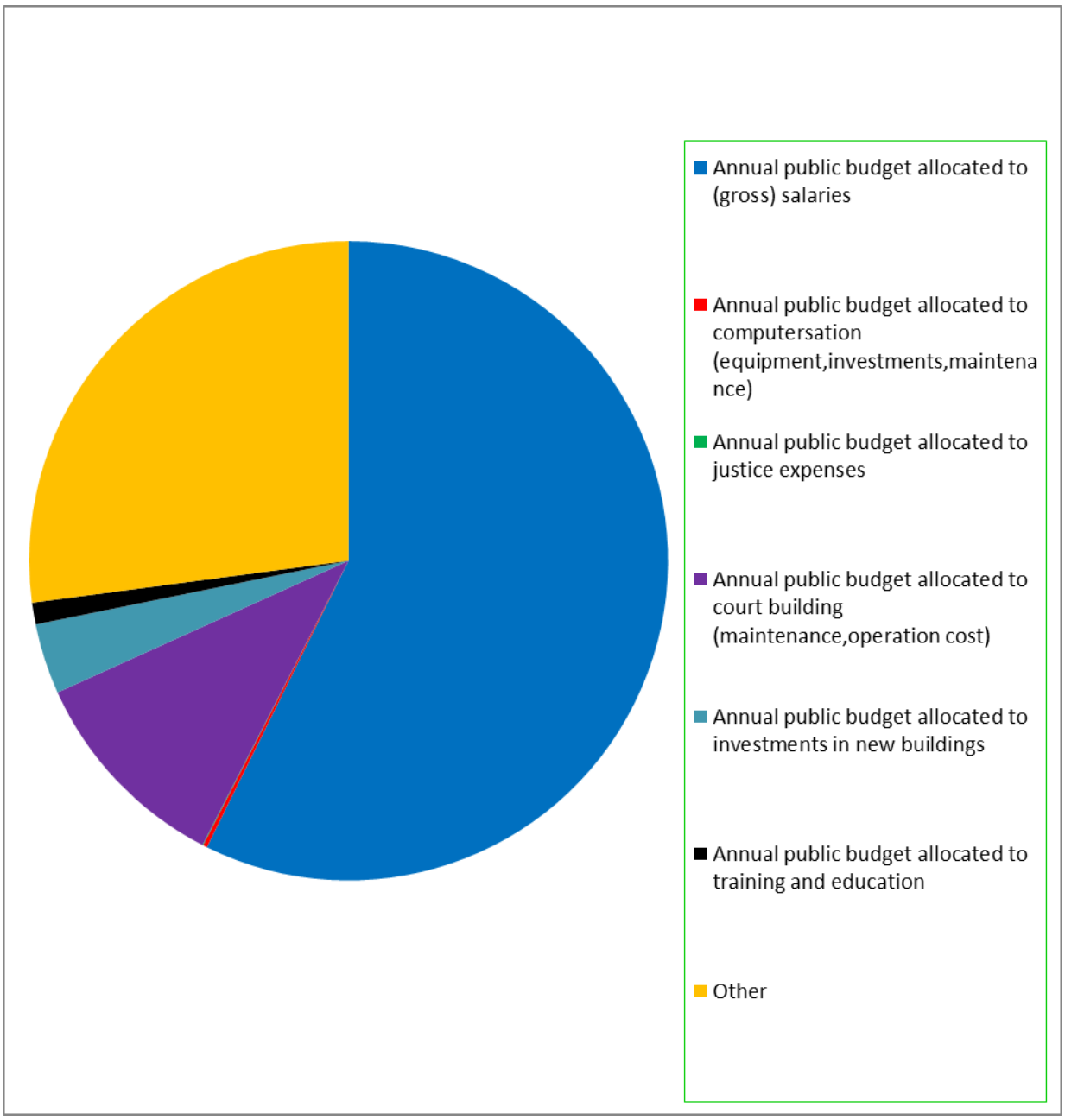
According to the Memorandum there have been also allocated funds to courts for purchasing furniture for the new personnel – about – 113.379 EUR, IT equipment – 407937 EUR, as well as for redevelopment works necessary for creating council chambers and offices within courts - 285.034 EUR at the courts of appeal and law courts identified by significant disturbances in courts activity according to the „Study on the operation of the judiciary for the entry into force of the New Code of civil procedure" approved by the Superior Council of Magistracy.

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries;

- Annual public budget allocated to court buildings (maintenance, operating costs);

- Other



- **Budget allocated to the whole justice system : 718 812 448 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, probation services, council of the judiciary, forensic services, functioning of the Ministry of Justice, other.

Between 2010 and 2012, the justice system cost per capita has increased by 27 %.

- **Human resources**
    - Judges

According to 2012 data, the number of professional judges sitting in courts in Romania is 4 310 which is 6 % more than in 2010.

This represents 20 judges per 100 000 inhabitants (more than the EU median of 19 judges per inhabitant).

Judges are recruited through a competitive exam. They have an initial compulsory training and compulsory general in-service training.

The gross annual salary of a first instance professional judge is 24 688 euros (4,4 x the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 42 049 euros (7,6 x the national average gross annual salary), which is lower than the EU average (88 218 euros).
Judges are appointed to office for an undetermined period of time. (The compulsory retirement age is 65). There is a probation period of one year.
A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Romania there are 9 283 non-judges staff including:

- 5 489 non-judge staff whose task is to assist the judges such as registrars,
- 1 486 staff in charge of different administrative tasks and of the management of the courts,
- 1 762 technical staff
- 546 other staff

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 7 958 050 euros (0,37 euros per capita)

The legal aid is granted for representation and legal advice in both criminal and non-criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 196 (lower than the EU average of 765 and lower than the EU median of 551). The average amount of legal aid allocated per case is 191 euros (less than the EU average of 2 543 euros and less than the EU median of 803 euros).

  - **Court fees**

The annual income of court fees or taxes received by State is 54 301 587 euros and the share of court fees or taxes in the annual budget allocated to all courts is 11% (less than the EU average of 21% / less than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

  - **Lawyers**

In Romania, there are 20 919 lawyers (this category does not include the legal advisors), which is 1 % more than in 2010.

This data represent 98 lawyers (without legal advisers) per 100 000 inhabitants (less than the EU median of 106 lawyers per 100 000 inhabitants) and 4,9 lawyers per professional judges.

Lawyers have no monopoly on legal representation.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is not organised. Rules on lawyer's fees are not provided by law or Bar associations' standards. They are freely negotiated.

- **Court Performance**

    - Clearance Rate (CR) and Disposition Time (DT)

The indicators of the clearance rate and the disposition time can be evaluated only in first instance. The level for the indicator of the clearance rate reveals a relatively sound situation even if a slight increase of backlogs can be noted in respect of some categories of cases. As to the level for the indicator of the disposition time, it varies according to the category (from 47 days for enforcement cases to 2 428 days for business registry cases).

    - Insolvency

The clearance rate for insolvency cases in first instance in Romania is 96 %. The disposition time for insolvency cases in first instance is 332 days. According to the analyse of the levels for the indicators of the clearance rate and the disposition time in respect of this specific category of cases, no difference could be established between the latter and other categories of non criminal cases.

    - The Romanian legislation provides for specific procedures for civil, administrative and criminal cases and sets forth simplified procedures for small disputes in civil cases and for small offenses in criminal cases. For these simplified procedures, judges may not deliver an oral judgment with a written order and dispense with a full reasoned judgment.

- Systems for measuring and evaluating the court performance

In Romania, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning number of incoming cases, number of decisions, number of postponed cases, length of proceedings and monitoring of other elements exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) does not exist. Nevertheless, Romania has defined performance and quality indicators among which the 4 main are: Incoming cases; Closed cases; Pending cases and backlogs; Productivity of judges and court staff.

The Romanian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are not set up at the level of the court.

There was not formally adopted (by law or by subsequent regulatory act) a periodic evaluation system of the activity (performance and result) of each court, but the SCM uses a series of performance indicators (numbered in the answer at the below questions 71 and 74) concerning the activity of courts.

No quality standards are determined for the whole judicial system.

- **Alternative dispute resolutions**

In Romania, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, employment dismissal cases and criminal cases. (The possibility does not exist for administrative cases).

There are 4136 accredited mediators.

Romania also knows mediation (other than judicial mediation) arbitration and conciliation.

According to the provisions of Art. 68 of Law no. 192/2006 on mediation and organization of the profession of mediator „in the criminal cases mediations must take place in order to guarantee the right of each party at legal aid and, where applicable, at the services of an interpreter. The report drawn up according to this law,

by which the mediation procedure is closed, must indicate whether the parties benefited of the assistance of a lawyer and of the services of an interpreter or, as the case may be, must mention that they expressly renounced at these services."

In the same way, in the case of minors, the guarantees stipulated by law for the development of the criminal trial must be also adequately ensured within the mediation procedure.

- **The ICT tools of courts and for court users**

Romania has developed a quite complete ICT system:

-for direct assistance of the judges/court clerk (highest level as concerns word processing, e-mail and internet connection (100% of courts), above the average as concerns electronic data base of case-law (+50%), low level as concerns electronic files (-10%);

- for administration and management (highest level as concerns case registration system and court management information system (100%), above the average as concerns financial information system and videoconferencing (+50%);

- for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are variable: highest level as concerns electronic web forms, follow-up of cases online and electronic submission of claims (100%); website, electronic register, videoconferencing and other electronic communication facilities (+50%); low level as concerns electronic processing of small claims and electronic processing of undisputed debt recovery (-10%).

Videoconferencing is used in all type of cases (criminal and other than criminal cases). A specific legislation on the conditions for using videoconferencing in the courts/prosecution offices, especially in order to protect the rights of the defence does exist.

Videoconferencing is also used in international judicial cooperation in criminal matters proceedings.

4. National data collection system

Statistics departments are functioning in the Superior Council of Magistracy, Ministry of Justice and Prosecutors' Office by the High Court of Cassation and Justice. Each court introduces in a shared application its own statistical information. Such information is centralized automatically in the statistics server managed by the Ministry of Justice. The access to the information is ensured to an equal extent also to the Judicial Statistics Unit within the Superior Council of Magistracy.
This institution publish statistics on the functioning of each court only in an intranet website.
The system of collecting statistical data allows providing data related to the number of cases in first instance, including specific procedures (litigious divorce cases, employment dismissal cases, insolvency). Nevertheless, data concerning the length of specific procedures are not available.

5. Reforms

Comprehensive reform plans:

A new strategy for the development of the judicial system for 2014-2018 is being currently debated.

Reforms regarding courts:

A specialised tribunal for professionals is being set up in Bucharest. This specialised court will have in its competence matters such as company law, competition law, insolvency law. The setting up of this court is expected to be finalised in the first half of 2015.

Reforms concerning access to justice and legal aid:

The amendment of the legal framework for civil proceedings (with the adoption of the Civil Procedure Code (Law no. 134/2010), as well as with the implementation of the new institutions adopted by the Civil Code), also imposed the revision of the legislation in the field of judicial stamp duties, which must reflect mainly the

new structure and dynamics of the civil trial, the new procedural guarantees granted to parties for ensuring a fair trial etc. To this effect, the Government Emergency Ordinance no. 80/2013 on the judicial stamp duties was adopted, establishing a special system of taxation for a series of newly regulated situations and procedures in both Codes, like, for example, the order for payment procedure, the settlement of the second appeal (recourse) as an extraordinary remedy etc.

Reforms regarding civil and criminal laws:

Over the last years, Romania has undergone a structural legislative reform, the essential pieces of legislation (the Codes) both in civil and in criminal matters being drafted and adopted.

The new Civil Procedure Code (adopted by Law no. 134/2010 and into force on 15th February 2013, which brought substantial legislative changes in the matter of civil procedural law) constitutes the expression of an intensive effort made during several years in view of creating a modern legislative framework which shall increase of quality of public service, representing a turning point in the reform of the institutions of law and justice in Romania.

The package that makes up the reform in criminal matters required the elaboration and adoption of 5 new pieces of legislation, alongside with the new Criminal Code and the new Criminal Procedure Code, which were meant at facilitating the implementation of the two codes, but also covered aspects concerning the enforcement of sanctions or custodial and noncustodial measures and the organization of the probation system.

The New Criminal Code (Law 286/2009) and the New Criminal Procedure Code (Law 135/2010), and the laws on implementing those codes (Law187/2012 and Law 255/2013) shall enter into force on 1 February 2014.

Reforms regarding mediation:

Measures for the popularization of the mediation institution performed at legislative level. Law no. 192/2006 on the mediation as subsequently amended and completed:

A. Under penalty of the inadmissibility of the request for suing, the obligation to participate at the information meeting regarding the advantages of mediation in certain fields is expressly stipulated by law [by the Article 60 ind. 1 of Law no. 192/2006]. The mentioned legislative measure aims at promoting mediation as an alternative mean for the settlement of disputes.

B. In view of ensuring all the constitutional and conventional guarantees, the legislator adopted a series of rules ensuring the free access to justice like:

- a maximum period of 15 days in which the information procedure must take place as regards the advantages of mediation (having in view that the reasonable duration of the cases' settlement represents a core component of the principle of free access to justice guaranteed by the European Convention of Human Rights) - Article 60 ind. 2 alin. 1 of Law no. 192/2006;

- the information meeting regarding the advantages of mediation is free of charge Article 2 (alin. 1 ind. 4) of Law no. 192/2006;

- The express regulation of the solution for the hypothesis in which the opposing party does not participate at the information meeting (in order to avoid the eventual attempts of the opposing party to protract the case settlement) - Article 2 alin. 1 ind. 1 of Law no. 192/2006;

-The performance of the information procedure concerning the advantages of mediation.

In the last report in the framework of the CVM the European Commission, as regards the judiciary, invited Romania to take action in the areas of judicial independence and judicial reform[2].

[2] Report adopted on the 22.01.2014 available at http://ec.europa.eu/cvm/docs/com_2014_37_en.pdf

ANNEXE : Romania – Data tables for each indicator (2010/2012)

Romania	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	21 431 298	21 305 097
2#1#1 Total of annual State pb expenditure State level	24 808 849 302	33 329 365 079
3 GDP Per capita GDP (in €)	5 700	6 200
4 Average gross annual salary in €	5 355	5 556
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	355 246 737	324 611 610
12#1#1 Total annual appr pb budget allocated to LA	7 915 238	7 958 050
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	355 246 737	324 611 610
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	181 192 857	186 052 154
6#2#3 Amount_Annnual appr bd of the courts_Computer	774 286	682 766
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	71 190	115 873
6#2#5 Amount_An appr bd_courts alloc_Court buildings	33 529 762	34 669 478
6#2#6 Amount_An appr bd_courts alloc invest_ new build	11 571 429	11 567 120
6#2#7 Amount_Annnual appr budget_courts alloc_Training	421 975	3 554 195
6#2#8 Amount_Annual approved budget_courts alloc_Other	127 685 238	87 970 023
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	569 175 715	718 812 448
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		NAP
State advocacy		NAP
Enforcement services		No

Notariat		No
Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	NAP	No
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	21 431 298	21 305 097
Amount_An approved budget alloc whole justice	569 175 715	718 812 448
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	Yes	Yes
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	Yes	Yes
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	Yes	Yes
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	No	No

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	235	233
42#1#2 Specialised first instance courts	10	10
42#1#3 All the courts (geographic locations)	246	244

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	10	10
43#1#2 Nr of commercial courts	3	3
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NAP	NAP
43#1#4 Nr of family courts	1	1
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP

Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NAP	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	6	6
43#1#10 Nr ofother specialised 1st instance courts	NAP	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	179	176
45#1#2 Nr_1st instance courts competent_dismissal	41	42
45#1#3 Nr_1st instance courts competent_robbery	179	218

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	533 633	700 844
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	462 023	566 796
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	4 591	4 234
91#1#4 Pending cases_1 Jan _Enforcement cases	42 412	40 578
91#1#5 Pending cases_1 Jan _Land registry cases	1 786	1 454
91#1#6 Pending cases_1 Jan _Business reg cases	NA	4 619
91#1#7 Pending cases_1 Jan _Admin law cases	22 821	83 163
91#1#8 Pending cases_1 Jan _Other cases	NAP	NA
91#2#1 Incoming cases_Total_non crim cases	1 751 088	1 841 892
91#2#2 Incoming cases_Civil&com litig cases	1 073 669	NA
91#2#3 Incoming cases_Civil&com nonlit cases	29 735	23 380
91#2#4 Incoming cases_Enforcement cases	544 734	479 214
91#2#5 Incoming cases_Land registry cases	2 287	2 099
91#2#6 Incoming cases_Business reg cases	NA	810
91#2#7 Incoming cases_Admin law cases	100 663	229 619
91#2#8 Incoming cases_Other cases	NAP	NA
91#3#1 Resolved cases_Total_non crim cases	1 600 580	1 758 565
91#3#2 Resolved cases_Civil&com litig cases	963 742	1 091 430
91#3#3 Resolved cases_Civil&com nonlit cases	29 570	24 013
91#3#4 Resolved cases_Enforcement cases	533 679	460 821
91#3#5 Resolved cases_Land registry cases	2 479	2 187
91#3#6 Resolved cases_Business reg cases	NA	816

91#3#7 Resolved cases_Admin law cases	71 110	179 298
91#3#8 Resolved cases_Other cases	NAP	NA
91#4#1 Pending cases_31 Dec _Total_non crim cases	684 141	780 893
91#4#2 Pending cases_31 Dec _Civil&com litig cases	571 950	578 043
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	4 756	3 601
91#4#4 Pending cases_31 Dec _Enforcement cases	53 467	58 971
91#4#5 Pending cases_31 Dec _Land registry cases	1 594	1 366
91#4#6 Pending cases_31 Dec _Business reg cases	NA	5 428
91#4#7 Pending cases_31 Dec _Admin law cases	52 374	133 484
91#4#8 Pending cases_31 Dec _Other cases	NAP	NA
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	91%	95%
CR Civil&com litig cases	90%	
CR Civil&com nonlit cases	99%	103%
CR Enforcement cases	98%	96%
CR Land registry cases	108%	104%
CR Business reg cases		101%
CR Admin law cases	71%	78%
CR Other cases		
DT Total non DTim cases	156	162
DT Civil&com litig cases	217	193
DT Civil&com nonlit cases	59	55
DT Enforcement cases	37	47
DT Land registry cases	235	228
DT Business reg cases		2 428
DT Admin law cases	269	272
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		4%
CR Civil&com litig cases		
CR Civil&com nonlit cases		3%
CR Enforcement cases		-2%
CR Land registry cases		-4%
CR Business reg cases		
CR Admin law cases		11%
CR Other cases		
DT Total non DTim cases		4%
DT Civil&com litig cases		-11%
DT Civil&com nonlit cases		-7%
DT Enforcement cases		28%
DT Land registry cases		-3%
DT Business reg cases		

DT Admin law cases		1%
DT Other cases		
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	27 003	20 926
101#1#2 Pending cases_1 Jan _Employment dismissal	2 167	3 041
Pending Insolvency cases		48 643
101#1#3 Pending cases_1 Jan _Robbery cases	932	640
101#1#4 Pending cases_1 Jan _Intentional homicide	573	349
101#2#1 Incoming cases_Litigious divorce cs	56 962	42 582
101#2#2 Incoming cases_Employment dismissal	4 309	3 274
Incoming Insolvency cases		57 956
101#2#3 Incoming cases_Robbery cases	2 041	1 929
101#2#4 Incoming cases_Intentional homicide	1 090	925
101#3#1 Resolved cases_Litigious divorce cs	57 793	44 261
101#3#2 Resolved cases_Employment dismissal	3 464	3 581
Resolved Insolvency cases		55 825
101#3#3 Resolved cases_Robbery cases	1 976	1 961
101#3#4 Resolved cases_Intentional homicide	992	667
101#4#1 Pending cases_31 Dec _Litigious divorce cs	26 172	19 247
101#4#2 Pending cases_31 Dec _Employment dismissal	3 012	2 734
Pending Insolvency cases		50 774
101#4#3 Pending cases_31 Dec _Robbery cases	794	608
101#4#4 Pending cases_31 Dec _Intentional homicide	671	607
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		96%
DT - Insolvency cases		332
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	13 920	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	12 924	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	541	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	47	NA
97#1#5 Pending cases_1 Jan _Land registry cases	408	NA
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NA
97#1#7 Pending cases_1 Jan _Admin law cases	NA	NA
97#1#8 Pending cases_1 Jan _Other cases	NAP	NA
97#2#1 Incoming cases_Total_non crim cases	29 423	NA
97#2#2 Incoming cases_Civil&com litig cases	27 039	NA
97#2#3 Incoming cases_Civil&com nonlit cases	975	NA
97#2#4 Incoming cases_Enforcement cases	109	NA

97#2#5 Incoming cases_Land registry cases	1 300	NA
97#2#6 Incoming cases_ Business reg cases	NAP	NA
97#2#7 Incoming cases_Admin law cases	NA	NA
97#2#8 Incoming cases_Other cases	NAP	NA
97#3#1 Resolved cases_Total_non crim cases	27 091	NA
97#3#2 Resolved cases_Civil&com litig cases	24 910	NA
97#3#3 Resolved cases_Civil&com nonlit cases	997	NA
97#3#4 Resolved cases_Enforcement cases	97	NA
97#3#5 Resolved cases_Land registry cases	1 087	NA
97#3#6 Resolved cases_ Business reg cases	NAP	NA
97#3#7 Resolved cases_Admin law cases	NA	NA
97#3#8 Resolved cases_Other cases	NAP	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	16 252	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	15 053	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	519	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	59	NA
97#4#5 Pending cases_31 Dec _Land registry cases	621	NA
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	NA	NA
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	92%	
CR Civil&com litig cases	92%	
CR Civil&com nonlit cases	102%	
CR Enforcement cases	89%	
CR Land registry cases	84%	
CR Business reg cases		
CR Admin law cases		
CR Other cases		
DT Total non DTim cases	219	
DT Civil&com litig cases	221	
DT Civil&com nonlit cases	190	
DT Enforcement cases	222	
DT Land registry cases	209	
DT Business reg cases		
DT Admin law cases		
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	58 594	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	49 544	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	135	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	4 223	NA

99#1#5 Pending cases_1 Jan _Land registry cs	183	NA
99#1#6 Pending cases_1 Jan _Business register cs	NA	NA
99#1#7 Pending cases_1 Jan _Administrative law cs	4 509	NA
99#1#8 Pending cases_1 Jan _Other cs	NAP	NA
99#2#1 Incoming cases_Total _non crim law cs	238 386	NA
99#2#2 Incoming cases_Civil litigious cs	189 826	NA
99#2#3 Incoming cases_Civil non_litigious cs	705	NA
99#2#4 Incoming cases_Enforcement cs	16 485	NA
99#2#5 Incoming cases_Land registry cs	473	NA
99#2#6 Incoming cases_Business register cs	NA	NA
99#2#7 Incoming cases_Administrative law cs	30 897	NA
99#2#8 Incoming cases_Other cs	NAP	NA
99#3#1 Resolved cases_Total _non crim law cs	214 274	NA
99#3#2 Resolved cases_Civil litigious cs	173 802	NA
99#3#3 Resolved cases_Civil non_litigious cs	547	NA
99#3#4 Resolved cases_Enforcement cs	13 693	NA
99#3#5 Resolved cases_Land registry cs	494	NA
99#3#6 Resolved cases_Business register cs	NA	NA
99#3#7 Resolved cases_Administrative law cs	25 738	NA
99#3#8 Resolved cases_Other cs	NAP	NA
99#4#1 Pending cases_31 Dec _Total _non crim law cs	82 706	NA
99#4#2 Pending cases_31 Dec _Civil litigious cs	65 568	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	293	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	7 015	NA
99#4#5 Pending cases_31 Dec _Land registry cs	162	NA
99#4#6 Pending cases_31 Dec _Business register cs	NA	NA
99#4#7 Pending cases_31 Dec _Administrative law cs	9 668	NA
99#4#8 Pending cases_31 Dec _Other cs	NAP	NA

Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)	
CR Total non crim cases	90%
CR Civil&com litig cases	92%
CR Civil&com nonlit cases	78%
CR Enforcement cases	83%
CR Land registry cases	104%
CR Business reg cases	
CR Admin law cases	83%
CR Other cases	
DT Total non DTim cases	141
DT Civil&com litig cases	138
DT Civil&com nonlit cases	196
DT Enforcement cases	187
DT Land registry cases	120
DT Business reg cases	
DT Admin law cases	137

DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	1	4
102#1#2 %_decisions subj to appeal_Empl dismissal	61	34
% decisions subj to appeal Insolvency		8
102#1#3 %_decisions subj to appeal_Robbery cases	NA	0
102#1#4 %_decisions subj to appeal_Intent homicide	NA	59
102#2#1 % pending cases>3 years_Lit divorce cs	0	0
102#2#2 % pending cases>3 years_Empl dismissal	0	0
% pending cases>3 years Insolvency		3
102#2#3 % pending cases>3 years_Robbery cases	0	0
102#2#4 % pending cases>3 years_Intent homicide	0	0
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		NA
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA
Table 3.11. Caseload in the EU		
1 Number of inhabitants	21 431 298	21 305 097
91#2#1 Incoming cases_Total_non crim cases	1 751 088	1 841 892
91#2#2 Incoming cases_Civil&com litig cases	1 073 669	NA
91#2#3 Incoming cases_Civil&com nonlit cases	29 735	23 380
91#2#4 Incoming cases_Enforcement cases	544 734	479 214
91#2#7 Incoming cases_Admin law cases	100 663	229 619
91#4#1 Pending cases_31 Dec _Total_non crim cases	684 141	780 893
91#4#2 Pending cases_31 Dec _Civil&com litig cases	571 950	578 043
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	4 756	3 601
91#4#4 Pending cases_31 Dec _Enforcement cases	53 467	58 971

91#4#7 Pending cases_31 Dec _Admin law cases	52 374	133 484
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	No	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	Yes	Yes
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No

77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	No	No
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	Yes	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	No	No
81 Waiting time during court procedures	No	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	No	No
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No

71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	No	Yes
Indicator 5: Legal aid and court fees		
Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	21 431 298	21 305 097
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	7 915 238	7 958 050
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA
Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes
Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes

18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes
Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	21 431 298	21 305 097
12#1#1 Total annual appr pb budget allocated to LA	7 915 238	7 958 050
20#1#1 Total Number of cases granted with legal aid	NA	41 767
20#1#2 Nr of criminal cases granted with legal aid	NA	39 734
20#1#3 Nr non criminal cases granted with legal aid	NA	2 033
Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)		
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NA
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	355 246 737	324 611 610
9 Annual income of court taxes received by the State	46 177 039	54 301 587
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		

62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	+50% of courts
62.1.3 Electronic files	100% of courts	-10% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	0 % of courts	100% of courts
63.1.3 Financial information system	100% of courts	+50% of courts
63.1.4 Videoconferencing	+50% of courts	+50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	+50% of courts
64.1.3 Follow-up of cases online	100% of courts	100% of courts
64.1.4 Electronic registers	0 % of courts	+50% of courts
64.1.5 Electronic processing of small claims	0 % of courts	-10% of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	-10% of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	+50% of courts	+50% of courts
64.1.9 Other electronic communication facilities	0 % of courts	+50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	No	No
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Compulsory	Compulsory
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Compulsory	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Compulsory	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	NAP
131#1#2 One instit for prosecutors_Initial training	No	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	NAP

131#2#1 One instit for judges_Continuous training	No	NAP
131#2#2 One instit for prosecutors_Continuous training	No	NAP
131#2#3 One instit for judges&proc_Continuous training	No	NAP
131#3#1 One instit for judges_Init&Cont trainings	No	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	No	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	25 750	24 688
132#1#2 Gross An sal: Judge_Supr Ct	43 865	42 049
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	25 750	24 688
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	36 230	35 344
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	18 062	17 316
132#2#2 Net An sal: Judge_Supr Ct	30 768	29 493
132#2#3 Net An sal: Pb prosecutor_beg_carrier	18 062	17 316
132#2#4 Net An sal: Pb prosecutor_Supr Ct	25 412	24 791
4 Average gross annual salary in €	5 355	5 556
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	Yes	Yes
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	Yes	Yes
133#2#4 Add benef_pb prosecutors: Other fin benefit	Yes	Yes
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	65
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	1	1 year
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	26	20
144#1#2 Discipl proc against judges_Breach_pro ethics	5	2

144#1#3 Discipl proc against judges_Prof inadequancy	15	18
144#1#4 Discipl proc against judges_Criminal offence	7	0
144#1#5 Discipl proc against judges_Other	NA	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	No	No
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	18	9
145#1#2 Sanctions against judges_Reprimand	5	2
145#1#3 Sanctions against judges_Suspension	NAP	0
145#1#4 Sanctions against judges_Removal of cases	NAP	NAP
145#1#5 Sanctions against judges_Fine	NAP	NAP
145#1#6 Sanctions against judges_Temp reduction_sal	10	4
145#1#7 Sanctions against judges_Position downgrade	NAP	NAP
145#1#8 Sanctions against judges_Transfer_another geo loc	1	0
145#1#9 Sanctions against judges_Dismissal	2	3
145#1#10 Sanctions against judges_Other	NA	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes

85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	187	208
47#1#2 Number of 1st instance presidents	127	145
47#1#3 Number of 2nd instance presidents	59	62
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	82	79
47#2#2 Number of 1st instance presidents_males	47	54
47#2#3 Number of 2nd instance presidents_males	35	25
47#2#4 Number of supreme court presidents_males	0	0
47#3#1 Total Nr of court presidents_females	105	129
47#3#2 Number of 1st instance presidents_females	80	91
47#3#3 Number of 2nd instance presidents_females	24	37
47#3#4 Number of supreme court presidents_females	1	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		

49#1#1 Non-professional judges	NAP	NAP
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	Yes	Yes
164#3#1 Public authority_Civil and com cases	No	No

164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	21 431 298	21 305 097
166#1#2 Number of accredited mediators	661	4 136
167#2#1 Judicial mediation procedures_Total Nr	258	
167#2#2 Judicial mediation procedures_Civil cases Nr	39	
167#2#3 Judicial mediation procedures_Family cases Nr	213	
167#2#4 Judicial mediation procedures_Admin cases Nr	6	
167#2#5 Judicial med procedures_Empl dismissals Nr	0	
167#2#6 Judicial mediation procedures_Criminal cs Nr	0	
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	21 431 298	21 305 097
46#1#1 Total Nr of professional judges	4 081	4 310
52#2#1 Nr_non-judge staff who are working in courts	8 481	9 283
146 Total number of practicing lawyers	20 620	20 919
170 Number of enforcement agents	504	876
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		

Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	20 620	20 919
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	4 081	4 310
1 Number of inhabitants	21 431 298	21 305 097
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	No	No
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	Yes	Yes
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	504	876
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	9	3
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics		1
187#2#3 Nr_Discipl proc against EA_Pro inadequancy		1
187#2#4 Nr_Discipl proc against EA_Criminal offence		1

187#2#5 Nr_Discipl proc against EA_Other	9	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	9	3
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	3	0
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	1	1
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	2
188#2#5 Nr_Sanctions pronounced against EA_Fine	3	0
188#2#6 Nr_Sanctions pronounced against EA_Other	2	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	Yes
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	Yes	Yes
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	Yes
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	No

Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	8 481	9 283
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	5 325	5 489
52#2#4 Number_Staff in charge of administrative tasks	1 427	1 486
52#2#5 Number of Technical staff	1 729	1 762
52#2#6 Number of Other non-judge staff		546

Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	No

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)	
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Slovakia (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Slovakia	5 410 836	15 640 711 000	13 207	€ 9 660

1. Presentation of the functioning of the judicial system

According to 2012 data, in Slovakia there are:

First instance courts:
- 54 District courts (in Slovak “Okresný súd”)
- 8 Regional courts (in Slovak “Krajský súd):
- 1 Specialised Criminal Court (in Slovak “Špecializovaný trestný súd)

Second instance courts:
- 8 Regional courts (in Slovak “Krajský súd)
- The Supreme Court of the Slovak Republic (in Slovak “Najvyšší súd Slovenskej republiky”)

Highest instance court
- The Supreme Court of the Slovak Republic (in Slovak “Najvyšší súd Slovenskej republiky”).

There are 54 first instance court competent for a debt collection for small claims and 54 first instance court competent for a dismissal
Regional courts are generally the courts of appeal acting in the appeal procedure against the decisions of the District courts within their local jurisdiction in the civil, commercial and the criminal cases. As the courts of first instance the Regional courts decide in the administrative matters and in the several types of civil cases, stipulated by the Code of the Civil proceedings.
The Specialized Criminal court is competent to judge grave criminal matters enumerated in the § 14 of the Code of the Criminal proceedings (e. g. premeditated murder, corruption, organised crime, severe economic crimes etc.).

According to 2012 data, the number of enforcement agents in Slovakia is 345, which is 13 % more than in 2010.
This data represents 6 enforcement agents per 100 000 inhabitants (more than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy of access and transparent for the court users and not freely negotiated.

As an example, with regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the respective court sits is between 11-30 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 224 434 765 euros.

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 41,48 euros

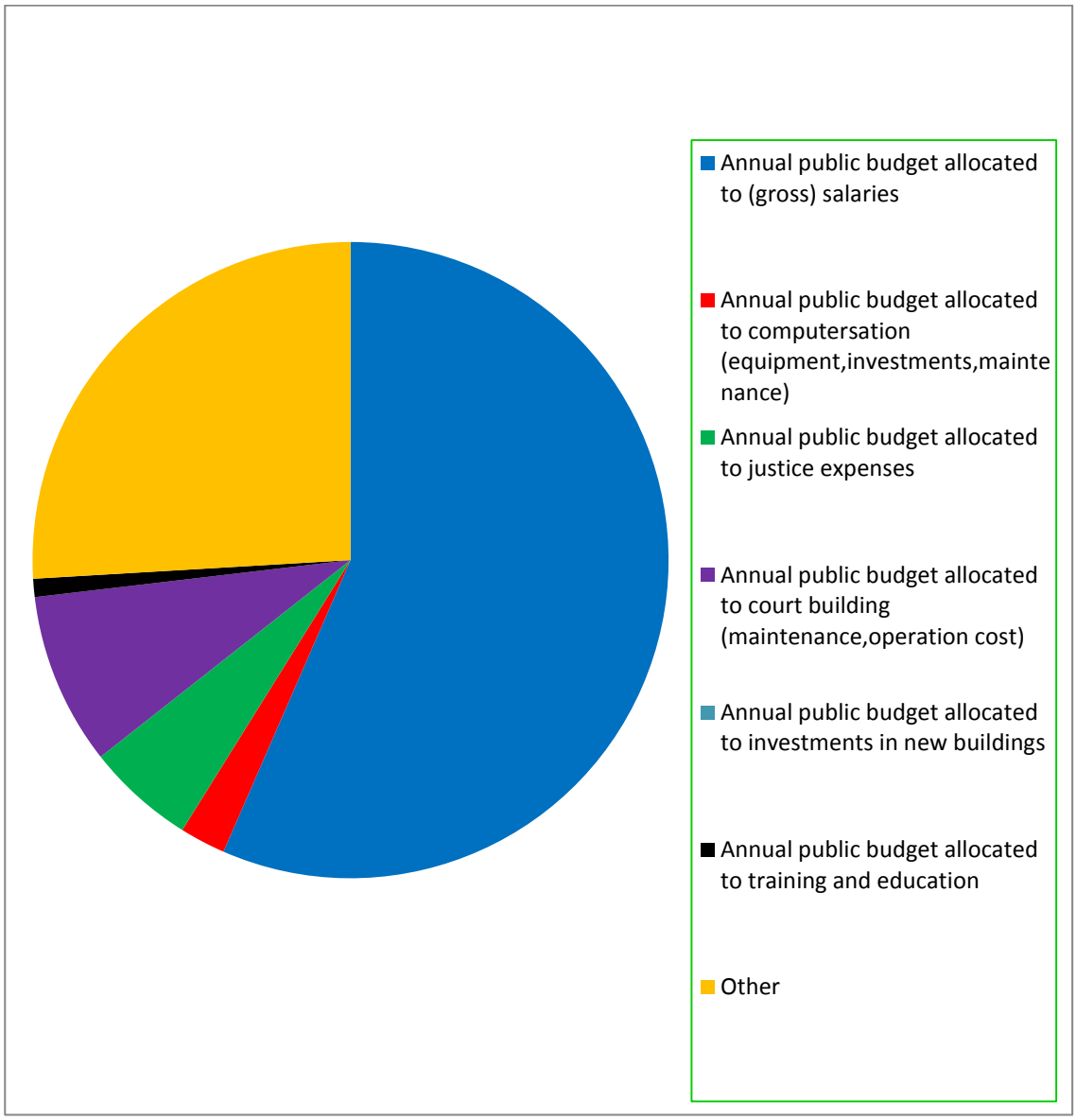
This ratio is lower than the EU average of 62,22 euros per capita and than the EU median of 47,43 euros per capita.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to gross salaries

- annual public budget allocated to court buildings (maintenance, operating costs)

- other (the financial expenses for the pension and medical insurance of judges and employees; boarding subsistence for employees; travel expenses; postal expenses; communication expenses; the office supplies; costs of the lawyers appointed free of charge by the judge in the civil proceedings; costs of the ex officio appointed counsels in the criminal proceedings)



- **Budget allocated to the whole justice system : 310 844 502 euros**

This budget includes the following budgetary elements: court, legal aid, prison system, probation services, council of the judiciary, functioning of the Ministry of Justice, refugees and asylum seekers services.

Between 2010 and 2012, the justice system cost per capita has increased by 12 %.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Slovakia is 1 307, which is 3% less than in 2010.

This represents 24 judges per 100 000 inhabitants (more than the EU median of 19 judges per inhabitants). Despite this ratio higher than the European median, the clearance rate of the three jurisdictional levels reveals the incapacity of the system to face incoming cases without generating backlogs.

Judges are recruited through a combination of a competitive exam and working experience. They have a compulsory initial training.

The Judicial Academy of the Slovak republic provides training for all judges, prosecutors and court staff in the Slovak republic. There is no in-service compulsory training.

The gross annual salary of a first instance professional judge is 2 9710 euros (3,1 X the national average gross annual salary), which is lower than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 42916 euros (4,4 x the national average gross annual salary), which is lower than the EU average (88 218 euros).

Judges are appointed to office for an indefinite period of time. A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

    - Non-judge staff

In Slovakia there are 4 482 non-judges staff including:

- 1 046 Rechstpfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal,
- 2 079 non-judge staff whose task is to assist the judges such as registrars,
- 1 357 staff in charge of different administrative tasks and of the management of the courts

3. Efficiency and quality of the judicial system

- **Access to justice**

    - **Legal aid**

Total approved public budget to legal aid: 1 771 287 euros (0,33 euros per capita).

The legal aid is granted for representation in criminal and non-criminal cases and legal advice in criminal and non-criminal cases. Since the January 1st 2012 the legal aid in the civil cases has been provided through the Legal Aid Center only. The Legal Aid Center provides legal aid to persons in material need, which has to be proved by the applicant. Legal aid includes the consultation and the representation in the case. In civil proceedings the court can refer any participant whose material conditions allow the exoneration from the court fees to the Legal Aid Center. This decision can be held in any time during the proceedings. In criminal proceedings legal aid covers cases of compulsory defense, stipulated by the Code of criminal procedure. If in these cases the defendant does not choose the counsel himself/herself, an "ex officio" counsel has to be appointed to the defendant by the court for free. The costs of the counsel are paid from the budget of the court where the proceedings are held. The number of criminal cases where such legal aid has been granted is not available. The person who is granted the legal aid by the Legal Aid Center is in the civil cases "ex lege"

exempt from all court fees. Q19: In civil cases the person who is granted legal aid cannot be burdened by the costs of the proceedings covered in advance by the state. If the court orders the expertise (or other evidence) the costs are paid in advance by the state (from the court budget) and the party which is not successful in the proceedings is obliged to reimburse the costs paid by the state. This obligation does not apply to the person who has been granted legal aid.

- **Court fees**

The annual income of court fees or taxes received by State is 53 448 064 euros and the share of court fees or taxes in the annual budget allocated to all courts is 24% (higher than the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In Slovakia, there are 5 636 lawyers (this category does not include the legal advisors), which is 24 % more than in 2010.

This data represents 104 lawyers (without legal advisers) per 100 000 inhabitants (slightly lower than the EU median of 106 lawyers per 100 000 inhabitants) and 4,3 lawyers per professional judges.

Lawyers have a monopoly on legal representation in administrative cases and in criminal cases for the defendant.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees but they are freely negotiated.

- **Court Performance**

  - Clearance Rate (CR) and Disposition Time (DT)

The analysis of the level for the clearance rate (as to the total number of non-criminal cases) of the three instances shows that the system is not able to deal with incoming cases and generates considerable backlogs. According to the disposition time indicator for the same general category, cases are solved in less than one year as regards 1st instance, in less than six months in second instance, and in more than 6 months in the Supreme Court.

In addition, concerning differences 2010/2012: The rate of resolving litigious and commercial cases in 1st instance dropped by 17% between 2010 and 2012. The number of pending enforcement cases and the business registry cases is gradually considerably decreasing (the enforcement cases from 3938 to 2614 and business registry cases from 34430 to 10255). This decreasing has continued also in the year 2011 and 2012. However, in general, the number of pending cases per 100 000 inhabitants increased for all non-criminal cases, all civil and commercial cases and for litigious civil and commercial cases. The time needed to resolve litigious civil and commercial cases and administrative cases in first instance increased.
There is a significant difference in the number of incoming and resolved administrative law cases in comparison with the year 2010. It can be explained by the situation in the year 2010 when the enormous number of specific collective claims has been filed and resolved."

  - Insolvency

The clearance rate for insolvency cases in first instance in Slovakia is 93 %. The disposition time for insolvency cases in first instance is 118 days.

- The Slovakian legislation provides for specific procedures for urgent matters for civil and criminal cases and sets forth simplified procedures for small disputes and small claims in criminal and civil cases.

- Systems for measuring and evaluating the court performance

In Slovakia, individual courts are not required to prepare an annual activity report. Individual courts are required only to send the statistical data to Ministry of Justice who published all the data for the whole judiciary on the internet. This publication includes also the data for the individual courts.

A regular monitoring system of court activities concerning the number of incoming cases, number of decisions, postponed cases, length of proceedings (timeframes), and other elements, exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Slovakia has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Closed cases; Pending cases and backlogs.

The Slovak system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for criminal, civil and administrative cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.

A set of quality standards is defined with regard to the whole judicial system:
Every court has to provide monthly the ministry of Justice with the detailed statistical output concerning the number of the incoming and resolved cases, the types of the cases, length of proceedings, the result of the case etc. The internal inspection is a part of the performance of justice and has to be performed in five year intervals.
There is a system to evaluate the overall functioning of courts with respect to the Manifesto of the Government of the Slovak Republic for the period of 2010 – 2014.

Current statistical data only allow checking the "productivity" of a judge according to the number of cases judged and days of work, but they do not allow calculating the average duration of procedures, nor the disposition time, nor the clearance rate.[3]

- **Alternative dispute resolutions**

In Slovakia, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, and employment dismissals.

There are 633 accredited mediators.

Slovakia also knows arbitration, conciliation and mediation other than judicial mediation.

Arbitration: The Act on Arbitration proceedings (No. 244/2002 Coll.) offers the possibility to solve the disputes arisen from internal and international civil and commercial legal relations. The contractual parties should

[3] See REPORT ON THE WORKING SESSION AT THE REGIONAL COURT OF BRATISLAVA (SLOVAKIA) IN THE FRAMEWORK OF THE COURT COACHING PROGRAMME – "SATURN" TOOLS FOR JUDICIAL TIME MANAGEMENT OF THE EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ) (BRATISLAVA, 8 APRIL 2013), which recommends: "The first step is represented by collecting a maximum of statistical data and information, not only on incoming and defined cases, but also on the composition of the backlog. In other terms, it would be important to know exactly (in the Court, but also section by section, judge by judge), what is the precise number of cases pending for more than one year, two years, three years, and so on. It would also be important to have such figures "broken down" by matters. So, matter by matter, the President of the Court should know which are the sectors in which delays are more evident. This knowledge is important because it allows singling out possible remedies which might be linked to the peculiarities of material and/or procedural rights in the concerned matters. Informatisation of the whole procedure could help getting a more precise idea on how the backlog is composed."

conclude written arbitration clause, pursuant to which their disputes should be decided by chosen arbitrator or by permanent arbitration court. The Ministry of Justice keeps the list of permanent arbitration courts. The parties may agree on procedural rules, otherwise the standard rules determined by the Act should apply. The decision of an arbitrator can be challenged by an action before the court on the grounds stipulated in the Act and within the period of 30 days counted from the day of service of the decision. Conciliation: Any person can file to a court a motion for the conciliation proceedings, which is a type of pretrial settlement. The proceeding is conducted by a single judge. The purpose of the conciliation is to settle a dispute by the pretrial settlement which has to be approved by a judge.

There is no mandatory mediation. If the person is awarded the legal aid by the means of the Legal Aid Center the legal aid covers also the possibility to solve the dispute in the mediation procedure.

- **The ICT tools of courts and for court users**

Slovakia has developed an ICT system:

--for direct assistance of the judges/court clerk (word processing, electronic data base of case law, internet connection, e-mail: 100% of courts), electronic files: -10% of courts.

-- for administration and management (case registration system, court management information system, financial information system: 100% of courts, videoconferencing: -10% of courts) and

-for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts differ from one element to another.

The Criminal procedure Code regulates the process of hearing of a witness by the technical means.

If the heard witness is not personally present in the court room (e. g. protected witness), the substitute judge (member of the panel) has to be present with the witness simultaneously during the hearing.

4. National data collection system

The Ministry of justice of the Slovak Republic is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary.
It publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data allows determining the number of cases with regard to the selected categories as well as, subject to some exceptions, to the specific procedures (litigious divorce cases, employment dismissal cases, insolvency) in first instance. However, data concerning second and last instances are not available in respect of all the categories.
As to the average length of proceedings, the system does not provide any data concerning first and second instances.

5. Reforms

Reforms regarding courts:

With regard to the re-codification of the Civil procedural law (see No.6), the reorganization (specialization) of the competence of some first instance courts is planned. .

In the field of information technologies and e-justice: in addition to the legally binding electronic form of Collection of laws which is being prepared, the electronization of case-files is also in process of implementation. The effectiveness and modernization of the Collection of Statistics data is a crucial prerequisite to achieve effective process management in justice and it is currently being prepared.

Reforms regarding acess to justice and legal aid:

The status of the Legal Aid Center is about to change. The Center, as an administrative body, currently decides itself on granting legal aid. Its position should change to be the executive body for providing the legal aid to persons to whom legal aid has been granted by the court.

Reforms regarding legal professionals:

The Ministry of Justice is preparing changes to the law regarding disciplinary procedures against judges, notaries and enforcement agents.

Reforms regarding civil and administrative laws:

One of the top priorities of the Ministry of Justice for the next years is the re-codification of the Civil Procedural law. The existing Code of Civil Procedure should be replaced by 3 separate Codes - The Code of contentious Civil Procedure, The Code of non-contentious Civil Procedure and the Administrative Civil procedure Code.

Reforms regarding enforcement of court decisions:

The Enforcement Code is also about to be changed. The first amendment regarding the status of enforcement agents is in force since 1 November 2013. The second amendment including the procedural changes should be adopted in 2014.

Reforms regarding mediation:

The amendment of the Act on the arbitration procedure is aimed to separate consumer arbitration from general arbitration. The supervisory competences of the Ministry of Justice over arbitration courts should be strengthened.

Slovakia – Data tables for each indicator (2010/2012)

Slovakia	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	5 435 273	5 410 836
2#1#1 Total of annual State pb expenditure State level	15 337 011 000	15 640 711 000
3 GDP Per capita GDP (in €)	12 125	13 207
4 Average gross annual salary in €	9 228	9 660
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	139 851 564	152 715 786
12#1#1 Total annual appr pb budget allocated to LA	1 357 776	1 771 287
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	Yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	139 851 564	152 715 786
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	90 173 951	86 354 081
6#2#3 Amount_Annnual appr bd of the courts_Computer	2 152 994	3 555 096
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	312 818	8 423 500
6#2#5 Amount_An appr bd_courts alloc_Court buildings	8 900 352	13 362 799
6#2#6 Amount_An appr bd_courts alloc invest_ new build		0
6#2#7 Amount_Annnual appr budget_courts alloc_Training	1 336 296	1 414 040
6#2#8 Amount_Annual approved budget_courts alloc_Other	36 975 153	39 606 270
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	278 261 799	310 844 502
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	No	No
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		NAP
State advocacy		NAP
Enforcement services		No
Notariat		No

Forensic services		No
Budgetary elements include or not_Jud_prot_juven	NA	NA
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	Yes	Yes
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	5 435 273	5 410 836
Amount_An approved budget alloc whole justice	278 261 799	310 844 502
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	Yes	Yes
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	Yes	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	Yes	Yes
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	Yes
14#4#6 Evaluation_Court budget_Courts Courts	Yes	No
14#4#7 Evaluation_Court budget_Inspection body	No	Yes
14#4#8 Evaluation_Court budget_Other	No	No
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	54	54
42#1#2 Specialised first instance courts	9	9
42#1#3 All the courts (geographic locations)	64	64

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	9	9
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	NA	NAP
43#1#4 Nr of family courts	NA	NAP
43#1#5 Nr of rent and tenacies courts	NA	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NA	NAP
Fight against terrorism, organised crime and corruption	0	1
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NA	8
43#1#8 Nr of insurance_soc welfare courts	NA	NAP
43#1#9 Nr of military courts	NA	NAP
43#1#10 Nr ofother specialised 1st instance courts	9	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	54	54
45#1#2 Nr_1st instance courts competent_dismissal	54	54
45#1#3 Nr_1st instance courts competent_robbery	54	54

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	Yes

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	337 441	289 064
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	120 032	128 073
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	72 528	67 553
91#1#4 Pending cases_1 Jan _Enforcement cases	3 938	1 520
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	34 430	6 224
91#1#7 Pending cases_1 Jan _Admin law cases	8 733	7 883
91#1#8 Pending cases_1 Jan _Other cases	97 770	77 811
91#2#1 Incoming cases_Total_non crim cases	606 454	638 571
91#2#2 Incoming cases_Civil&com litig cases	126 087	161 645
91#2#3 Incoming cases_Civil&com nonlit cases	128 216	139 125
91#2#4 Incoming cases_Enforcement cases	409	659
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	91 567	96 186
91#2#7 Incoming cases_Admin law cases	42 220	18 797
91#2#8 Incoming cases_Other cases	217 955	222 159
91#3#1 Resolved cases_Total_non crim cases	643 917	580 653
91#3#2 Resolved cases_Civil&com litig cases	123 203	131 856
91#3#3 Resolved cases_Civil&com nonlit cases	134 943	136 360
91#3#4 Resolved cases_Enforcement cases	1 733	779
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	115 742	95 900
91#3#7 Resolved cases_Admin law cases	43 115	8 865
91#3#8 Resolved cases_Other cases	225 181	206 893
91#4#1 Pending cases_31 Dec _Total_non crim cases	299 978	346 982
91#4#2 Pending cases_31 Dec _Civil&com litig cases	122 916	157 862
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	65 801	70 318
91#4#4 Pending cases_31 Dec _Enforcement cases	2 614	1 400
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	10 255	6 510
91#4#7 Pending cases_31 Dec _Admin law cases	7 838	17 815

91#4#8 Pending cases_31 Dec _Other cases	90 554	93 077
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	106%	91%
CR Civil&com litig cases	98%	82%
CR Civil&com nonlit cases	105%	98%
CR Enforcement cases	424%	118%
CR Land registry cases		
CR Business reg cases	126%	100%
CR Admin law cases	102%	47%
CR Other cases	103%	93%
DT Total non DTim cases	170	218
DT Civil&com litig cases	364	437
DT Civil&com nonlit cases	178	188
DT Enforcement cases	551	656
DT Land registry cases		
DT Business reg cases	32	25
DT Admin law cases	66	733
DT Other cases	147	164
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		-14%
CR Civil&com litig cases		-17%
CR Civil&com nonlit cases		-7%
CR Enforcement cases		-72%
CR Land registry cases		
CR Business reg cases		-21%
CR Admin law cases		-54%
CR Other cases		-10%
DT Total non DTim cases		28%
DT Civil&com litig cases		20%
DT Civil&com nonlit cases		6%
DT Enforcement cases		19%
DT Land registry cases		
DT Business reg cases		-23%
DT Admin law cases		1005%
DT Other cases		12%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	7 675	7 181
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		341
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA

101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	14 972	13 749
101#2#2 Incoming cases_Employment dismissal	NA	1 616
Incoming Insolvency cases		1 505
101#2#3 Incoming cases_Robbery cases	NA	NA
101#2#4 Incoming cases_Intentional homicide	NA	NA
101#3#1 Resolved cases_Litigious divorce cs	15 437	13 647
101#3#2 Resolved cases_Employment dismissal	NA	1 317
Resolved Insolvency cases		1 395
101#3#3 Resolved cases_Robbery cases	614	NA
101#3#4 Resolved cases_Intentional homicide	60	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	7 210	7 283
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		451
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		93%
DT - Insolvency cases		118
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	10 239	17 493
97#1#2 Pending cases_1 Jan _Civil&com litig cases	NA	NA
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	NA	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	8	8
97#1#8 Pending cases_1 Jan _Other cases	NA	NA
97#2#1 Incoming cases_Total_non crim cases	45 202	55 256
97#2#2 Incoming cases_Civil&com litig cases	NA	NA
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	NA	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	34	29
97#2#8 Incoming cases_Other cases	NA	NA
97#3#1 Resolved cases_Total_non crim cases	41 345	51 282
97#3#2 Resolved cases_Civil&com litig cases	NA	NA
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	NA	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NA	NA
97#3#7 Resolved cases_Admin law cases	37	27

97#3#8 Resolved cases_Other cases	NA	NA
97#4#1 Pending cases on 31 Dec _Total_non crim cs	14 096	21 467
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	NA	NA
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	NA	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	8	10
97#4#8 Pending cases on 31 Dec _Other cases	NA	NA
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	91%	93%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	109%	93%
CR Other cases		
DT Total non DTim cases	124	153
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	79	135
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	2 950	2 475
99#1#2 Pending cases_1 Jan _Civil litigious cs	NA	NA
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	NA	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NA	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	1 572	1 236
99#1#8 Pending cases_1 Jan _Other cs	NA	NAP
99#2#1 Incoming cases_Total _non crim law cs	7 612	8 554
99#2#2 Incoming cases_Civil litigious cs	NA	NA
99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	NA	NA
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NA	NAP
99#2#7 Incoming cases_Administrative law cs	3 210	3 421
99#2#8 Incoming cases_Other cs	NA	NAP

99#3#1 Resolved cases_Total _non crim law cs	7 945	7 171
99#3#2 Resolved cases_Civil litigious cs	NA	NA
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	NA	NA
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NA	NAP
99#3#7 Resolved cases_Administrative law cs	3 575	2 997
99#3#8 Resolved cases_Other cs	NA	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	2 617	3 858
99#4#2 Pending cases_31 Dec _Civil litigious cs	NA	NA
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	NA	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NA	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	1 207	1 660
99#4#8 Pending cases_31 Dec _Other cs	NA	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	104%	84%
CR Civil&com litig cases		
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	111%	88%
CR Other cases		
DT Total non DTim cases	120	196
DT Civil&com litig cases		
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	123	202
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	29
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	21
102#1#4 %_decisions subj to appeal_Intent homicide	NA	43
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	NA	NA
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NA	NA
102#3#4 1st inst average length_Intent homicide	NA	NA
102#4#1 2nd inst average length_Lit divorce cs	NA	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NA	NA
102#4#4 2nd inst average length_Intent homicide	NA	NA
3rd inst average length_Lit divorce cs		NAP
3rd inst average length_Empl dismissal		NAP
3rd inst average length Insolvency		NAP
3rd inst average length_Robbery cases		NAP
3rd inst average length_Intent homicide		NAP
Average total length_Lit divorce cs		150
Average total length_Empl dismissal		NA
Average total length Insolvency		217
Average total length_Robbery cases		254
Average total length_Intent homicide		257
Table 3.11. Caseload in the EU		
1 Number of inhabitants	5 435 273	5 410 836
91#2#1 Incoming cases_Total_non crim cases	606 454	638 571
91#2#2 Incoming cases_Civil&com litig cases	126 087	161 645
91#2#3 Incoming cases_Civil&com nonlit cases	128 216	139 125
91#2#4 Incoming cases_Enforcement cases	409	659
91#2#7 Incoming cases_Admin law cases	42 220	18 797
91#4#1 Pending cases_31 Dec _Total_non crim cases	299 978	346 982
91#4#2 Pending cases_31 Dec _Civil&com litig cases	122 916	157 862
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	65 801	70 318
91#4#4 Pending cases_31 Dec _Enforcement cases	2 614	1 400
91#4#7 Pending cases_31 Dec _Admin law cases	7 838	17 815
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	No	No
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges		No

deliver an oral judgement with a written order and dispense with a full reasoned judgement?		
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	Yes	Yes
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	No

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	Yes
77#1#3 Inspection authority	Yes	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	No
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes

78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	Yes	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	No	No
38#1#2 Measure trust with_Surveys aimed at court staff	No	No

38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	No	No
38#1#5 Measure trust with_Surveys aimed at the parties	No	No
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	5 435 273	5 410 836
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	1 357 776	1 771 287
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	No	No
19#1#1 Can legal aid be granted for other costs_Crim cs	No	No
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	5 435 273	5 410 836
12#1#1 Total annual appr pb budget allocated to LA	1 357 776	1 771 287
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	2 382

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	13

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	139 851 564	152 715 786
9 Annual income of court taxes received by the State	57 661 794	53 448 064

Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	-10% of courts	-10% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	-10% of courts	-10% of courts
64.1.1 Electronic Web forms	-50% of courts	-50% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	-10% of courts	-10% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	0 % of courts
64.1.7 Electronic submission of claims	100% of courts	100% of courts
64.1.8 Videoconferencing	-10% of courts	-10% of courts
64.1.9 Other electronic communication facilities	+50% of courts	+50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	No	No

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)

110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	NAP
131#1#2 One instit for prosecutors_Initial training	No	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	NAP
131#2#2 One instit for prosecutors_Continuous training	No	NAP
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	NAP
131#3#2 One instit for prosecutors_Init&Cont trainings	No	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		NAP
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		Yes
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	28 148	29 710
132#1#2 Gross An sal: Judge_Supr Ct	40 659	42 916
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	26 585	28 060
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	40 659	42 916
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	NA	NA
132#2#2 Net An sal: Judge_Supr Ct	NA	NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier	NA	NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct	NA	NA
4 Average gross annual salary in €	9 228	9 660
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	Yes	Yes
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	Yes	Yes
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	Yes	Yes
133#2#3 Add benef_pb prosecutors: Housing	No	No

133#2#4 Add benef_pb prosecutors: Other fin benefit	Yes	Yes
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	NAP
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	18	20
144#1#2 Discipl proc against judges_Breach_pro ethics	0	0
144#1#3 Discipl proc against judges_Prof inadequancy	1	19
144#1#4 Discipl proc against judges_Criminal offence	NAP	NAP
144#1#5 Discipl proc against judges_Other	17	1
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	Yes	Yes
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	Yes
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	8	9
145#1#2 Sanctions against judges_Reprimand	2	0

145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	NAP	0
145#1#5 Sanctions against judges_Fine	0	0
145#1#6 Sanctions against judges_Temp reduction_sal	4	5
145#1#7 Sanctions against judges_Position downgrade	1	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NAP	NAP
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	1	4
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA

Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	60	61
47#1#2 Number of 1st instance presidents	51	52
47#1#3 Number of 2nd instance presidents	8	8
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	36	33
47#2#2 Number of 1st instance presidents_males	30	28
47#2#3 Number of 2nd instance presidents_males	5	4
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	24	28
47#3#2 Number of 1st instance presidents_females	21	24
47#3#3 Number of 2nd instance presidents_females	3	4
47#3#4 Number of supreme court presidents_females		0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)

48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	NA	NA
49#2#1 Number of non-professional judges_Gross figure		
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	No	No
164#1#2 Court annexed mediation_Family law cases	No	No
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	No	No
164#1#5 Court annexed mediation_Criminal cases	Yes	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No

164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	5 435 273	5 410 836
166#1#2 Number of accredited mediators	491	633
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	5 435 273	5 410 836
46#1#1 Total Nr of professional judges	1 351	1 307
52#2#1 Nr_non-judge staff who are working in courts	4 468	4 482
146 Total number of practicing lawyers	4 546	5 636
170 Number of enforcement agents	305	345
52.2.2 Number Non-judge staff (Rechtspfleger)	813	1 046
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	4 546	5 636
148 Number of legal advisors	NAP	NAP
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 351	1 307
1 Number of inhabitants	5 435 273	5 410 836
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No

149#1#4 Lawyers_monopoly of repr in_Admin cs	Yes	Yes
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	305	345
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	41	41
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	0
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	41	41
187#2#4 Nr_Discipl proc against EA_Criminal offence		
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	14	25
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	2	10
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	1	3
188#2#5 Nr_Sanctions pronounced against EA_Fine	11	12
188#2#6 Nr_Sanctions pronounced against EA_Other	0	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes

178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	Yes	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	4 468	4 482
52#2#2 Number Non-judge staff (Rechtspfleger)	813	1 046
52#2#3 Nr_Non-judge staff assisting the judges	2 086	2 079
52#2#4 Number_Staff in charge of administrative tasks	1 569	1 357
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	No	No
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

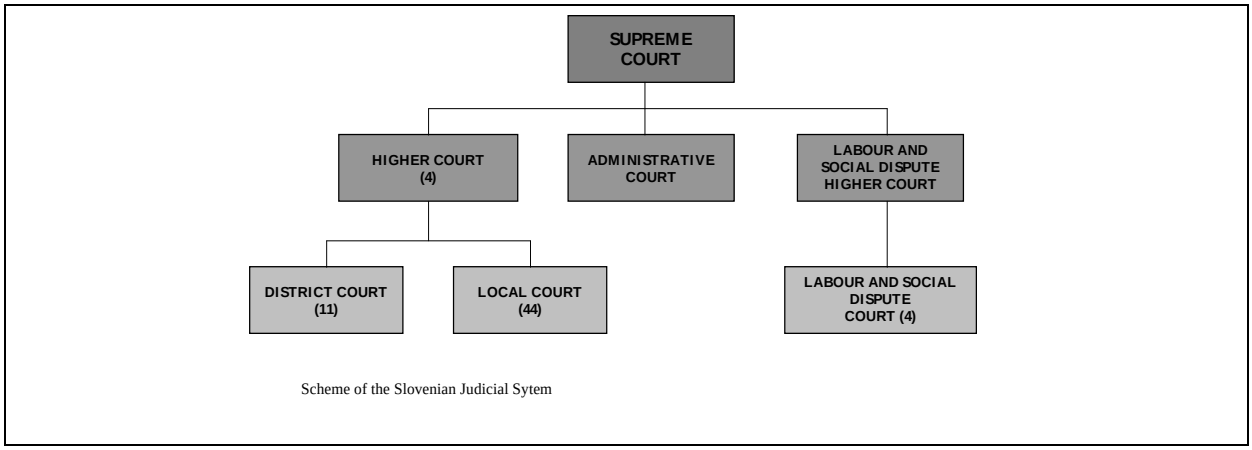
Slovenia (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Slovenia	2 058 821	17 377 000 000	17 172	€ 18 300

1. Presentation of the functioning of the judicial system



Scheme of the Slovenian Judicial Sytem

Slovenia is characterized by a unified system of courts, which consists of courts with general and specialised jurisdiction. According to 2012 data, there are 55 courts of first instance with general competence over civil and criminal cases. This number includes 44 local courts (okrajna sodišča) and 11 district courts (okrožna sodišča). Local Courts have jurisdiction over non-contentious matters, probate cases, enforcement and insurance of claims and various litigation matters, notably disputes over property rights, where the value of the disputed property does not exceed 20,000 €, as well as disputes relating to trespass and lease and tenancy relations. District courts have first instance jurisdiction over forced settlements, bankruptcy and liquidation, intellectual property rights and over litigation matters such as property rights where the value of the disputed property exceeds 20,000 €, family law matters and commercial disputes. Appeals go to 4 high courts (*višja sodišča).* The Supreme Court (*Vrhovno sodišče*) generally decides on extraordinary legal remedies and is the court of third instance in some cases.

In addition to these general courts, there are also 4 other courts of first instance – 3 labour courts (delovna sodišča) and 1 labour and social court (socialno sodišče). A High labour and social court (*višje delovno in socialno sodišče*) is competent to deal with individual and collective labour and social cases at the second instance.

There is also an Administrative court which has a high court status and is competent to deal at first level on appeals against administrative decisions.

There are 44 first instance courts competent for a debt collection for small claims and 4 first instance courts competent for a dismissal.

According to the Civil Procedure Act a small claim dispute shall denote a dispute on a monetary claim where the amount of dispute does not exceed 2000 EUR. Small claims disputes shall also include disputes on non-monetary claims in respect of which the plaintiff has declared his willingness to accept, instead of satisfaction the claim, a sum of money not exceeding 2000 EUR. Small claims disputes shall also include disputes on claims for delivery of movable property where the stated amount in dispute does not exceed 2000 EUR (Article 443). On the other hand small claim disputes shall not include disputes relating to immovable property, disputes arising out of copyright, disputes relating to the protection and use of inventions and marks of distinctiveness or to the right to use a company title, disputes relating to the protection of competition, and disputes for disturbance of possession (Civil Procedure Act, Article 444).
According to 2012 data, the number of enforcement agents in Slovenia is 45, which is 2 % less than in 2010. It represents 2 enforcement agents per 100 000 inhabitants (lower than the EU average of 7 enforcement agents per 100 000 inhabitants/lower than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy of access and transparent for the court users and they are not freely negotiated.
For example, as regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the courts sits is between 6-10 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 189 999 970 euros.
This figure includes public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita: 92,29 euros.

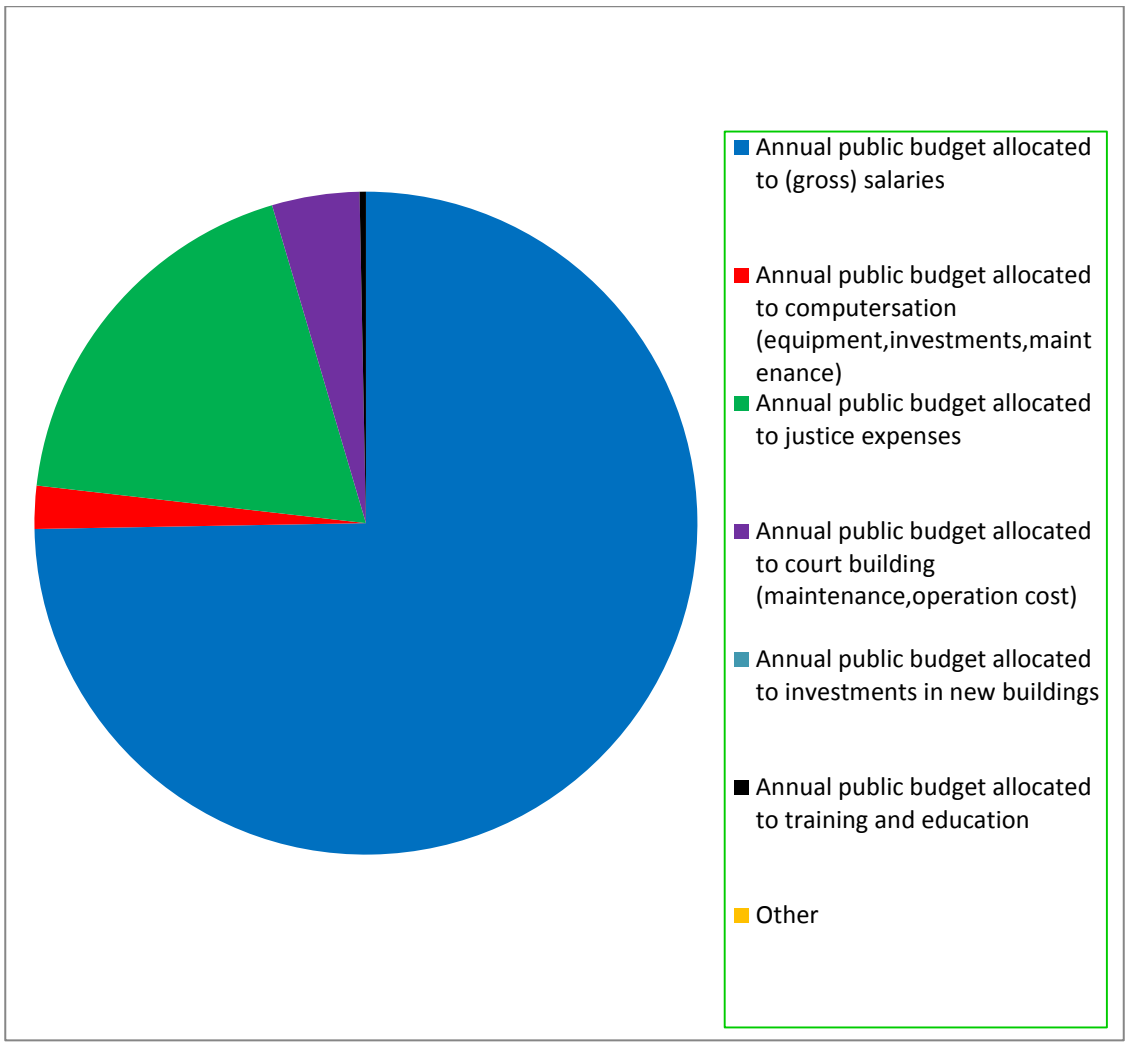
This ratio is higher than the EU average of 62,22 per capita and higher than the EU median of 47,43 euros per capita. Slovenia belongs to the group of European States with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- annual public budget allocated to gross salaries

- annual public budget allocated to justice expenses

- annual public budget allocated to court buildings



- **Budget allocated to the whole justice system: 254 154 443 euros**.

This budget includes the following budgetary elements: court, legal aid, public prosecution services, prison system, council of the judiciary, Constitutional Court, State advocacy, functioning of the Ministry of Justice.

- Between 2010 and 2012, the justice system cost per capita has decreased by 4%.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Slovenia is 970 which is 5% less than in 2010.

This represents 47 judges per 100 000 inhabitants (more than the EU median of 19 judges per inhabitants). The Clearance Rate and the Disposition Time characterising this State on each of the three jurisdictional levels are sound indicators of the successful functioning of Slovenian courts implying satisfactory adequacy between human resources and concrete needs.

In the previous evaluation cycle Slovenian authorities counted the judges of Administrative Court within the number of second instance judges, since they have the position of higher judges. However, taking into

account the fact that they deal with administrative cases on first instance and in order to ensure coherence in the data, they are now counted as first instance judges. This is the structure of judges according to different levels and jurisdictions of the courts on the 31.12.2012, including assigned judges: First instance courts: Local courts (44): 458 judges (78 male, 380 female); District courts (11): 265 judges (62 male, 203 female); Labour and social disputes courts (4): 41 judges (10 male, 31 female); Administrative court (1): 33 judges (6 male, 27 female). Second instance courts: Higher courts (4): 139 judges (38 male, 101 female); Higher labour and social disputes court (1): 13 judges (5 male, 8 female); Supreme court: 34 judges (21 male, 13 female).

According to the Judicial Service Act a person can become judge after 3 years of practice at a legal position after passing the legal state exam. There are different periods of practice required for different levels of judges. However, there are no restrictions regarding the institutions – the law only states that the practice has to be done at a legal position. A compulsory initial training and a training for management functions of the court exist.

The gross annual salary of a first instance professional judge is 32 633 euros (1,8 x the national average gross annual salary), which is less than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 63 664 euros (3,5 in regard to national average gross annual salary), which is lower than the EU average (88 218 euros).

Judges are appointed to office for an undetermined amount of time (the compulsory retirement age is 70).

A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Slovenia there are 3 330 non-judges staff including:

- 346 Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal, 17 Rechtspfleger per 100 000 inhabitants (more than the 9 EU average and more than the 8 EU median).
- 481 non-judge staff whose task is to assist the judges such as registrars.

Court clerks are similar to the Rechtspfleger, since they have autonomous competences and their decisions can be subject to appeal. The Courts Act states their duties and responsibilities.

3. Efficiency and quality of the judicial system

- **Access to justice**
  - **Legal aid**

Total approved public budget to legal aid: 6 741 620 euros (3,27 euros per capita)

The legal aid is granted for representation in criminal and other than criminal legal cases, as well as legal advice in criminal cases and legal advice in other than criminal cases.

The total number of cases granted with legal aid per 100 000 inhabitants is 407 (less than the EU average of 765 and less than the EU median of 551). The average amount of legal aid allocated per case is 804 euros (less than the EU average: 2 543 euros and slightly more than the EU median of 803 euros).

The law prescribes that legal aid shall mean the right of the eligible person to the entire or partial provision of funds necessary to cover the costs of legal assistance and the right to exemption of payment of the costs of the judicial proceeding (Free Legal Aid Act, Article 1).

According to Article 7 of the Free Legal Aid Act, free legal aid may also be granted for legal consultation, legal representation and other legal services in ADR proceedings.

  - **Court fees**

The annual income of court fees or taxes received by State is 40 461 043 euros and the share of court fees or taxes in the annual budget allocated to all courts is 21%, which is equal to the EU average of 21% and higher than the EU median of 16 %).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

- **Lawyers**

In Slovenia, there are 1417 lawyers (this category does not include the legal advisors), which is 10 % more than in 2010.

This data represents 69 lawyers (without legal advisers) per 100 000 inhabitants (lower than the EU median of 106 lawyers per 100 000 inhabitants) and 1,5 lawyers per professional judges.

Lawyers have monopoly on legal representation concerning civil cases and concerning the defendant in criminal cases.

Concerning the lawyers' fees, an easy access to prior information –transparent and accountable- on the foreseeable amount of fees is organized. Laws provide rules on lawyers' fees but they are not freely negotiated.

- **Performances of courts**

  - Clearance Rate (CR) and Disposition Time (DT)

The analyse of the clearance rate and the disposition time (as to the total number of non-criminal cases) at the level of three instances reveals a highly performing system able to deal quickly with cases (in less than six months in each instance) while decreasing existing backlogs.

  - Insolvency

The clearance rate for insolvency cases in first instance in Slovenia is 67%. The disposition time for insolvency cases in first instance is 936 days. These figures indicate that the system is less performing for this specific category and does not manage to deal with incoming cases in a reasonable timeframe, generating therefore backlogs.

  - The Slovenian legislation provides for specific procedures for urgent matters for civil, criminal and administrative cases and sets forth simplified procedures for small claims for civil cases and criminal cases.

- Systems for measuring and evaluating the performances of courts

A set of quality standards is defined with regard to the whole judicial system**.** According to the Courts Act (Article 60.a) every court has to prepare a yearly report which is sent to the higher court, the Supreme Court, the Judicial Council and the Ministry of Justice. The Judicial Council monitors and evaluates the performance of courts and issues a yearly report on the execution of judicial power (Courts Act, Article 28). In the process of budget preparation each court has to set targets, the achieving of which is subject of yearly report to the Ministry of Finance. The new Criteria for the assessment of quality of the work of courts have been adopted in 2010 by the Judicial Council and there is a 3-year trial period in which some pilot courts will be monitored regarding the selected criteria. After the trial period the criteria will be revised and then adopted on state level.

A regular monitoring system of court activities concerning exists within the courts for the number of incoming cases, the number of decisions, number of postponed cases, length of proceedings (timeframes), and other elements. Court statistics are collected and published four times a year by the Ministry of Justice. Concerning specifically the "monitoring of other elements", courts themselves are equipped by special reports produced in the Court management information system on priority areas that are set at the beginning

of year. They include more detailed information on court activities (length of specific phases in a court procedure, top 20 oldest cases in certain area of law for each specific court, etc.) and human resources, as well as performance indicators (the critical indicators are marked red) that provide guidance to presidents and directors of courts. Both systems – court statistics and the business intelligence system that creates priority reports derive the data from the same source - the Data warehouse of the Supreme Court. According to the priorities for the whole judiciary set by the Supreme Court at the opening of the judicial year, specific areas are monitored – in 2013 these areas were the following: Clearance of cases within the prescribed timeframes; solving of oldest unresolved cases; monitoring of judicial procedures; Disburdening the judges ; levelling of human resources.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Slovenia has defined performance and quality indicators among which the 4 main are: Length of proceedings; Closed cases; Productivity of judges and court staff; Cost of the judicial procedures.

The Slovenian system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are set up at the level of the court.

Quality standards are determined for the whole judicial system.

Specialised staff at the Office for Court Management Development at the Supreme Court of the Republic of Slovenia is responsible for dealing with quality standards for the judicial system.

- **Alternative dispute resolutions**

In Slovenia, the possibility to resort to judicial mediation exists for: civil and commercial cases, family claw cases, employment dismissals and criminal cases.

There are 347 accredited mediators and in 2012 the number of judicial mediation was 4714 cases.

Slovenia also knows arbitration, conciliation and mediation other than judicial mediation. According to the Act on Alternative Dispute Resolution in Judicial Matters, courts shall be obliged to provide mediation to the parties and they may also provide other forms of alternative dispute settlement. The Court may, where the circumstances of the case mandate it and on the basis of consultations with the parties, decide that the proceedings shall be suspended for a period not longer than three months, and refer the parties to mediation. A special mandatory referral to mediation is regulated by the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act in the field of insolvency proceedings.

The figures in 2012 show rising trends of readiness of parties to use judicial mediation and capacities of the courts to supply it. This trend is a consequence of the legislative changes adopted in 2009 which provides mandatory mediation procedures before courts of first and second instance. The number of family cases is included in the number of civil cases. Mediation in disputes in relations between parents and children and in labour disputes due to termination of an employment contract is free of costs for parties. In other disputes, the first three hours of mediation are free of costs for parties. The only exception is mediation in commercial disputes; parties pay the costs of such mediation. Criminal matters: the proceeding is not called "mediation" but "settlement in criminal matters". It may be introduced before filing a request for investigation or before filing a charge sheet without the investigation; it may be applied in case of minor criminal offences.

- **The ICT tools of courts and for court users**

Slovenia has developed a very complete ICT system: for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, e-mail – 100% of courts, and 50% of courts use electronic files), for administration and management (case registration system, court management information system, financial information system, videoconferencing – 100% of courts) and for electronic communication and exchange of information between the courts and their environment, the computer facilities used within/by the courts are quite good. There is no electronic processing of small claims in Slovenia. In the previous evaluation cycle Slovenian authorities understood 'processing of small claims' as a procedure for the enforcement on the basis of authentic document, which is completely electronic. So, 2010 and 2012 data are different.

All the answers are given regarding the number of cases, processed by Slovenian courts. Since IT system provision and support in Slovenian courts is provided centrally by the Supreme Court, Slovenian courts are equally equipped with IT. Therefore we cannot give the estimates regarding the number of courts, but only regarding to the number (and types) of cases processed.

Other electronic communication facilities encompass the use of e-delivery (used at the Central department for enforcement on the basis of authentic documents (CoVL), in land register procedures (eZK) and in insolvency procedures (eINS)).

Concerning videoconferencing, in Slovenia, it is used in all type of cases (criminal and other than criminal cases). All 11 district courts are equipped with the technology + 2 mobile units are available, meaning that the technology is available to all the courts when needed.

4. National data collection system

The Ministry of Justice is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. This institution publishes statistics on the functioning of each court on the internet.
The system of collecting statistical data is highly performing. It is able to provide data related to the number of cases with regard to all selected categories in all instances (except non-litigious business registry cases and administrative law cases in second instance) and specific procedures (litigious divorce cases, employment dismissal cases, insolvency) in first instance. In respect of the length of proceedings, the system allows collecting data as concerns specific procedures (litigious divorce cases, employment dismissal cases, insolvency).

5. Reforms

Comprehensive reform plans: Ministry of Justice: In July 2013 the amendments to the Courts Act and the Judicial Service Act were adopted. The legislative changes pursue three goals: greater effectiveness and thereby independence of courts, more effectiveness and quality in the oversight of court administration, and greater accountability in the judiciary. The changes oblige all courts to execute projects that have proved beneficial, and to determine norms for shortening the duration of proceedings, while a transfer of powers from the Justice Ministry to the Supreme Court is also envisaged in order to strengthen the independence of the judicial branch of power. In 2014 there are new steps planned to boost the efficiency of the judiciary concerning its organizational structure.

Reforms regarding the High Judicial Council:

On the basis of findings in the annual report on efficiency and effectiveness of courts for 2012, the Judicial Council has highlighted some of the systemic problems and outlined proposals for improvements that would contribute to a more efficient, more effective and more qualitative operation of the courts. The Judicial Council noted that it is necessary to make strategic orientation of the judiciary, to optimize the network of courts, to resolve the spatial and staffing issues of the courts, to renew business processes of the courts, and with the participation of experts to prepare amendments to the legislation and to implement some changes in the assessment of the quality of judges.

Reforms regarding courts and public prosecution services:

There are discussions about the reorganisation of the structure of courts.

Changes of the State Prosecutor Act.

Reforms regarding the High Judicial Council:In the current legal system of the Republic of Slovenia, the provisions on the functioning and powers of the Judicial Council, as constitutional authority are involved in the laws governing the organization of the courts (Courts Act) and the judicial service (Judicial Service Act). Recent (2013) legislative changes of these two acts reduced some powers of the Judicial Council.

The question is, whether the current legislation adequately provides the realization of the principle of independence of the Judicial Council in relation to the judiciary. Based on the constitutionally intended role and statutory powers of the Judicial Council, it would be necessary to regulate the functioning of the Judicial Council in a special Act. Its tasks and powers should be provided in this special Act in a comprehensive and uniform way. As such, the provisions should also include the area of the integrity of the judiciary and detailed

criteria for the selection and evaluation of judges. The independence of the Judicial Council from the judiciary would provide a legal status of an independent direct budget user and proposer of the budget.

The Judicial Council has already prepared a proposal of the Judicial Council Act, which was sent to the Ministry of Justice for adjustments. The act has not yet been adopted. The proposal represents a homogeneous whole of partly amended and complemented provisions of the applicable legislation. It defines the Judicial Council as an independent state authority, whose task is to ensure the independence and autonomy of courts and judges, and the quality of the functioning of the judiciary and its public reputation, acting impartially, taking into account the legal, ethical and professional principles; and has its own independent and direct budget. With the adoption of this act, the position and purpose of the Judicial Council, the manner of its operation, organization, powers and funding would be rounded, distinctly regulated and internally consistent, which would ensure the realization of the principle of independence of the Judicial Council in relation to the judiciary, and recognise the role of an important factor in regulating the relationship between the branches of the Government.

Reforms regarding the legal professionals: In past years the Slovene Notarial profession has undergone considerable changes that have an effect on the work of notaries and the performance of their service (lowered notary fees, an increase in the number of notary posts and some loss of competences). The Chamber of Notaries of Slovenia considers it necessary to give new competences to the notaries, above all in the field of non-contentious matters of civil law. These matters are now within the competence of law courts. Last year, the Ministry of Justice assembled a work-group of faculty representatives, judges, lawyers and notaries that prepared a draft law governing the transfer of inheritance regulations to notaries. They have prepared quality material for the amendments of the Inheritance Act, which is ready for immediate implementation and for a quick and effective transfer onto notaries. Despite the consensus of experts, the Act has not been submitted to the legislative procedure yet. In 2011, the new Family Code which envisaged new competences of notaries in the field of family law (no-fault divorce at the notary, wedding contracts, etc.) was pending, but it was rejected at the referendum because of the solutions it provided for the equality of rights for same-sex partnerships and the respective adoption of children.

By the end of year 2012, the Ministry of Justice instituted proceedings for the liberalization of the notarial profession (among which the abolition of numerus clausus and the compulsory membership of notaries in the Chamber of Notaries).

Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities: Improvements of the Assets of Illicit Origin Forfeiture Act.

Reforms regarding enforcement of court decisions: In 2013 a general overhaul of the enforcement procedure has been announced, expected to be enacted in 2014.

Slovenia – Data tables for each indicator (2010/2012)

Slovenia	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	2 050 189	2 058 821
2#1#1 Total of annual State pb expenditure State level	9 874 155 345	17 377 000 000
3 GDP Per capita GDP (in €)	17 286	17 172
4 Average gross annual salary in €	17 939	18 300
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	178 158 919	165 060 055
12#1#1 Total annual appr pb budget allocated to LA	5 834 338	6 741 620
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	178 158 919	165 060 055
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	126 167 405	123 329 428
6#2#3 Amount_Annnual appr bd of the courts_Computer	4 074 203	3 454 684
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses	37 976 296	30 732 240
6#2#5 Amount_An appr bd_courts alloc_Court buildings	7 634 034	7 037 588
6#2#6 Amount_An appr bd_courts alloc invest_ new build	1 077 240	
6#2#7 Amount_Annnual appr budget_courts alloc_Training	1 229 741	506 115
6#2#8 Amount_Annual approved budget_courts alloc_Other		
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	263 000 000	254 154 443
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	NAP
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		Yes
Judicial manage-ment body		NAP
State advocacy		Yes
Enforcement services		NAP
Notariat		NAP

Forensic services		NAP
Budgetary elements include or not_Jud_prot_juven	Yes	NAP
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	NAP	No
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	2 050 189	2 058 821
Amount_An approved budget alloc whole justice	263 000 000	254 154 443
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	No	No
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	Yes	Yes
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	Yes	Yes
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	Yes	Yes
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	No	No
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	No	No
14#4#4 Evaluation_Court budget_Supreme Court	Yes	Yes
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	Yes	Yes
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	Yes	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		

61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	No	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	No	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	55	55
42#1#2 Specialised first instance courts	5	5
42#1#3 All the courts (geographic locations)	66	66

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	6	6
43#1#2 Nr of commercial courts	NAP	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	4	4
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	1	1
43#1#8 Nr of insurance_soc welfare courts	1	1
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	NAP	NAP

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	44	44
45#1#2 Nr_1st instance courts competent_dismissal	4	4
45#1#3 Nr_1st instance courts competent_robbery	11	11

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	331 019	344 760
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	42 605	45 417
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	17 211	18 370
91#1#4 Pending cases_1 Jan _Enforcement cases	219 042	181 744
91#1#5 Pending cases_1 Jan _Land registry cases	44 160	43 587
91#1#6 Pending cases_1 Jan _Business reg cases	394	839
91#1#7 Pending cases_1 Jan _Admin law cases	3 057	2 416
91#1#8 Pending cases_1 Jan _Other cases	4 550	52 387
91#2#1 Incoming cases_Total_non crim cases	673 141	910 717
91#2#2 Incoming cases_Civil&com litig cases	37 652	37 637
91#2#3 Incoming cases_Civil&com nonlit cases	31 529	31 711
91#2#4 Incoming cases_Enforcement cases	232 589	218 961
91#2#5 Incoming cases_Land registry cases	271 328	303 965
91#2#6 Incoming cases_Business reg cases	44 960	50 144
91#2#7 Incoming cases_Admin law cases	3 339	3 174
91#2#8 Incoming cases_Other cases	51 744	265 125
91#3#1 Resolved cases_Total_non crim cases	672 061	963 652
91#3#2 Resolved cases_Civil&com litig cases	36 820	39 379
91#3#3 Resolved cases_Civil&com nonlit cases	30 502	32 809
91#3#4 Resolved cases_Enforcement cases	239 146	229 120
91#3#5 Resolved cases_Land registry cases	266 091	334 006
91#3#6 Resolved cases_Business reg cases	44 795	50 506
91#3#7 Resolved cases_Admin law cases	4 096	3 667
91#3#8 Resolved cases_Other cases	50 611	274 165
91#4#1 Pending cases_31 Dec _Total_non crim cases	332 099	291 825
91#4#2 Pending cases_31 Dec _Civil&com litig cases	43 437	43 675
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	18 238	17 272
91#4#4 Pending cases_31 Dec _Enforcement cases	212 485	171 585
91#4#5 Pending cases_31 Dec _Land registry cases	49 397	13 546
91#4#6 Pending cases_31 Dec _Business reg cases	559	477

91#4#7 Pending cases_31 Dec _Admin law cases	2 300	1 923
91#4#8 Pending cases_31 Dec _Other cases	5 683	43 347
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	100%	106%
CR Civil&com litig cases	98%	105%
CR Civil&com nonlit cases	97%	103%
CR Enforcement cases	103%	105%
CR Land registry cases	98%	110%
CR Business reg cases	100%	101%
CR Admin law cases	123%	116%
CR Other cases	98%	103%
DT Total non DTim cases	180	111
DT Civil&com litig cases	431	405
DT Civil&com nonlit cases	218	192
DT Enforcement cases	324	273
DT Land registry cases	68	15
DT Business reg cases	5	3
DT Admin law cases	205	191
DT Other cases	41	58
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		6%
CR Civil&com litig cases		7%
CR Civil&com nonlit cases		7%
CR Enforcement cases		2%
CR Land registry cases		12%
CR Business reg cases		1%
CR Admin law cases		-6%
CR Other cases		6%
DT Total non DTim cases		-39%
DT Civil&com litig cases		-6%
DT Civil&com nonlit cases		-12%
DT Enforcement cases		-16%
DT Land registry cases		-78%
DT Business reg cases		-24%
DT Admin law cases		-7%
DT Other cases		41%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	1 104	1 068
101#1#2 Pending cases_1 Jan _Employment dismissal	887	622
Pending Insolvency cases		3 667

101#1#3 Pending cases_1 Jan _Robbery cases	NA	157
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	17
101#2#1 Incoming cases_Litigious divorce cs	1 903	1 954
101#2#2 Incoming cases_Employment dismissal	1 093	1 038
Incoming Insolvency cases		2 669
101#2#3 Incoming cases_Robbery cases	NA	151
101#2#4 Incoming cases_Intentional homicide	NA	12
101#3#1 Resolved cases_Litigious divorce cs	1 937	1 999
101#3#2 Resolved cases_Employment dismissal	1 252	1 003
Resolved Insolvency cases		1 778
101#3#3 Resolved cases_Robbery cases	109	154
101#3#4 Resolved cases_Intentional homicide	9	16
101#4#1 Pending cases_31 Dec _Litigious divorce cs	1 070	1 023
101#4#2 Pending cases_31 Dec _Employment dismissal	728	657
Pending Insolvency cases		4 558
101#4#3 Pending cases_31 Dec _Robbery cases	NA	154
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	13
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		67%
DT - Insolvency cases		936
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	5 138	6 430
97#1#2 Pending cases_1 Jan _Civil&com litig cases	2 941	4 071
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	2 096	2 288
97#1#5 Pending cases_1 Jan _Land registry cases	NA	56
97#1#6 Pending cases_1 Jan _Business reg cases	NA	NA
97#1#7 Pending cases_1 Jan _Admin law cases	94	NA
97#1#8 Pending cases_1 Jan _Other cases	7	15
97#2#1 Incoming cases_Total_non crim cases	23 284	20 659
97#2#2 Incoming cases_Civil&com litig cases	12 363	10 293
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	9 317	8 789
97#2#5 Incoming cases_Land registry cases	NA	578
97#2#6 Incoming cases_ Business reg cases	NA	NA
97#2#7 Incoming cases_Admin law cases	367	NA
97#2#8 Incoming cases_Other cases	1 237	999
97#3#1 Resolved cases_Total_non crim cases	22 371	20 984
97#3#2 Resolved cases_Civil&com litig cases	11 664	10 505
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	9 061	8 971
97#3#5 Resolved cases_Land registry cases	NA	503
97#3#6 Resolved cases_ Business reg cases	NA	NA

97#3#7 Resolved cases_Admin law cases	409	NA
97#3#8 Resolved cases_Other cases	1 237	1 005
97#4#1 Pending cases on 31 Dec _Total_non crim cs	6 051	6 105
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	3 640	3 859
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	2 352	2 106
97#4#5 Pending cases_31 Dec _Land registry cases	NA	131
97#4#6 Pending cases_31 Dec _ Business reg cases	NA	NA
97#4#7 Pending cases on 31 Dec _Admin law cases	52	NA
97#4#8 Pending cases on 31 Dec _Other cases	7	9
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	96%	102%
CR Civil&com litig cases	94%	102%
CR Civil&com nonlit cases		
CR Enforcement cases	97%	102%
CR Land registry cases		87%
CR Business reg cases		
CR Admin law cases	111%	
CR Other cases	100%	101%
DT Total non DTim cases	99	106
DT Civil&com litig cases	114	134
DT Civil&com nonlit cases		
DT Enforcement cases	95	86
DT Land registry cases		95
DT Business reg cases		
DT Admin law cases	46	
DT Other cases	2	3
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	4 046	2 479
99#1#2 Pending cases_1 Jan _Civil litigious cs	2 423	1 699
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NAP	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NAP	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	773	378
99#1#8 Pending cases_1 Jan _Other cs	850	402
99#2#1 Incoming cases_Total _non crim law cs	2 862	3 030
99#2#2 Incoming cases_Civil litigious cs	1 710	1 384
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NAP
99#2#4 Incoming cases_Enforcement cs	NAP	NAP
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	607	1 215

99#2#8 Incoming cases_Other cs	545	431
99#3#1 Resolved cases_Total _non crim law cs	3 801	3 732
99#3#2 Resolved cases_Civil litigious cs	2 017	1 766
99#3#3 Resolved cases_Civil non_litigious cs	NAP	NAP
99#3#4 Resolved cases_Enforcement cs	NAP	NAP
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	1 002	1 297
99#3#8 Resolved cases_Other cs	782	669
99#4#1 Pending cases_31 Dec _Total _non crim law cs	3 107	1 777
99#4#2 Pending cases_31 Dec _Civil litigious cs	2 116	1 317
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NAP	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	378	296
99#4#8 Pending cases_31 Dec _Other cs	613	164
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	133%	123%
CR Civil&com litig cases	118%	128%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	165%	107%
CR Other cases	143%	155%
DT Total non DTim cases	298	174
DT Civil&com litig cases	383	272
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	138	83
DT Other cases	286	89
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	4,6	5
102#1#2 %_decisions subj to appeal_Empl dismissal	36,34	35
% decisions subj to appeal Insolvency		29
102#1#3 %_decisions subj to appeal_Robbery cases	NA	36
102#1#4 %_decisions subj to appeal_Intent homicide	NA	56
102#2#1 % pending cases>3 years_Lit divorce cs	0,54	0
102#2#2 % pending cases>3 years_Empl dismissal	3	4

% pending cases>3 years Insolvency		16
102#2#3 % pending cases>3 years_Robbery cases	NA	27
102#2#4 % pending cases>3 years_Intent homicide	NA	29
102#3#1 1st inst average length_Lit divorce cs	200,5	208
102#3#2 1st inst average length_Empl dismissal	211,6	256
1st inst average length Insolvency		350
102#3#3 1st inst average length_Robbery cases	NA	537
102#3#4 1st inst average length_Intent homicide	NA	596
102#4#1 2nd inst average length_Lit divorce cs	45,6	48
102#4#2 2nd inst average length_Empl dismissal	127	99
2nd inst average length Insolvency		24
102#4#3 2nd inst average length_Robbery cases	NA	112
102#4#4 2nd inst average length_Intent homicide	NA	161
3rd inst average length_Lit divorce cs		127
3rd inst average length_Empl dismissal		329
3rd inst average length Insolvency		373
3rd inst average length_Robbery cases		154
3rd inst average length_Intent homicide		132
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		577
Average total length_Intent homicide		846

Table 3.11. Caseload in the EU		
1 Number of inhabitants	2 050 189	2 058 821
91#2#1 Incoming cases_Total_non crim cases	673 141	910 717
91#2#2 Incoming cases_Civil&com litig cases	37 652	37 637
91#2#3 Incoming cases_Civil&com nonlit cases	31 529	31 711
91#2#4 Incoming cases_Enforcement cases	232 589	218 961
91#2#7 Incoming cases_Admin law cases	3 339	3 174
91#4#1 Pending cases_31 Dec _Total_non crim cases	332 099	291 825
91#4#2 Pending cases_31 Dec _Civil&com litig cases	43 437	43 675
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	18 238	17 272
91#4#4 Pending cases_31 Dec _Enforcement cases	212 485	171 585
91#4#7 Pending cases_31 Dec _Admin law cases	2 300	1 923

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes

Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes

88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	NA	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	NA	Yes
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	NA	No
186#1#4 Notification_dec_parties_same city as Ct_more	NA	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	Yes	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	Yes	Yes
77#1#5 External audit body	Yes	Yes
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	No	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system

(Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	No	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	No
71#1#2 Quality indicator_Length of proceedings	No	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	No
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	Yes
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal		

professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	No	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	2 050 189	2 058 821
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	5 834 338	6 741 620
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	No
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	No
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	2 050 189	2 058 821
12#1#1 Total annual appr pb budget allocated to LA	5 834 338	6 741 620
20#1#1 Total Number of cases granted with legal aid	9 618	8 380
20#1#2 Nr of criminal cases granted with legal aid	1 396	1 031
20#1#3 Nr non criminal cases granted with legal aid	8 222	7 349

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)	
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	698

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	178 158 919	165 060 055
9 Annual income of court taxes received by the State	50 858 000	40 461 043
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	Yes	Yes
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	+50% of courts	+50% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	+50% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	+50% of courts	+50% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	-50% of courts	-50% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	100% of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	+50% of courts	100% of courts
64.1.7 Electronic submission of claims	+50% of courts	+50% of courts
64.1.8 Videoconferencing	+50% of courts	100% of courts
64.1.9 Other electronic communication facilities	+50% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim	Yes	Yes

cases		

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	Yes	Yes
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Compulsory	Compulsory
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	No
131#1#2 One instit for prosecutors_Initial training	No	No
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	No
131#2#2 One instit for prosecutors_Continuous training	No	No
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	No	No
131#3#2 One instit for prosecutors_Init&Cont trainings	No	No
131#3#3 One instfor judges&proc _Init&Cont trainings	Yes	Yes
Budget One instit for judges initial training		No
Budget One instit for prosecutors initial training		No
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	28 968	32 633
132#1#2 Gross An sal: Judge_Supr Ct	57 909	63 664
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	34 858	31 980
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	54 765	55 812
132#2#1 Net An sal: 1st inst prof jud_beg_carrier	17 521	20 291
132#2#2 Net An sal: Judge_Supr Ct	30 823	34 212
132#2#3 Net An sal: Pb prosecutor_beg_carrier	19 901	19 560
132#2#4 Net An sal: Pb prosecutor_Supr Ct	29 367	31 536
4 Average gross annual salary in €	17 939	18 300
Table 7.6. Additional benefits for judges (Q 133)		

133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	1	1
144#1#2 Discipl proc against judges_Breach_pro ethics	0	0
144#1#3 Discipl proc against judges_Prof inadequancy	1	0
144#1#4 Discipl proc against judges_Criminal offence	0	0
144#1#5 Discipl proc against judges_Other	0	1
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	Yes	Yes
140#1#9 Auth_discipl proc against judges_Other	No	No
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No

142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	0	1
145#1#2 Sanctions against judges_Reprimand	0	1
145#1#3 Sanctions against judges_Suspension	0	0
145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	0	0
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	0	0
145#1#9 Sanctions against judges_Dismissal	0	0
145#1#10 Sanctions against judges_Other	0	0
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	66	66
47#1#2 Number of 1st instance presidents	59	60
47#1#3 Number of 2nd instance presidents	6	5
47#1#4 Number of supreme court presidents	1	1
47#2#1 Total Nr of court presidents_males	23	22
47#2#2 Number of 1st instance presidents_males	20	19
47#2#3 Number of 2nd instance presidents_males	2	2
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	43	44
47#3#2 Number of 1st instance presidents_females	39	41
47#3#3 Number of 2nd instance presidents_females	4	3
47#3#4 Number of supreme court presidents_females	0	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate		

NAP.		
Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	NAP	NAP
48#2#1 Nr_professional judges_gross figure		
48#1#2 Professional judges	NAP	NAP
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	No
49#2#1 Number of non-professional judges_Gross figure	€ 3 445,0	€ 3 445,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	Yes	Yes
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes

164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	Yes
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	Yes
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	2 050 189	2 058 821
166#1#2 Number of accredited mediators	344	347
167#2#1 Judicial mediation procedures_Total Nr	2 239	4 714
167#2#2 Judicial mediation procedures_Civil cases Nr	1 917	3 929
167#2#3 Judicial mediation procedures_Family cases Nr	0	
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr	322	785
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	2 050 189	2 058 821
46#1#1 Total Nr of professional judges	1 024	970
52#2#1 Nr_non-judge staff who are working in courts	3 274	3 330
146 Total number of practicing lawyers	1 294	1 417
170 Number of enforcement agents		46 45
52.2.2 Number Non-judge staff (Rechtspfleger)	436	346
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		

146 Total number of practicing lawyers	1 294	1 417
148 Number of legal advisors	NA	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 024	970
1 Number of inhabitants	2 050 189	2 058 821
Table 9.5. Monopoly of legal representation (Q 149)		
149#1#1 Lawyers_monopoly of repr in_Civil cs	No	Yes
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	Yes
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	No
Table 9.6. Lawyers’ fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	Yes	Yes
155 Lawyers' fees are_freely negotiated	No	No
156#1#1 Providing rules_lawyers' fees_Laws	Yes	Yes
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	46	45
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	20	17
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	1	2
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	19	15
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	0
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	20	16
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	8	12
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0

188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	2	4
188#2#6 Nr_Sanctions pronounced against EA_Other	10	0
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	Yes
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	Yes
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	Yes	Yes
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	Yes	Yes
183#1#8 Users' complaints enf proc_Other 2010	No	No
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts	3 274	3 330
52#2#2 Number Non-judge staff (Rechtspfleger)	436	346
52#2#3 Nr_Non-judge staff assisting the judges		481
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	No	Yes

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)

66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Spain (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Spain	46 006 414	480 111 000 000	22 300	22 899

1. Presentation of the functioning of the judicial system

According to 2012 data, in Spain there are 2 349 first instance courts of general jurisdiction and 1 458 first instance specialized courts (65 commercial courts, 345 labour courts, 103 family courts, 17 enforcement of criminal sanctions court, and 241 administrative courts). Other first instance courts, with competence in concrete matters are: 380 Penal Courts; 17 Penal Courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile Courts; 1 Juvenile Enforcement Courts; 50 Prison Courts; 9 Capacity courts; 26 Civil Register Courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage Courts.
Spain's judicial organisation, starting with the right of the judge predetermined by law, is structured in accordance with its territorial organisation. Pursuant to article 26 of Organic Law on the Judiciary, the exercise of jurisdictional authority is attributed to the following judicial organs:
- Sole judge courts: Justices of the Peace, First Instance Courts, Examining Courts, Commercial courts, Violence against Women Courts, Criminal courts, Administrative Courts, Social Courts, Juvenile Courts and Parole Courts.
- Bench judges: Provincial Courts, High Courts, National Court and Supreme Court

Sole judge courts – excepting justices of the peace, located in municipalities – are established at the top of legal districts, while benches of judges operate in the provinces, the Autonomous Regions and at the national level in the case of the Supreme Court and the National Court. Provincial Courts try civil and criminal cases and are located in the capitals of the provinces.
The Supreme Court, based in Madrid, is the sole judiciary body in Spain with jurisdiction throughout the nation and the highest court in all legal fields, except for issues of constitutional guarantees and rights, the competence for which resides with the Constitutional Court. The Supreme Court has five divisions: civil, criminal, labour and military. Specifically, the Supreme Court is the pinnacle of the appeals system and therefore ultimately responsible for the uniform interpretation of jurisprudence in Spain. It takes care, inter alia, of judging appeals for reversal, reviews and other extraordinary cases, as well as the prosecution of members of upper institutions of the State and the processes for declaring political parties to be illegal. High Courts act in each Autonomous Region and have different geographical locations to guarantee access to justice. They have four divisions: civil, criminal, administrative and labour. The National (Criminal) Court has its seat in Madrid and is a unique legal organ in Spain with jurisdiction over the entire national territory. It constitutes a centralized court, specialised in the knowledge of certain matters attributed by law such as crimes committed against the Royal Family, major drug trafficking, counterfeiting and offences committed outside the Spanish Territory that are prosecuted in Spain. It has four divisions: review, criminal, administrative and labour.
There are 1 745 first instance courts competent for a debt collection for small claims and 345 first instance courts competent for a dismissal.
Other first instance courts, with competence in concrete matters are: 380 Penal Courts; 17 Penal Courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile Courts; 1 Juvenile

Enforcement Courts; 50 Prison Courts; 9 Capacity courts; 26 Civil Register Courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage Courts.
According to 2012 data, the number of enforcement agents in Spain is 3 559, which is 20 % less than in 2010.
It represents 8 enforcement agents per 100 000 inhabitants (higher than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easy of access and transparent for the court users and are not freely negotiated.
For example, as regard to a decision on debts collection, the estimated average timeframe to notify the decision to the parties who live in the city where the courts sits is between 11-30 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

  Total annual approved public budget allocated to all courts: 1 489 804 631 euros.

  This figure includes the public prosecution services and the budget per legal aid.

  Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita is 32,38 euros.

This ratio is lower than the EU average of 62,22 euros per capita and lower than the EU median of 47,43 euros per capita. Spain belongs to the group of European States with the lowest degree of investments intended to the judicial system.

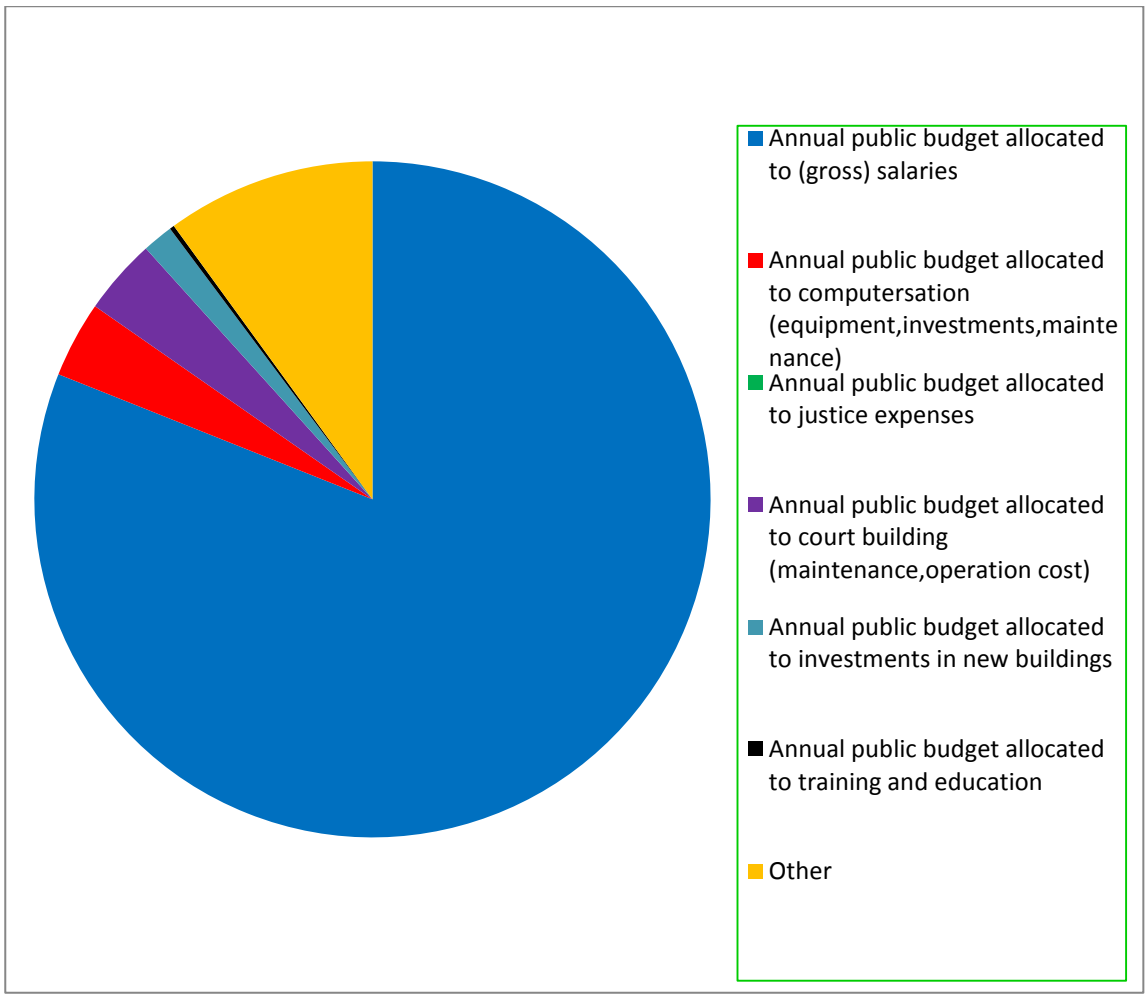
The data for 2012 regarding the functioning of all courts shows a reduction compared with 2010 data. In 2012 the data related to the Ministry of Justice is included. On the contrary, it has not been included data related to the budgetary of the Council General of the Judiciary either the Autonomous Communities. Since 2010 it is possible to separate the budget allocated to the functioning of all courts from the prosecution Office budget.

The three most important categories as concerns the break down by component of the court budget are:

- Annual public budget allocated to (gross) salaries

- Annual public budget allocated to computerisation (equipment, investments, maintenance)

- Other



- **Budget allocated to the whole justice system : 4 111 000 000 euros**

This budget includes the following budgetary elements: court, legal aid, public prosecution services, probation services, council of the judiciary, judicial management body, state advocacy, forensic services, judicial protection of juveniles, Functioning of the Ministry of Justice, and other.

Between 2010 and 2012, the justice system cost per capita has decreased by 11%.

The structure of the Spanish budgetary system is based on the territorial organisation, Spain is divided in 17 Autonomous Regions and 2 Autonomous Cities, with competence in the field of administration of justice and financial means, which means that in the Autonomous Regions holding powers in matters of justice, the role of the Ministry of Justice and the Parliament is played by the regional ministries and regional assemblies.

- **Human resources**

According to 2012 data, the number of professional judges sitting in courts in Spain was 5 155, which is 10 % more than in 2010.

This represents 11 judges per 100 000 inhabitants (less than the EU median of 19 per 100 000 inhabitants).

The access to judicial and prosecutorial career is made through the same procedure. Candidates (with law degree) must pass a competitive and public exam. According to the results of the competition and the posts available, they choose the career of judge or prosecutor. For both careers and after the exam, initial training is needed. In-service training for specialised judicial functions and for the use of computer facilities in the court are compulsory.

The gross annual salary of a first instance professional judge is 47 494 euros (2,1 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a

judge of the Supreme Court or the Highest Appellate Court is 107 565 euros (4,7 x the national average gross annual salary), which is higher than the EU average (88 218 euros).

Judges are appointed to office for an undetermined amount of time (the compulsory retirement age is 70).

A procedure to effectively challenge a judge if a party considers that a judge is not impartial does exist.

- Non-judge staff

In Spain there are 3 559 Rechtspfleger (or similar bodies) (including 2 323 women) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal. There are 8 Rechtspfleger per 100 000 inhabitant (higher than the EU average of 7 per 100 000 inhabitants).

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 36 890 711 euros (0,80 euros per capita)

The legal aid is granted for Representation and legal advice in court in criminal cases and in other than criminal cases.

  - **Court fees**

The annual income of court fees or taxes received by State is 171 689 715 euros and the share of court fees or taxes in the annual budget allocated to all courts is 12% (lower than the EU average of 21% and lower than the EU median of 16%).

Litigants are in general required to pay a court tax or fee for other than criminal cases. The legal aid system in Spain is ruled by the Act on Legal Aid 1/1996 as reformed by the Royal Decree 3/2013 of 22 of February. This new regulation amended the court fees in the justice administration and partly modified the legal aid system. This reform settles the content of the benefit of legal aid including the exemption from payment of the court fees. The full reform of the Spanish legal aid system is currently being finalized.

  - **Lawyers**

According to 2012 data, in Spain, there are 13 1337 lawyers (this number does not include the legal advisors), which is 5% more than in 2010.

This data represents 285 lawyers (without legal advisers) per 100 000 inhabitants (more than the EU median of 106 lawyers per 100 000 inhabitants) and 25,5 lawyers per professional judges.

Lawyers have no monopoly on legal representation.

In civil cases, the legal representation is mainly carried out by Court Attorneys (Procuradores). Procuradores are independent professional agents who exercise their duties in a liberal manner. Their status is closer to this of bailiffs than this of prosecutors. In 2013, a draft bill has been presented by the Ministry of Economic Affairs aiming at removing the existing fees and eliminating the incompatibility that prevents lawyers to also act as procuradores.

In administrative cases, legal representation is mostly assumed by lawyers.

Concerning the lawyers' fees, easy access to prior information –transparent and accountable- on the foreseeable amount of fees is not organized. Laws do not provide rules on lawyers' fees, which are freely negotiated.

- **Performances of courts**

- Clearance Rate (CR) and Disposition Time (DT

The clearance rate and the disposition time of the category of civil and commercial litigious cases (the total number of non-criminal cases is not available) reveal the performance of the system with regard to these cases. Except in second instance where the clearance rate is of 97%, the system is even able to decrease backlogs while dealing with incoming cases in less than a year at each level.

- Insolvency

The clearance rate for insolvency cases in first instance in Spain is 46% and the disposition time is 1 965 days for this category, which shows that the system is less performing in dealing with these specific procedures.

- The Spanish legislation provides for specific procedures for urgent matters for civil, criminal and administrative cases and sets forth simplified procedures for civil, criminal, administrative cases, as well as for oral judgments with a written order without a full reasoned judgment by a judge.

- Systems for measuring and evaluating the performances of courts

In Spain, individual courts are required to prepare an annual activity report.

A regular monitoring system of court activities concerning the number of incoming cases, the number of the decisions, the number of postponed cases, the length of proceedings, and of the other elements exists within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Spain has defined performance and quality indicators among which the 4 main are: Incoming cases; Length of proceedings; Closed cases; Pending cases and backlogs.

The Spanish system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, administrative and criminal cases.

Quantitative performances targets are defined for each judge. Such quantitative performance targets are set up at the level of the court.
A set of quality standards is defined with regard to the whole judicial system. National Quality Commission approved a quality system that has been implemented in the New Judicial Courts.

- **Alternative dispute resolutions**

In Spain, the possibility to resort to judicial mediation exists for: civil and commercial cases, administrative cases, family law cases, employment dismissal cases, and criminal cases.

In 2012 the number of judicial mediation in family matters was 3 608 and 1 166 in criminal cases.

In Spain arbitration, conciliation and mediation (other than judicial mediation) are also available. Law 5/79 creates the Institute of Mediation, Arbitration and Conciliation. This institute depends on the Labour Ministry, is focused on labour procedures and its aim is to grant agreements between employers and employees as a previous and mandatory step before the case goes to court.

The new Royal Decree-Law 5/2012 of 6 July 2012 provides rules for mediation in civil and commercial matters covering civil, commercial and family cases. Besides, the mediation regime has been specified and completed by the Royal Decree 980/2013 adopted in December 2013 (for example: establishment of a specific training with regard to professional mediators; establishment of a register of accredited mediators which increases the transparency of the mediation activity for the benefit of the legal security; introduction of a contract of liability insurance covering potential damages resulting from the performance of mediator's

duties; introduction of a simplified electronic mediation procedure). The decree will enter into force on 27 March 2014.

- **The ICT tools of courts and for court users**

Spain has developed a quite complete ICT system: for direct assistance of the judges/court clerk (word processing, electronic data base of case-law, electronic files, e-mail), for administration and management (as concerns case registration system, court management information system and financial information system, Spain is fully equipped (100%), while videoconferencing is only present in over 50% of the courts); and for electronic communication and exchange of information between the courts and their environment: as concerns electronic web forms, websites and electronic registers, Spain is fully equipped (100%).

Other facilities, like the electronic processing of small claims, are at 0%.

LEXNET is a secure electronic telematics system that enables bidirectional communication between the courts and several legal actors in their exchange of documents, notices, letters or claims. The latest version of this system enabled more than thirty million electronic notifications delivered in 2012 (twice the number of the previous year).

Video recording courtroom systems are geared to support communication between different agencies and professionals, using the latest technology. The digital recording of the hearings is integrated with the videoconferencing system.

Videoconferencing is used in all type of cases. It is available in all the jurisdictions. In criminal cases, hearings can be held in the police station and/or in prison. A specific legislation on the conditions for using videoconferencing in the courts exists.

4. National data collection system

Ministry of Justice, Judicial Statistics Department, General Council of the Judiciary and National Judicial Statistics Commission are the centralized institutions that are responsible for collecting statistical data regarding the functioning of the courts and judiciary.
Statistics on the functioning of each court are published on the internet.
The system of collecting statistical data allows providing only certain data concerning the number of cases with regard to the selected categories: the total number of non-criminal cases and this of enforcement cases in first instance are not available; the total number of non-criminal cases, this of civil and commercial non litigious cases and this of enforcement cases in second instance are not available.
As to data related to the average length of specific procedures (litigious divorce cases, employment dismissal cases, insolvency) they are difficult to access, especially regarding insolvency cases.

5. Reforms

Reforms regarding courts:
Two relevant legislative reforms are under preparation:
- The reform of the Organic Law of the Judiciary 6/85 of 1 of July (Ley Orgánica del Poder Judicial) in order to establish a new regulation of courts by the implementation of the "Instance Court" (*tribunal de instancia*), a new type of court by means of the merger of several one judge courts in one joint Court with several judges, which will grant a specialised justice for every citizen, a more flexible distribution of tasks and the concentration of the judges of the territory in only one court.
- The reform of the Law of Demarcation and Judicial Plant 38/1988 of 28 of December (Ley de Demarcacion y Planta Judicial) whose aim is to reform the territorial competence of courts. Among other objectives, this reform would imply an important reduction of judicial districts.

Project on Friendly Spaces (Proyecto de Salas Amigables). The project would be functioning in the second semester of 2014 with the aim is to create spaces in courts buildings where minors could be heard in an appropriate way when the procedure requires it (family, sexual abuses, etc).

Reforms regarding Legal Aid:
In the context of the reform on court fees, the Act on Legal Aid of 16 of January 1996 was partly amended by Royal Decree-law 3/2013 of 22 of February. Further reforms on the legal aid regime are under way to

enlarge the possibility of benefitting from it and to ensure a tighter mechanism for the prevention of abuses, with further guarantees for the beneficiary. A draft Bill has been adopted by the Council of Ministers on 21 February 2014.

Reforms regarding the High Judicial Council:
The Act of the General Council of the Judiciary was amended by the Act of 28 June 2013, which modified, among others, the procedure for the election of the members of the General Council of the Judiciary.
The reform of the Organic Law of the Judiciary 1/85 of 18 January 1985 related to the incompatibilities concerning staff working for the Constitutional Court, the General Council of the Judiciary and the components of the judicial power, as well as staff working for the judicial administration, the Court of Audit and the Council of State is still under preparation.

Reforms regarding legal professionals:
Regarding legal professionals, Notaries and Property Registers could be granted additional functions by means of the draft Law on Voluntary Jurisdiction, which has not yet been approved by the Parliament.
The profession of Lawyers and Bars of lawyers will be affected by the reform of the Act on Legal Aid, which is under preparation.
Reforms regarding civil, criminal, administrative laws, international conventions and cooperation activities:
In civil matters, draft reforms on the law on childhood protection, the law on parental co-responsibility, the Civil Status Register, the law on Voluntary Jurisdiction, and the Civil Procedure Code are under preparation.
In criminal matters, a reform of the Criminal Code, which is under preparation with the aim of implementing EU Directive 2011/36 is foreseen. In parallel to the reform of the Criminal Procedure Code, the draft Bill on Victims' Status (*Estatuto de la Víctima*), which will implement the EU Directive 2011/36 and EU Directive 2011/93 is under preparation .
In administrative matters, a possible draft project on the efficiency of the contentious administrative jurisdiction is under study.
In judicial cooperation, a new law on judicial cooperation is prepared.

Reforms regarding enforcement of court decisions:
Regarding enforcement matters, the reform of the Law on the Civil Procedure Code which is currently under preparation could grant new tasks to *procuradores* for the enforcement of judicial decisions.

Reforms regarding mediation:
The Royal decree 980/2013 adopted on December 13, has modified certain aspects of the Law 5/2012 of 6 July 2012 with regard to mediation procedure in civil and commercial matters. It completes the reform on mediation through the adoption of implementing provisions on training, registers and electronic mediation.

Spain - Data tables for each indicator (2010/2012)

Spain	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	45 989 016	46 006 414
2#1#1 Total of annual State pb expenditure State level	477 773 000 000	480 111 000 000
3 GDP Per capita GDP (in €)	23 100	22 300
4 Average gross annual salary in €	30 819	22 899
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	4 202 016 219	1 241 560 960
12#1#1 Total annual appr pb budget allocated to LA	35 477 067	36 890 711
13#1#1 An appr pb bd alloc_pb prosecution system	NA	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	4 202 016 219	1 241 560 960
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	1 329 868 250	1 006 059 080
6#2#3 Amount_Annnual appr bd of the courts_Computer	158 163 660	45 277 000
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses		0
6#2#5 Amount_An appr bd_courts alloc_Court buildings		45 058 050
6#2#6 Amount_An appr bd_courts alloc invest_ new build		18 275 620
6#2#7 Amount_Annnual appr budget_courts alloc_Training		2 743 370
6#2#8 Amount_Annual approved budget_courts alloc_Other		124 147 840
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	4 632 278 011	4 111 000 000
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	No	No
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	Yes	Yes
Constitu-tionnal court		No
Judicial manage-ment body		Yes
State advocacy		Yes
Enforcement services		No

Notariat		No
Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	No	Yes
Budgetary elements include or not_Func_Min_Just	Yes	Yes
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	No	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	45 989 016	46 006 414
Amount_An approved budget alloc whole justice	4 632 278 011	4 111 000 000
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	No	No
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	No
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	Yes	Yes
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	No
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	Yes	Yes
14#3#1 Allocation_Court budget_Ministry of Justice	Yes	Yes
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	No
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	Yes	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	No	No
14#4#2 Evaluation_Court budget_Other ministry	No	No
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	No
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	No	No
14#4#8 Evaluation_Court budget_Other	Yes	Yes

Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board (2010)	No	No
61#1#2 Preparation of the budget: Court President (2010)	No	No
61#1#3 Preparation of bd: Court Admin Director (2010)	No	No
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	Yes	Yes
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	No	No
61#2#3 Arbitration/allocation: Court Admin Director (2010)	No	No
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	Yes	Yes
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	No	No
61#3#3 Day to day management of bd: Court Admin (2010)	No	No
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	Yes	Yes
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	No	No
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	No	No
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	Yes	Yes

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	2 243	2 349
42#1#2 Specialised first instance courts	1 433	1 458
42#1#3 All the courts (geographic locations)	749	763

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	1 433	1 458
43#1#2 Nr of commercial courts	65	65
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	342	345
43#1#4 Nr of family courts	103	103
43#1#5 Nr of rent and tenacies courts	NAP	NAP
43#1#6 Nr of enforc_crim_sanctions courts	17	17
Fight against terrorism, organised crime and corruption	0	NA

Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	241	241
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	665	687

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	1 450	1 745
45#1#2 Nr_1st instance courts competent_dismissal	342	345
45#1#3 Nr_1st instance courts competent_robbery	1 561	1 546

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	Yes
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	3 333 617	NA
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	1 362 790	1 299 099
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	77 824	59 995
91#1#4 Pending cases_1 Jan _Enforcement cases	1 570 042	NA
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	322 961	335 512
91#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
91#2#1 Incoming cases_Total_non crim cases	3 374 149	NA
91#2#2 Incoming cases_Civil&com litig cases	1 940 277	1 761 051
91#2#3 Incoming cases_Civil&com nonlit cases	183 448	183 225
91#2#4 Incoming cases_Enforcement cases	827 837	NA
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	422 587	196 995
91#2#8 Incoming cases_Other cases	NAP	NAP
91#3#1 Resolved cases_Total_non crim cases	2 976 712	NA
91#3#2 Resolved cases_Civil&com litig cases	1 816 559	1 754 816
91#3#3 Resolved cases_Civil&com nonlit cases	186 976	184 107
91#3#4 Resolved cases_Enforcement cases	540 783	NA
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	432 394	243 718
91#3#8 Resolved cases_Other cases	NAP	NAP
91#4#1 Pending cases_31 Dec _Total_non crim cases	3 860 756	NA

91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 438 719	1 270 383
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	68 019	57 993
91#4#4 Pending cases_31 Dec _Enforcement cases	1 840 782	NA
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	513 236	285 005
91#4#8 Pending cases_31 Dec _Other cases	NAP	NAP
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	88%	
CR Civil&com litig cases	94%	100%
CR Civil&com nonlit cases	102%	100%
CR Enforcement cases	65%	
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	102%	124%
CR Other cases		
DT Total non DTim cases	473	
DT Civil&com litig cases	289	264
DT Civil&com nonlit cases	133	115
DT Enforcement cases	1 242	
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	433	427
DT Other cases		
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		
CR Civil&com litig cases		6%
CR Civil&com nonlit cases		-1%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		21%
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases		-9%
DT Civil&com nonlit cases		-13%
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-1%
DT Other cases		
Table 3.4 Number of cases received and processed		

by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	35 539	37 586
101#1#2 Pending cases_1 Jan _Employment dismissal	32 206	38 417
Pending Insolvency cases		20 306
101#1#3 Pending cases_1 Jan _Robbery cases	NA	NA
101#1#4 Pending cases_1 Jan _Intentional homicide	NA	NA
101#2#1 Incoming cases_Litigious divorce cs	48 622	49 330
101#2#2 Incoming cases_Employment dismissal	111 942	147 404
Incoming Insolvency cases		10 290
101#2#3 Incoming cases_Robbery cases	80 882	NA
101#2#4 Incoming cases_Intentional homicide	96	NA
101#3#1 Resolved cases_Litigious divorce cs	45 019	47 572
101#3#2 Resolved cases_Employment dismissal	105 293	108 570
Resolved Insolvency cases		4 763
101#3#3 Resolved cases_Robbery cases	NA	NA
101#3#4 Resolved cases_Intentional homicide	NA	NA
101#4#1 Pending cases_31 Dec _Litigious divorce cs	37 247	37 472
101#4#2 Pending cases_31 Dec _Employment dismissal	29 197	64 705
Pending Insolvency cases		25 647
101#4#3 Pending cases_31 Dec _Robbery cases	NA	NA
101#4#4 Pending cases_31 Dec _Intentional homicide	NA	NA
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		46%
DT - Insolvency cases		1 965
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	NA	NA
97#1#2 Pending cases_1 Jan _Civil&com litig cases	74 875	83 971
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NA	NA
97#1#4 Pending cases_1 Jan _Enforcement cases	7 429	NA
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	42 429	32 556
97#1#8 Pending cases_1 Jan _Other cases	NAP	NAP
97#2#1 Incoming cases_Total_non crim cases	NA	NA
97#2#2 Incoming cases_Civil&com litig cases	144 554	158 065
97#2#3 Incoming cases_Civil&com nonlit cases	NA	NA
97#2#4 Incoming cases_Enforcement cases	4 983	NA
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	31 955	26 263
97#2#8 Incoming cases_Other cases	NAP	NAP
97#3#1 Resolved cases_Total_non crim cases	NA	NA

97#3#2 Resolved cases_Civil&com litig cases	144 861	153 656
97#3#3 Resolved cases_Civil&com nonlit cases	NA	NA
97#3#4 Resolved cases_Enforcement cases	5 271	NA
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	37 870	29 288
97#3#8 Resolved cases_Other cases	NAP	NAP
97#4#1 Pending cases on 31 Dec _Total_non crim cs	NA	NA
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	75 207	88 791
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NA	NA
97#4#4 Pending cases on 31 Dec _Enforcement cases	7 321	NA
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	35 847	28 653
97#4#8 Pending cases on 31 Dec _Other cases	NAP	NAP
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases		
CR Civil&com litig cases	100%	97%
CR Civil&com nonlit cases		
CR Enforcement cases	106%	
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	119%	112%
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases	189	211
DT Civil&com nonlit cases		
DT Enforcement cases	507	
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	346	357
DT Other cases		
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	NA	NA
99#1#2 Pending cases_1 Jan _Civil litigious cs	9 062	7 566
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NA	NA
99#1#4 Pending cases_1 Jan _Enforcement cs	8	NA
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	13 260	12 322
99#1#8 Pending cases_1 Jan _Other cs	NAP	NAP
99#2#1 Incoming cases_Total _non crim law cs	NA	NA
99#2#2 Incoming cases_Civil litigious cs	9 048	8 069

99#2#3 Incoming cases_Civil non_litigious cs	NA	NA
99#2#4 Incoming cases_Enforcement cs	7	NA
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	8 924	5 909
99#2#8 Incoming cases_Other cs	NAP	NAP
99#3#1 Resolved cases_Total _non crim law cs	NA	NA
99#3#2 Resolved cases_Civil litigious cs	10 362	8 333
99#3#3 Resolved cases_Civil non_litigious cs	NA	NA
99#3#4 Resolved cases_Enforcement cs	6	NA
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	9 079	9 910
99#3#8 Resolved cases_Other cs	NAP	NAP
99#4#1 Pending cases_31 Dec _Total _non crim law cs	NA	NA
99#4#2 Pending cases_31 Dec _Civil litigious cs	7 748	7 302
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NA	NA
99#4#4 Pending cases_31 Dec _Enforcement cs	7	NA
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	14 070	8 084
99#4#8 Pending cases_31 Dec _Other cs	NAP	NAP
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases		
CR Civil&com litig cases	115%	103%
CR Civil&com nonlit cases		
CR Enforcement cases	86%	
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	102%	168%
CR Other cases		
DT Total non DTim cases		
DT Civil&com litig cases	273	320
DT Civil&com nonlit cases		
DT Enforcement cases	426	
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	566	298
DT Other cases		
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NA	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA

% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NA	NA
102#1#4 %_decisions subj to appeal_Intent homicide	NA	NA
102#2#1 % pending cases>3 years_Lit divorce cs	NA	NA
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA
102#2#3 % pending cases>3 years_Robbery cases	NA	NA
102#2#4 % pending cases>3 years_Intent homicide	NA	NA
102#3#1 1st inst average length_Lit divorce cs	279	283
102#3#2 1st inst average length_Empl dismissal	105	143
1st inst average length Insolvency		1 044
102#3#3 1st inst average length_Robbery cases	826	654
102#3#4 1st inst average length_Intent homicide	1 006	1 069
102#4#1 2nd inst average length_Lit divorce cs	329	301
102#4#2 2nd inst average length_Empl dismissal	236	256
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NAP	191
102#4#4 2nd inst average length_Intent homicide	NAP	217
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		411
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NA
3rd inst average length_Intent homicide		292
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NA
Average total length_Intent homicide		NA

Table 3.11. Caseload in the EU		
1 Number of inhabitants	45 989 016	46 006 414
91#2#1 Incoming cases_Total_non crim cases	3 374 149	NA
91#2#2 Incoming cases_Civil&com litig cases	1 940 277	1 761 051
91#2#3 Incoming cases_Civil&com nonlit cases	183 448	183 225
91#2#4 Incoming cases_Enforcement cases	827 837	NA
91#2#7 Incoming cases_Admin law cases	422 587	196 995
91#4#1 Pending cases_31 Dec _Total_non crim cases	3 860 756	NA
91#4#2 Pending cases_31 Dec _Civil&com litig cases	1 438 719	1 270 383
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	68 019	57 993
91#4#4 Pending cases_31 Dec _Enforcement cases	1 840 782	NA
91#4#7 Pending cases_31 Dec _Admin law cases	513 236	285 005

Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes

87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	Yes	Yes
88#1#4 Simplified proc_There is no simplified procedure	No	No
[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	No	No
	Yes	
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	No	No
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	Yes	Yes
186#1#4 Notification_dec_parties_same city as Ct_more	No	No
Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)		
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?		Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	Yes	Yes
77#1#2 Ministry of Justice	No	No
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	Yes	Yes
Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	Yes	Yes
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes

68#1#3 Number of postponed cases	Yes	Yes
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes
Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)		
69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	Yes	Yes
79 Specialised ct staff entrusted_quality standarts	Yes	Yes
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	Yes	Yes
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	Yes	Yes
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	Yes	Yes
82 Syst_eval_cts' func based_eval plan agreed before	Yes	Yes
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	Yes	Yes
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	No	No
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	Yes	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	No	No
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	Yes	Yes
President of the courts		No
75#1#4 Other 2010	No	No

Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes

Table 4.6. Surveys conduct among users or legal professionals		
38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	No	No
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	No	No
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	No	No
38#1#7 Measure trust with_Surveys aimed at victims	No	No

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)		
1 Number of inhabitants	45 989 016	46 006 414
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	35 477 067	36 890 711
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)		
16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)		
17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)		
1 Number of inhabitants	45 989 016	46 006 414
12#1#1 Total annual appr pb budget allocated to LA	35 477 067	36 890 711
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)		
[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		NA
Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)		
6#2#1 Amount of Total annual appr budget of the courts	4 202 016 219	1 241 560 960
9 Annual income of court taxes received by the State	173 486 000	171 689 715
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	No	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	Yes	Yes
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	No	No
Indicator 6: The ICT tools of courts and for court users		
Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	100% of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	-10% of courts	+50% of courts
64.1.1 Electronic Web forms	100% of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	-10% of courts
64.1.4 Electronic registers	100% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	0 % of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	-10% of courts

64.1.7 Electronic submission of claims	-10% of courts	-10% of courts
64.1.8 Videoconferencing	-50% of courts	+50% of courts
64.1.9 Other electronic communication facilities	+50% of courts	+50% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	Yes	Yes
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	No	No
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Compulsory
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Compulsory	Compulsory
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Compulsory	Compulsory
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	No	NA
131#1#2 One instit for prosecutors_Initial training	No	NA
131#1#3 One instit for judges&prosecutors_Initial tr	No	No
131#2#1 One instit for judges_Continuous training	No	NA
131#2#2 One instit for prosecutors_Continuous training	No	NA
131#2#3 One instit for judges&proc_Continuous training	No	No
131#3#1 One instit for judges_Init&Cont trainings	Yes	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	Yes	Yes
131#3#3 One instfor judges&proc _Init&Cont trainings	No	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		Yes
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	47 494	47 494

132#1#2 Gross An sal: Judge_Supr Ct	111 932	107 565
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	47 494	47 494
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	111 932	107 565
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		33 721
132#2#2 Net An sal: Judge_Supr Ct		66 690
132#2#3 Net An sal: Pb prosecutor_beg_carrier		33 721
132#2#4 Net An sal: Pb prosecutor_Supr Ct		66 690
4 Average gross annual salary in €	30 819	22 899
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No
133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	X, 70
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?		
122#1#2 Duration of the probation period	2	2 years
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	47	46
144#1#2 Discipl proc against judges_Breach_pro ethics	10	1
144#1#3 Discipl proc against judges_Prof inadequancy	33	43
144#1#4 Discipl proc against judges_Criminal offence	4	0
144#1#5 Discipl proc against judges_Other	0	2
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	No	No
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	Yes	Yes
140#1#4 Auth_discipl proc against judges_High Jud Council	Yes	Yes
140#1#5 Auth_discipl proc against judges_Discipl Ct	Yes	Yes
140#1#6 Auth_discipl proc against judges_Ombudsman	No	No
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	No	No

Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	Yes	Yes
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	41	57
145#1#2 Sanctions against judges_Reprimand	11	6
145#1#3 Sanctions against judges_Suspension	12	5
145#1#4 Sanctions against judges_Removal of cases	0	0
145#1#5 Sanctions against judges_Fine	17	16
145#1#6 Sanctions against judges_Temp reduction_sal	0	0
145#1#7 Sanctions against judges_Position downgrade	0	0
145#1#8 Sanctions against judges_Transfer_another geo loc	0	1
145#1#9 Sanctions against judges_Dismissal	1	0
145#1#10 Sanctions against judges_Other	0	29
Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	Yes
85C Number of successful challenges (in a year)		NA
Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	NA	NA
47#1#2 Number of 1st instance presidents	NA	NAP
47#1#3 Number of 2nd instance presidents	121	103
47#1#4 Number of supreme court presidents	6	5
47#2#1 Total Nr of court presidents_males	NA	NA
47#2#2 Number of 1st instance presidents_males	NA	NAP
47#2#3 Number of 2nd instance presidents_males	106	88
47#2#4 Number of supreme court presidents_males	6	5
47#3#1 Total Nr of court presidents_females	NA	NA
47#3#2 Number of 1st instance presidents_females	NA	NAP
47#3#3 Number of 2nd instance presidents_females	15	15
47#3#4 Number of supreme court presidents_females	NA	0
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If		

the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)		
48#1#1 Professional judges	Yes	NA
48#2#1 Nr_professional judges_gross figure	€ 1 357,0	
48#1#2 Professional judges	NA	NA
48#2#2 Nr_professional judges_full-time equivalent		
49#1#1 Non-professional judges	Yes	No
49#2#1 Number of non-professional judges_Gross figure	€ 7 682,0	€ 7 685,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	No	No

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes

[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		Yes
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	Yes	Yes
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	Yes	Yes
164#2#1 Private mediator_Civil and commercial cases	No	Yes
164#2#2 Private mediator_Family law cases	No	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	No	No
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	Yes	Yes
164#3#2 Public authority_Family law cases	Yes	Yes
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No
164#3#5 Public authority_Criminal cases	No	No
164#4#1 Judge_Civil and commercial cases	No	No
164#4#2 Judge_Family law cases	No	No
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	No	No
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	45 989 016	46 006 414
166#1#2 Number of accredited mediators		NA
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr	2 242	3 608
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		1 166

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)

Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)			
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)			
1 Number of inhabitants	45 989 016	46 006 414	
46#1#1 Total Nr of professional judges	4 689	5 155	
52#2#1 Nr_non-judge staff who are working in courts			
146 Total number of practicing lawyers	125 208	131 337	
170 Number of enforcement agents		4 456	3 559
52.2.2 Number Non-judge staff (Rechtspfleger)	4 456	3559(2323)559,among wich2323arewomen	
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)			
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)			
146 Total number of practicing lawyers	125 208	131 337	
148 Number of legal advisors	44 456	58 260	
147 Does "Nr of lawyers" include “legal advisors”?	No	No	
46#1#1 Total Nr of professional judges	4 689	5 155	
1 Number of inhabitants	45 989 016	46 006 414	
Table 9.5. Monopoly of legal representation (Q 149)			
149#1#1 Lawyers_monopoly of repr in_Civil cs	Yes	No	
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	Yes	No	
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	Yes	No	
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No	
149#1#5 Lawyers_monopoly of repr in_No monopoly	No	Yes	
Table 9.6. Lawyers’ fees (Q 154, 155, 156)			
154 Can users establish what lawyers' fees will be?	No	No	
155 Lawyers' fees are_freely negotiated	Yes	Yes	
156#1#1 Providing rules_lawyers' fees_Laws	No	No	
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	No	No	
156#1#3 Providing rules_lawyers' fees_Nobody	Yes	Yes	
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)			
170 Number of enforcement agents	4 456	3 559	
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)			
178#1#1 Auth resp_supervision_EA_Professional body	No	No	
178#1#2 Auth resp_supervision_EA_Judge	No	No	
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes	
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No	

178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	7	13
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	10
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	7	3
187#2#4 Nr_Discipl proc against EA_Criminal offence	0	
187#2#5 Nr_Discipl proc against EA_Other	0	
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	3	10
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	0	2
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	3	7
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	0	
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	
188#2#6 Nr_Sanctions pronounced against EA_Other	0	1
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	Yes	Yes
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	No	No
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	Yes	Yes
180#1#4 Qty standarts established by_Other 2010	No	No
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	No
183#1#4 Users' complaints enf proc_Excessive length 2010	Yes	Yes
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No

183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	No	Yes
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts		
52#2#2 Number Non-judge staff (Rechtspfleger)	4 456	3559(2323)559,among wich2323arewomen
52#2#3 Nr_Non-judge staff assisting the judges		
52#2#4 Number_Staff in charge of administrative tasks		
52#2#5 Number of Technical staff		
52#2#6 Number of Other non-judge staff		
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Sweden (2012 data)

NB: EU Average/EU median are calculated taken into account:

- 26 Members States: salaries(2), legal aid (3) and court fees(3)
- 27 Member States : enforcement (1) ; budget (2), human resources (2) and lawyers(3)

States	Population	Total annual State public expenditure including regional and federal entity levels (in Euros)	GDP Per capita (in Euros)	Average gross annual salary (in Euros)
Sweden	9 555 893	209 462 351 800	43 867	41 733

1. Presentation of the functioning of the judicial system

There are three kinds of courts in Sweden: the general courts, which comprise district courts, courts of appeal and the Supreme Court; the general administrative courts, that is to say, administrative courts, administrative courts of appeal and the Supreme Administrative Court; and also the special courts, which determine disputes within special areas, for example, the Labour Court and the Market Court. According to 2012 data, in Sweden, there are 60 first instance courts of general jurisdiction (48 district courts and 12 general administrative courts) and 12 first instance specialised courts including 1 labour court, 8 rent and tenancies courts and 3 other specialised courts. For the second instance, there are the general courts of appeal comprised out of 6 courts of appeal and 4 administrative courts of appeal. The Supreme Court and the Supreme Administration Court are the highest instance courts.
There are 48 first instance court competent for a debt collection for small claims (the base amount is 44 000 SEK, so if the value does not exceed 22 000 SEK it is a small claim).and 48 first instance courts competent for a dismissal.
The number of enforcement agents in Sweden is 2127, which is 1% more than in 2010. It represents 22 enforcement agents per 100 000 inhabitants (more than the EU median of 5 enforcement agents per 100 000 inhabitants).
Concerning the enforcement fees, they are easily accessed and transparent for the court users and they are not freely negotiated.
For example, as regards a decision on debt collection, the estimated average timeframe to notify the decision to the parties who live in the city where the courts sits, is between 1-5 days.

2. Resources of justice and courts framework

- **Budget allocated to the functioning of the courts**

Total annual approved public budget allocated to all courts: 1 018 131 920 euros

This figure includes the public prosecution services and the budget per legal aid.

Total annual approved public budget allocated to all courts (including prosecution and legal aid) per capita : 106,54 euros

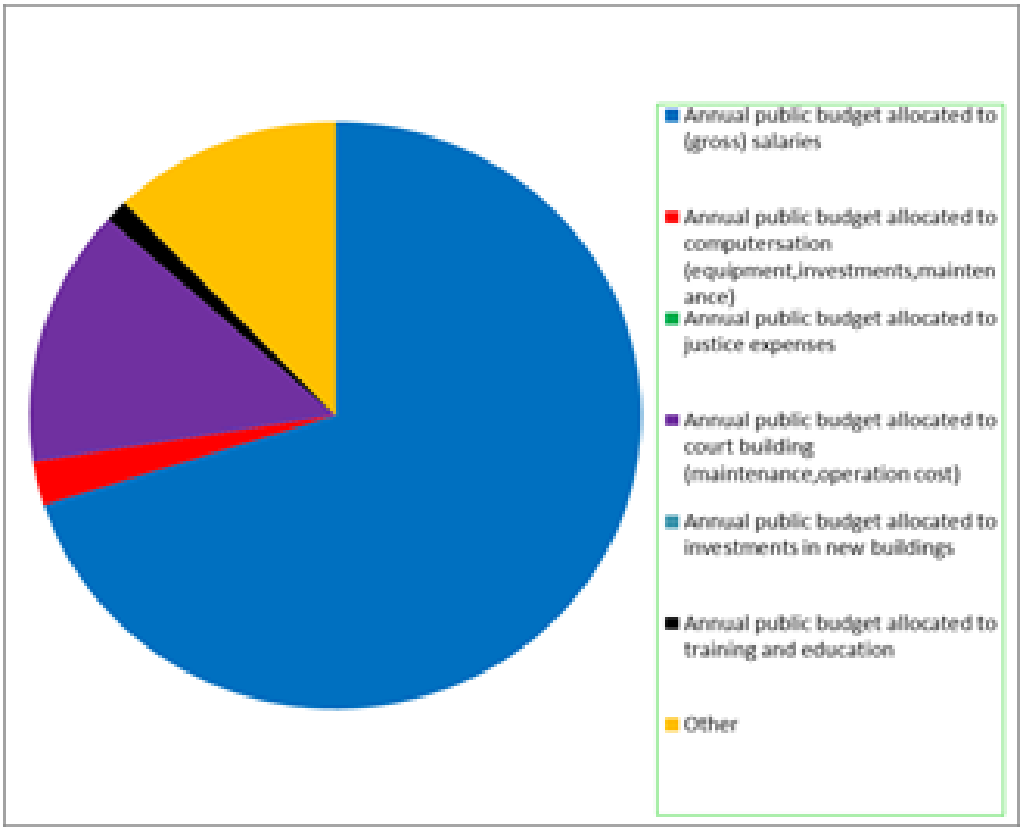
This ratio is higher than the EU average (62,22) and higher than the EU median (47,43). Sweden belongs to the group of European States with the highest degree of investments intended to the judicial system.

The three most important categories as concerns the break down by component of the court budget are:

- Annual budget allocated to (gross) salaries

- Annual public budget allocated to court building (maintenance, operation cost)

- Other



- **Budget allocated to the whole justice system : 4519656078**

This budget includes the following budgetary elements: court, legal aid, public prosecution, prison system, probation services, judicial management body, forensic services, judicial protection of juveniles, other. Between 2010 and 2012, the justice system cost per capita has increased by 10 %.

- **Human resources**

    - Judges

According to 2012 data, the number of professional judges sitting in courts in Austria is 1123, which is 4 % more than in 2010. This represent 12 judges per 100 000 inhabitants (less than the EU average of 21 judges per inhabitant). The Clearance Rate and the Disposition Time characterising this State on each of the three

jurisdictional levels are sound indicators of the successful functioning of courts implying satisfactory adequacy between human resources and concrete needs.

Judges are appointed by the Government under an applications procedure, essentially on the basis of ability and suitability for the profession. In making its choices the Government is assisted by the Judicial Council formulating recommendations.

Judges are usually trained specifically for the profession. Thus, persons trained as judges make up the main base for recruitment of professional judges. Such training is however not an absolute condition. Anyone with a legal qualification, such as a prosecutor or a lawyer, may apply for a post as a judge.
A person accepted for training as a judge is employed as a reporting clerk at a court of appeal, general or administrative, on six months' probation. If his or her performance over the probationary period is approved, the trainee is employed as a reporting clerk at the court of appeal on conditional tenure. After at least one year in that capacity, the trainee serves as an assistant judge at a district court or county administrative court for another two years.
In the final stage of training, the assistant judge returns to the general or administrative court of appeal to serve as a judge for at least a year. Once that period of service has been successfully completed, he or she is designated as an associated judge of the ordinary or administrative court of appeal, and the traineeship ends. Associate judges who wish to be appointed as regular judges normally work outside the judiciary for a number of years after completing their training, in order to acquire varied experience and to improve their ability to compete for a post as a regular judge.

The gross annual salary of a first instance professional judge is 54471 euros (1,3 x the national average gross annual salary), which is higher than the EU average (45 578 euros). The gross annual salary of a judge of the Supreme Court or the Highest Appellate Court is 94 500 euros (2,3 x the national average gross annual salary), which is higher than the EU average (88 218 euros).
Judges are appointed to office until the compulsory retirement age of 67.

- Non-judge staff

In Sweden there are :

- 3 500 non-judge staff whose task is to assist the judges such as registrars,
- 1 054 staff in charge of different administrative tasks and of the management of the courts,
- 119 technical staff,
- 500 other staff including in this category.

3. Efficiency and quality of the judicial system

- **Access to justice**

  - **Legal aid**

Total approved public budget to legal aid: 236 399 146 euros (24,74 euros per capita)

Legal aid is granted for criminal cases and in other than criminal cases for representation in court and legal advice.

  - **Court fees**

The annual income of court fees or taxes received by State is 5 134 908 euros and the share of court fees or taxes in the annual budget allocated to all courts is 1% (lower than the EU average of 21% and than the EU median 16%).

Litigants are in general required to pay a court tax or fee for other than criminal cases.

  - **Lawyers**

In Sweden, there were 5 246 lawyers in 2012 (this category does not include the legal advisors), which is 5 % more than in 2010.

This data represents 55 lawyers (without legal advisers) per 100 000 inhabitants (less than the EU median of 106 lawyers per 100 000 inhabitants) and 4,7 lawyers per professional judges.

Lawyers **have no** monopoly on legal representation in civil, administrative and criminal cases.

Concerning the lawyers' fees, an easy access to prior information is not organised. Laws do not provide rules on lawyers' fees; Rules on lawyer's fees are provided by Bar associations' standards but there are freely negotiated.

- **Performances of courts**
    - Clearance Rate (CR) and Disposition Time (DT) (total non criminal cases)

The analysis of the clearance rate at the three levels of jurisdictions shows that the Swedish system is efficient. For the first and second instances, it even reduces the case-load. Concerning the disposition time, the second instance is the most efficient, with a DT of 98 days.

    - Insolvency

Data concerning the clearance rate and disposition time for insolvency cases in first instance in Sweden is not available.

    - The Swedish legislation provides for specific procedures for criminal, administrative and civil cases and sets forth simplified procedures for civil and criminal cases (small claims) as well as oral judgments with a written order without a full reasoned judgment by a judge.

- Systems for measuring and evaluating the performances of courts

In Sweden, individual courts are not required to prepare an annual activity report. Such informations could be found only in an intranet website.

A regular monitoring system of court activities concerning the number of incoming cases, the number of decisions, the length of proceedings and other elements exist within the courts.

A system to evaluate regularly the activity of each court (in terms of performance and output) exists. In this respect, Sweden has defined performance and quality indicators among which the 4 main are: length of proceedings; closed cases; pending cases and backlogs; productivity of judges and court staff.

The Swedish system organizes the monitoring of backlogs and cases that are not processed within a reasonable timeframe for civil, criminal and administrative law cases.

Quantitative performances targets are not defined for each judge. Such quantitative performance targets are set up at the level of the court.
No quality standards are determined for the whole judicial system in Sweden.

- **Alternative dispute resolutions**

In Sweden, the possibility to resort to judicial mediation exists for: civil and commercial cases, family law cases, employment dismissals, and criminal cases.

Sweden also knows other than judicial mediation, as well, arbitration and conciliation.

- **The ICT tools of courts and for court users**

Sweden has developed a very complete ICT system: for direct assistance of the judges/court clerk (word processing, electronic data base of case law, electronic files, e-mail), for administration and management (case registration system, court management information system, financial information system, videoconferencing), for electronic communication and exchange of information between the courts and their

environment, the computer facilities used within/by the courts are 100 % (except the follow-up of cases online).

Videoconferencing is used in all type of cases (criminal and other than criminal cases).

4. National data collection system

The Swedish National Courts Administration is the centralized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary. This institution publish statistics on the functioning of each court on the internet.

The statistics collection system implemented in Sweden can generally provide data on the number of cases at all levels of jurisdiction. However, the system does not seem able to provide data on the number and duration of certain specific types of cases (employment dismissal cases and insolvency in particular).

5. Reforms

Comprehensive reform plans: A large ongoing project is the reorganization of the Swedish police force. The existing local police authorities and the National Police will be merged into a nationwide authority in order to achieve higher quality, less cost, increased flexibility and improved results in police actions. Another large ongoing project is the information management project between law enforcement authorities. It entails, amongst others the Police, the Prosecution authority, the Courts of Sweden and the Swedish Prisons and Probation Service and the Swedish Tax Agency.

Reforms regarding courts and public prosecution services:
From the 1st of July 2013 the jurisdiction of the Economic Crime Authority is nationwide. The expansion was considered by the Swedish government in 2012 and carried out during 2012/2013. Before the changes entered into force, the Economic Crime Authority's mandate covered the three urban cities Stockholm, Gothenburg and Malmö while the Swedish Prosecution Authority covered the rest of the country.
On 1 October 2013 a new migration court was established in order to shorten the processing time of migration cases.
In a reform that entered into force on 1 July 2013 changes were made in the procedural provisions regarding administrative courts. The aim was to contribute to a more modern and appropriate administrative judicial procedure.

Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities:
In October 2013 implementation of the directive of the European Parliament and of the Council on the right to interpretation and translation in criminal proceedings led to amendments in the Swedish code of judicial procedure and another act.
On 1 July 2012 a reformed and modernized legislation on the taking of bribes entered into force.

Sweden - Data tables for each indicator (2010/2012)

Sweden	2010	2012
Table General Data: Economic and demographic data, in absolute values (Q1 to Q4)		
1 Number of inhabitants	9 415 570	9 555 893
2#1#1 Total of annual State pb expenditure State level	189 211 000 000	209 462 351 800
3 GDP Per capita GDP (in €)	39 408	43 867
4 Average gross annual salary in €	38 078	41 733
Indicator 1: The budget and resources of courts and the justice system		
Table 1.1 Public budget allocated to courts, legal aid and public prosecution, in € (Q6, Q12, Q13)		
6#2#1 Amount of Total annual appr budget of the courts	557 260 358	637 246 965
12#1#1 Total annual appr pb budget allocated to LA	195 683 782	236 399 146
13#1#1 An appr pb bd alloc_pb prosecution system	Yes	yes
Table 1.2. Break-down by component of the court budget (Q6)		
6#2#1 Amount of Total annual appr budget of the courts	557 260 358	637 246 965
6#2#2 Amount_Annnual appr bd of the courts_Gross sal	394 206 713	446 449 529
6#2#3 Amount_Annnual appr bd of the courts_Computer	13 108 158	15 379 625
6#2#4 Amount_Annual appr bd_courts alloc_Just expenses		
6#2#5 Amount_An appr bd_courts alloc_Court buildings	78 077 930	90 513 800
6#2#6 Amount_An appr bd_courts alloc invest_ new build		
6#2#7 Amount_Annnual appr budget_courts alloc_Training	6 873 752	7 706 415
6#2#8 Amount_Annual approved budget_courts alloc_Other	70 688 129	77 197 596
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements, in € (Q 15.1, 15.2)		
Annual appr bd alloc whole justice system	Yes	Yes
Amount_An approved budget alloc whole justice	4 064 159 050	4 519 656 078
Budgetary elements include or not_Court system	Yes	Yes
Budgetary elements include or not_Legal aid	Yes	Yes
Budgetary elements include or not_Pb prosec services	Yes	Yes
Budgetary elements include or not_Prison system	Yes	Yes
Budgetary elements include or not_Probation serv	Yes	Yes
Budgetary elements include or not_Council_judiciary	NAP	NAP
Constitu-tionnal court		NAP
Judicial manage-ment body		Yes
State advocacy		NAP
Enforcement services		No
Notariat		NAP

Forensic services		Yes
Budgetary elements include or not_Jud_prot_juven	Yes	Yes
Budgetary elements include or not_Func_Min_Just	No	No
Budgetary elements include or not_Refugees services	No	No
Budgetary elements include or not_Other	Yes	Yes
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15)		
Number of inhabitants	9 415 570	9 555 893
Amount_An approved budget alloc whole justice	4 064 159 050	4 519 656 078
Table 1.5. Authorities formally responsible for the budgets allocated to the courts (Q14)		
14#1#1 Preparation_Court budget_Ministry of Justice	Yes	Yes
14#1#2 Preparation_Court budget_Other ministry	Yes	Yes
14#1#3 Preparation_Court budget_Parliament	No	No
14#1#4 Preparation_Court budget_Supreme Court	No	No
14#1#5 Preparation_Court budget_Judicial Council	No	NAP
14#1#6 Preparation_Court budget_Courts	No	No
14#1#7 Preparation_Court budget_Inspection body	No	No
14#1#8 Preparation_Court budget_Other	No	No
14#2#1 Adoption_Court budget_Ministry of Justice	No	No
14#2#2 Adoption_Court budget_Other ministry	No	No
14#2#3 Adoption_Court budget_Parliament	Yes	Yes
14#2#4 Adoption_Court budget_Supreme Court	No	No
14#2#5 Adoption_Court budget_Judicial Council	No	NAP
14#2#6 Adoption_Court budget_Courts	No	No
14#2#7 Adoption_Court budget_Inspection body	No	No
14#2#8 Adoption_Court budget_Other	No	No
14#3#1 Allocation_Court budget_Ministry of Justice	No	No
14#3#2 Allocation_Court budget_Other ministry	No	No
14#3#3 Allocation_Court budget_Parliament	No	No
14#3#4 Allocation_Court budget_Supreme Court	No	No
14#3#5 Allocation_Court budget_Judicial Council	No	NAP
14#3#6 Allocation_Court budget_Courts Courts	No	No
14#3#7 Allocation_Court budget_Inspection body	No	No
14#3#8 Allocation_Court budget_Other	Yes	Yes
14#4#1 Evaluation_Court budget_Ministry of Justice	Yes	Yes
14#4#2 Evaluation_Court budget_Other ministry	Yes	Yes
14#4#3 Evaluation_Court budget_Parliament	Yes	Yes
14#4#4 Evaluation_Court budget_Supreme Court	No	No
14#4#5 Evaluation_Court budget_Judicial Council	No	NAP
14#4#6 Evaluation_Court budget_Courts Courts	No	No
14#4#7 Evaluation_Court budget_Inspection body	Yes	Yes
14#4#8 Evaluation_Court budget_Other	Yes	Yes
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in (Q61)		
61#1#1 Preparation of the budget: Management Board	No	No

(2010)		
61#1#2 Preparation of the budget: Court President (2010)	Yes	Yes
61#1#3 Preparation of bd: Court Admin Director (2010)	Yes	Yes
61#1#4 Preparation of bd: Head of_court clerk off (2010)	No	No
61#1#5 Preparation of the budget: Other (2010)	No	No
61#2#1 Arbitration/allocation: Management Board (2010)	No	No
61#2#2 Arbitration/allocation: Court President (2010)	Yes	Yes
61#2#3 Arbitration/allocation: Court Admin Director (2010)	Yes	Yes
61#2#4 Arbitration/allocation: Head_court clerk off (2010)	No	No
61#2#5 Arbitration and allocation: Other (2010)	No	No
61#3#1 Day to day management of bd: Man-t Board (2010)	No	No
61#3#2 Day to day management of bd: Court Pres (2010)	Yes	Yes
61#3#3 Day to day management of bd: Court Admin (2010)	Yes	Yes
61#3#4 Day to day management of bd: Head_CCO (2010)	No	No
61#3#5 Day to day management of bd: Other (2010)	No	No
61#4#1 Evaluation & control_use of bd: Man-t (2010)	No	No
61#4#2 Evaluation & control_use of bd: Court Pres (2010)	Yes	Yes
61#4#3 Evaluation & control_use of bd: Court Adm (2010)	Yes	Yes
61#4#4 Evaluation & control_use of bd: Head_CCO (2010)	No	No
61#4#5 Evaluation & control_use of bd: Other (2010)	No	No

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations(Q42)		
42#1#1 First instance courts of general juridiction	60	60
42#1#2 Specialised first instance courts	12	12
42#1#3 All the courts (geographic locations)	95	95

Table 2.2. Number of (legal entities) first instance specialized courts (Q43)		
43#1#1 Total Nr of first instance specialised courts	12	12
43#1#2 Nr of commercial courts	NA	NAP
Insolvency courts	0	NAP
43#1#3 Nr of labour courts	1	1
43#1#4 Nr of family courts	NAP	NAP
43#1#5 Nr of rent and tenacies courts	8	8
43#1#6 Nr of enforc_crim_sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	0	NAP
Internet related disputes	0	NAP
43#1#7 Nr of administrative courts	NAP	NAP
43#1#8 Nr of insurance_soc welfare courts	NAP	NAP
43#1#9 Nr of military courts	NAP	NAP
43#1#10 Nr ofother specialised 1st instance courts	3	3

Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal (Q45)		
45#1#1 Nr_1st instance courts competent_debt collect	48	48
45#1#2 Nr_1st instance courts competent_dismissal	48	48
45#1#3 Nr_1st instance courts competent_robbery	48	48

Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases (Q106)	
[106] - Does the public prosecutor also have a role in civil and/or administrative cases?	No
[106.1] - Does the public prosecutor also have a role in insolvency cases?	No

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)		
91#1#1 Pending cases_1 Jan _Total_non crim cases	79 621	85 228
91#1#2 Pending cases_ 1 Jan _Civil&com litig cases	30 539	30 917
91#1#3 Pending cases_1 Jan _Civil&com nonlit cases	9 303	8 505
91#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
91#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
91#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
91#1#7 Pending cases_1 Jan _Admin law cases	37 146	42 654
91#1#8 Pending cases_1 Jan _Other cases	2 633	3 152
91#2#1 Incoming cases_Total_non crim cases	196 544	197 441
91#2#2 Incoming cases_Civil&com litig cases	63 428	65 418
91#2#3 Incoming cases_Civil&com nonlit cases	22 373	22 800
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#5 Incoming cases_Land registry cases	NAP	NAP
91#2#6 Incoming cases_Business reg cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	107 654	103 745
91#2#8 Incoming cases_Other cases	3 089	5 478
91#3#1 Resolved cases_Total_non crim cases	183 343	200 774
91#3#2 Resolved cases_Civil&com litig cases	62 095	64 651
91#3#3 Resolved cases_Civil&com nonlit cases	22 704	21 937
91#3#4 Resolved cases_Enforcement cases	NAP	NAP
91#3#5 Resolved cases_Land registry cases	NAP	NAP
91#3#6 Resolved cases_Business reg cases	NAP	NAP
91#3#7 Resolved cases_Admin law cases	95 262	108 724
91#3#8 Resolved cases_Other cases	3 282	5 462
91#4#1 Pending cases_31 Dec _Total_non crim cases	92 822	81 895
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 872	31 684
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	8 972	9 368
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
91#4#6 Pending cases_31 Dec _Business reg cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	49 538	37 675

91#4#8 Pending cases_31 Dec _Other cases	2 440	3 168
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance (Q 91)		
CR Total non crim cases	93%	102%
CR Civil&com litig cases	98%	99%
CR Civil&com nonlit cases	101%	96%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	88%	105%
CR Other cases	106%	100%
DT Total non DTim cases	185	149
DT Civil&com litig cases	187	179
DT Civil&com nonlit cases	144	156
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	190	126
DT Other cases	271	212
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)		
CR Total non crim cases		9%
CR Civil&com litig cases		1%
CR Civil&com nonlit cases		-5%
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases		18%
CR Other cases		-6%
DT Total non DTim cases		-19%
DT Civil&com litig cases		-5%
DT Civil&com nonlit cases		8%
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases		-33%
DT Other cases		-22%
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)		
101#1#1 Pending cases_1 Jan _Litigious divorce cs	5 045	5 535
101#1#2 Pending cases_1 Jan _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#1#3 Pending cases_1 Jan _Robbery cases	NAP	NAP

101#1#4 Pending cases_1 Jan _Intentional homicide	NAP	NAP
101#2#1 Incoming cases_Litigious divorce cs	8 812	8 972
101#2#2 Incoming cases_Employment dismissal	NA	NA
Incoming Insolvency cases		NA
101#2#3 Incoming cases_Robbery cases	NAP	NAP
101#2#4 Incoming cases_Intentional homicide	NAP	NAP
101#3#1 Resolved cases_Litigious divorce cs	8 214	8 824
101#3#2 Resolved cases_Employment dismissal	NA	NA
Resolved Insolvency cases		NA
101#3#3 Resolved cases_Robbery cases	NAP	NAP
101#3#4 Resolved cases_Intentional homicide	NAP	NAP
101#4#1 Pending cases_31 Dec _Litigious divorce cs	5 643	5 683
101#4#2 Pending cases_31 Dec _Employment dismissal	NA	NA
Pending Insolvency cases		NA
101#4#3 Pending cases_31 Dec _Robbery cases	NAP	NAP
101#4#4 Pending cases_31 Dec _Intentional homicide	NAP	NAP
Table 3.5.Clearance rate and Disposition time in insolvency cases (Q101)		
CR - Insolvency cases		
DT - Insolvency cases		
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)		
97#1#1 Pending cases_1 Jan _Total_non crim cases	13 345	14 214
97#1#2 Pending cases_1 Jan _Civil&com litig cases	900	927
97#1#3 Pending cases_1 Jan _Civil&com nonlit cases	NAP	NAP
97#1#4 Pending cases_1 Jan _Enforcement cases	NAP	NAP
97#1#5 Pending cases_1 Jan _Land registry cases	NAP	NAP
97#1#6 Pending cases_1 Jan _Business reg cases	NAP	NAP
97#1#7 Pending cases_1 Jan _Admin law cases	10 832	11 784
97#1#8 Pending cases_1 Jan _Other cases	1 613	1 503
97#2#1 Incoming cases_Total_non crim cases	35 993	41 573
97#2#2 Incoming cases_Civil&com litig cases	2 951	2 818
97#2#3 Incoming cases_Civil&com nonlit cases	NAP	NAP
97#2#4 Incoming cases_Enforcement cases	NAP	NAP
97#2#5 Incoming cases_Land registry cases	NAP	NAP
97#2#6 Incoming cases_ Business reg cases	NAP	NAP
97#2#7 Incoming cases_Admin law cases	21 138	25 452
97#2#8 Incoming cases_Other cases	11 904	13 303
97#3#1 Resolved cases_Total_non crim cases	38 239	43 999
97#3#2 Resolved cases_Civil&com litig cases	2 950	2 807
97#3#3 Resolved cases_Civil&com nonlit cases	NAP	NAP
97#3#4 Resolved cases_Enforcement cases	NAP	NAP
97#3#5 Resolved cases_Land registry cases	NAP	NAP
97#3#6 Resolved cases_ Business reg cases	NAP	NAP
97#3#7 Resolved cases_Admin law cases	23 383	28 060

97#3#8 Resolved cases_Other cases	11 906	13 132
97#4#1 Pending cases on 31 Dec _Total_non crim cs	11 099	11 788
97#4#2 Pending cases on 31 Dec _Civil&com litig cs	901	938
97#4#3 Pending cases_31 Dec _Civil&com nonlit cs	NAP	NAP
97#4#4 Pending cases on 31 Dec _Enforcement cases	NAP	NAP
97#4#5 Pending cases_31 Dec _Land registry cases	NAP	NAP
97#4#6 Pending cases_31 Dec _ Business reg cases	NAP	NAP
97#4#7 Pending cases on 31 Dec _Admin law cases	8 587	9 176
97#4#8 Pending cases on 31 Dec _Other cases	1 611	1 674
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases (Q97)		
CR Total non crim cases	106%	106%
CR Civil&com litig cases	100%	100%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	111%	110%
CR Other cases	100%	99%
DT Total non DTim cases	106	98
DT Civil&com litig cases	111	122
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	134	119
DT Other cases	49	47
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)		
99#1#1 Pending cs_1 Jan _Total _non crim law cs	4 155	3 630
99#1#2 Pending cases_1 Jan _Civil litigious cs	168	176
99#1#3 Pending cases_1 Jan _Civil non_litigious cs	NAP	NAP
99#1#4 Pending cases_1 Jan _Enforcement cs	NAP	NAP
99#1#5 Pending cases_1 Jan _Land registry cs	NAP	NAP
99#1#6 Pending cases_1 Jan _Business register cs	NAP	NAP
99#1#7 Pending cases_1 Jan _Administrative law cs	3 035	2 410
99#1#8 Pending cases_1 Jan _Other cs	952	1 044
99#2#1 Incoming cases_Total _non crim law cs	11 965	11 369
99#2#2 Incoming cases_Civil litigious cs	308	343
99#2#3 Incoming cases_Civil non_litigious cs	NAP	NAP
99#2#4 Incoming cases_Enforcement cs	NAP	NAP
99#2#5 Incoming cases_Land registry cs	NAP	NAP
99#2#6 Incoming cases_Business register cs	NAP	NAP
99#2#7 Incoming cases_Administrative law cs	7 713	7 310
99#2#8 Incoming cases_Other cs	3 944	3 716

99#3#1 Resolved cases_Total _non crim law cs	12 635	11 057
99#3#2 Resolved cases_Civil litigious cs	327	348
99#3#3 Resolved cases_Civil non_litigious cs	NAP	NAP
99#3#4 Resolved cases_Enforcement cs	NAP	NAP
99#3#5 Resolved cases_Land registry cs	NAP	NAP
99#3#6 Resolved cases_Business register cs	NAP	NAP
99#3#7 Resolved cases_Administrative law cs	8 316	6 900
99#3#8 Resolved cases_Other cs	3 992	3 809
99#4#1 Pending cases_31 Dec _Total _non crim law cs	3 485	3 942
99#4#2 Pending cases_31 Dec _Civil litigious cs	149	171
99#4#3 Pending cases_31 Dec _Civil non_litigious cs	NAP	NAP
99#4#4 Pending cases_31 Dec _Enforcement cs	NAP	NAP
99#4#5 Pending cases_31 Dec _Land registry cs	NAP	NAP
99#4#6 Pending cases_31 Dec _Business register cs	NAP	NAP
99#4#7 Pending cases_31 Dec _Administrative law cs	2 432	2 820
99#4#8 Pending cases_31 Dec _Other cs	904	951
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases (Q99)		
CR Total non crim cases	106%	97%
CR Civil&com litig cases	106%	101%
CR Civil&com nonlit cases		
CR Enforcement cases		
CR Land registry cases		
CR Business reg cases		
CR Admin law cases	108%	94%
CR Other cases	101%	103%
DT Total non DTim cases	101	130
DT Civil&com litig cases	166	179
DT Civil&com nonlit cases		
DT Enforcement cases		
DT Land registry cases		
DT Business reg cases		
DT Admin law cases	107	149
DT Other cases	83	91
Table3.10. Average lenght of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases adn intentional homicide) in days (Q102)		
102#1#1 %_decisions subj to appeal_Lit divorce cs	NAP	NA
102#1#2 %_decisions subj to appeal_Empl dismissal	NA	NA
% decisions subj to appeal Insolvency		NA
102#1#3 %_decisions subj to appeal_Robbery cases	NAP	NAP
102#1#4 %_decisions subj to appeal_Intent homicide	NAP	NAP
102#2#1 % pending cases>3 years_Lit divorce cs	0	0
102#2#2 % pending cases>3 years_Empl dismissal	NA	NA
% pending cases>3 years Insolvency		NA

102#2#3 % pending cases>3 years_Robbery cases	NAP	NAP
102#2#4 % pending cases>3 years_Intent homicide	NAP	NAP
102#3#1 1st inst average length_Lit divorce cs	228	234
102#3#2 1st inst average length_Empl dismissal	NA	NA
1st inst average length Insolvency		NA
102#3#3 1st inst average length_Robbery cases	NAP	NAP
102#3#4 1st inst average length_Intent homicide	NAP	NAP
102#4#1 2nd inst average length_Lit divorce cs	NAP	NA
102#4#2 2nd inst average length_Empl dismissal	NA	NA
2nd inst average length Insolvency		NA
102#4#3 2nd inst average length_Robbery cases	NAP	NAP
102#4#4 2nd inst average length_Intent homicide	NAP	NAP
3rd inst average length_Lit divorce cs		NA
3rd inst average length_Empl dismissal		NA
3rd inst average length Insolvency		NA
3rd inst average length_Robbery cases		NAP
3rd inst average length_Intent homicide		NAP
Average total length_Lit divorce cs		NA
Average total length_Empl dismissal		NA
Average total length Insolvency		NA
Average total length_Robbery cases		NAP
Average total length_Intent homicide		NAP
Table 3.11. Caseload in the EU		
1 Number of inhabitants	9 415 570	9 555 893
91#2#1 Incoming cases_Total_non crim cases	196 544	197 441
91#2#2 Incoming cases_Civil&com litig cases	63 428	65 418
91#2#3 Incoming cases_Civil&com nonlit cases	22 373	22 800
91#2#4 Incoming cases_Enforcement cases	NAP	NAP
91#2#7 Incoming cases_Admin law cases	107 654	103 745
91#4#1 Pending cases_31 Dec _Total_non crim cases	92 822	81 895
91#4#2 Pending cases_31 Dec _Civil&com litig cases	31 872	31 684
91#4#3 Pending cases_31 Dec _Civil&com nonlit cases	8 972	9 368
91#4#4 Pending cases_31 Dec _Enforcement cases	NAP	NAP
91#4#7 Pending cases_31 Dec _Admin law cases	49 538	37 675
Table 3.12. Specific procedures for urgent matters (Q 87)		
87#1#1 Urgent matters_Civil cases	Yes	Yes
87#1#2 Urgent matters_Criminal cases	Yes	Yes
87#1#3 Urgent matters_Administrative cases	Yes	Yes
Table 3.13. Simplified procedures (Q 88)		
88#1#1 Simplified proc_Civil cases (small disputes)	Yes	Yes
88#1#2 Simplified proc_Criminal cases (small offences)	Yes	Yes
88#1#3 Simplified proc_Administrative cases	No	No
88#1#4 Simplified proc_There is no simplified procedure	No	No

[88.1].1 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		Yes
[88.1].2 - For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?		No

Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) (Q89)		
89 Possibility_conclude agreements_processing cs	Yes	Yes
	Yes	

Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting (Q 186)		
186#1#1 Notification_dec_parties_same city as Ct_1-5 days	Yes	Yes
186#1#2 Notification_dec_parties_same city as Ct_6-10 days	No	No
186#1#3 Notification_dec_parties_same city as Ct_11-30 days	No	No
186#1#4 Notification_dec_parties_same city as Ct_more	No	No

Table 3.16. Procedure of manifest inadmissability at the level of the higher court (Q 99.1)	
[99.1] - At the level of the Higher court, is there a procedure of manifest inadmissibility?	Yes

Indicator 4: The efficiency and the quality of the judicial system

Table 4.1. Authorities responsible for the evaluation of the performance of the courts (Q 77)		
77#1#1 High Council of judiciary	No	No
77#1#2 Ministry of Justice	Yes	Yes
77#1#3 Inspection authority	No	No
77#1#4 Supreme Court	No	No
77#1#5 External audit body	No	No
77#1#6 Other	No	No

Table 4.2. Modalities of monitoring system (Q 67, 68)		
67 Are courts required_prepare_annual activity report	No	No, only in an intranet website
68#1#1 Number of incoming data	Yes	Yes
68#1#2 Number of decisions delivered	Yes	Yes
68#1#3 Number of postponed cases	No	No
68#1#4 Length of proceedings (timeframes)	Yes	Yes
68#1#5 Other	Yes	Yes

Table 4.3. System to evaluate regurlarly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system (Q 69, 70, 78 and 79)

69 Regular system_evaluation_performance_each court	Yes	Yes
70 Perf and quality indicators of court activities	Yes	Yes
78 Quality standarts formulated_jud system	No	No
79 Specialised ct staff entrusted_quality standarts	No	No
Table 4.4.Performance targets defined at the level of the court (Q 74)		
72 Performance targets defined for each judge	No	No
73#1#1 Executive power (eg_Ministry of Justice)	No	No
73#1#2 Legislative power	No	No
73#1#3 Judicial power (eg_High Jud Council/Higher Ct)	No	No
President of the court		No
73#1#4 Other	No	No
74 Performance targets defined at_court level	Yes	Yes
81 Waiting time during court procedures	No	No
82 Syst_eval_cts' func based_eval plan agreed before	No	No
Table 4.4 bis Main performance and quality indicators possibly defined concernig courts activities (Q71)		
71#1#1 Quality indicator_Incoming cases	No	No
71#1#2 Quality indicator_Length of proceedings	Yes	Yes
71#1#3 Quality indicator_Closed cases	Yes	Yes
71#1#4 Quality indicator_Pending cases and backlogs	Yes	Yes
71#1#5 Qlty ind_Productivity of judges and court staff	Yes	Yes
71#1#6 Qlty ind_% cs processed_single sitting judge	No	No
71#1#7 Qlty ind_Enforcement of penal decisions	No	No
71#1#8 Quality indicator_Satisfaction of court staff	No	No
71#1#9 Quality indicator_Satisfaction of users	No	No
71#1#10 Qlty ind_Jud&org quality of the courts	No	No
71#1#11 Qlty ind_Costs of the judicial procedures	No	No
71#1#12 Quality indicator_Other 2010	No	No
Table 4.4 ter Authorities possibly responsible for setting targets for the courts (Q75)		
75#1#1 Executive power (eg_Ministry of Justice) 2010	Yes	Yes
75#1#2 Legislative power 2010	No	No
75#1#3 Judicial power (eg_High Jud Council/Higher Ct) 2010	No	No
President of the courts		Yes
75#1#4 Other 2010	Yes	Yes
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) (Q80)		
80#1#1 Monitoring_In civil law cases	Yes	Yes
80#1#2 Monitoring_In criminal law cases	Yes	Yes
80#1#3 Monitoring_In administrative law cases	Yes	Yes
Table 4.6. Surveys conduct among users or legal professionals		

38#1#1 Measure trust with_Surveys aimed at judges	Yes	Yes
38#1#2 Measure trust with_Surveys aimed at court staff	Yes	Yes
38#1#3 Measure trust with_Surveys aimed_pb prosecutors	Yes	Yes
38#1#4 Measure trust with_Surveys aimed at lawyers	Yes	Yes
38#1#5 Measure trust with_Surveys aimed at the parties	Yes	Yes
38#1#6 Measure trust with_Surveys aimed_other court users	Yes	Yes
38#1#7 Measure trust with_Surveys aimed at victims	Yes	Yes

Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid (Q 12)

1 Number of inhabitants	9 415 570	9 555 893
12#1#1 Total annual appr pb budget allocated to LA for cases brought to court	195 683 782	236 399 146
[12].1.5. - Annual approved public budget allocated to legal aid for non litigious cases or cases not brought to court		NA

Table 5.2. Types of legal aid in criminal and other than criminal cases (Q16)

16#1#1 Legal aid_Crim cases_ Representation in court	Yes	Yes
16#1#2 Legal aid_Crim cases_Legal advice	Yes	Yes
16#2#1 Legal aid_Other than crim cs_Repr in court	Yes	Yes
16#2#2 Legal aid_Other than crim cases_Legal advice	Yes	Yes

Table 5.2. bis Legal aid coverage (Q17, Q18, Q19)

17 Does LA include_coverage/exemption from court fees	Yes	Yes
18 Can LA be granted for fees related to enforcement_jud_dec2010	Yes	Yes
19#1#1 Can legal aid be granted for other costs_Crim cs	Yes	Yes
19#2#1 Can legal aid be granted for other costs_Non crim cs	Yes	Yes

Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case (Q 12, 20)

1 Number of inhabitants	9 415 570	9 555 893
12#1#1 Total annual appr pb budget allocated to LA	195 683 782	236 399 146
20#1#1 Total Number of cases granted with legal aid	NA	NA
20#1#2 Nr of criminal cases granted with legal aid	NA	NA
20#1#3 Nr non criminal cases granted with legal aid	NA	NA

Table 5.4. Cases not brought to court for which legal aid was granted (Q20.1)

[20.1].1.1. - Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.	NA

Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid (Q6, Q9)

6#2#1 Amount of Total annual appr budget of the courts	557 260 358	637 246 965

9 Annual income of court taxes received by the State	4 469 274	5 134 908
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction (Q8)		
8#1#1 Have litigants to pay taxes_start proc_Crim_cases	Yes	No
8#1#2 Have litigants to pay taxes_start proc_Other cases	Yes	Yes
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases (Q25)		
25#1#1 Dec_granting/refusing LA taken by_Court	No	No
25#1#2 Dec_grant/refus LA_taken by_External authority	No	No
25#1#3 Dec_grant/refus LA_taken by_Mixed DM authority	Yes	Yes

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use (Q 62, 63, 64)		
Table 6.3. The ICT tools of courts and for court users		
Table 6.4. The ICT tools of courts and for court users		
Table 6.5. Differences 2012-2010		
62.1.1 Word processing	100% of courts	100% of courts
62.1.2 Electronic data base of jurisprudence	100% of courts	100% of courts
62.1.3 Electronic files	0 % of courts	100% of courts
62.1.4 E-mail	100% of courts	100% of courts
62.1.5 Internet connection	100% of courts	100% of courts
63.1.1 Case registration system	100% of courts	100% of courts
63.1.2 Court management information system	100% of courts	100% of courts
63.1.3 Financial information system	100% of courts	100% of courts
63.1.4 Videoconferencing	100% of courts	100% of courts
64.1.1 Electronic Web forms	0 % of courts	100% of courts
64.1.2 Website	100% of courts	100% of courts
64.1.3 Follow-up of cases online	0 % of courts	0 % of courts
64.1.4 Electronic registers	+50% of courts	100% of courts
64.1.5 Electronic processing of small claims	0 % of courts	100% of courts
64.1.6 Electronic processing of undisputed debt recovery	0 % of courts	100% of courts
64.1.7 Electronic submission of claims	0 % of courts	100% of courts
64.1.8 Videoconferencing	100% of courts	100% of courts
64.1.9 Other electronic communication facilities	+50% of courts	100% of courts
Table 6.2. Use of videoconferencing in the courts (Q 65)		
65#1#1 Use of videoconferencing for hearings in crim cases	Yes	Yes
65#2#1 Court hearing held in police station and/or prison	Yes	Yes
65#3#1 Legislation_using videoconferencing in courts	Yes	Yes
65#4#1 Use of videoconferencing in other than crim cases	Yes	Yes

Indicator 7: Career and status of judges

Table 7.1. Modalities of recruitment of judges (Q 110)		
110#1#1 Judges recruitment: Through a competitive exam	No	No
110#1#2 Judges recruitment: Specific recruitment proc	No	No
110#1#3 Judges recruitment: A combination of both	No	No
110#1#4 Judges recruitment: Other	Yes	Yes
Table 7.2. Types of compulsory trainings for judges (Q 127)		
127#1#1 Judges' training: Initial Tr	Compulsory	Optional
127#1#2 Judges' training: Gen in-service Tr	Optional	Optional
127#1#3 Judges' training: In serv Tr_jud_funct	Optional	Optional
127#1#4 Judges' training: In serv Tr_mngmt	Optional	Optional
127#1#5 Judges' training: In serv Tr_use of computer	Optional	Optional
Table 7.3. Budget of training institution, in € (Q 131)		
131#1#1 One instit for judges_Initial training	NAP	No
131#1#2 One instit for prosecutors_Initial training	NAP	NAP
131#1#3 One instit for judges&prosecutors_Initial tr	NAP	No
131#2#1 One instit for judges_Continuous training	NAP	No
131#2#2 One instit for prosecutors_Continuous training	NAP	NAP
131#2#3 One instit for judges&proc_Continuous training	NAP	No
131#3#1 One instit for judges_Init&Cont trainings	NAP	Yes
131#3#2 One instit for prosecutors_Init&Cont trainings	NAP	NAP
131#3#3 One instfor judges&proc _Init&Cont trainings	NAP	No
Budget One instit for judges initial training		Yes
Budget One instit for prosecutors initial training		NAP
Budget One instfor judges&proc _Init&Cont trainings		No
Table 7.4. Gross and net annual salaries of judges and prosecutors at the beginning of career (Q132)		
Table 7.5. Gross and net annual salaries for judges and prosecutors at the Supreme Court or at the Highest Appellate Court (Q 132)		
132#1#1 Gross An sal: 1st inst prof jud_beg_carrier	52 587	54 471
132#1#2 Gross An sal: Judge_Supr Ct	91 600	94 500
132#1#3 Gross An sal: Pb prosecutor_beg_carrier	52 290	53 479
132#1#4 Gross An sal: Pb prosecutor_Supr Ct	69 318	73 378
132#2#1 Net An sal: 1st inst prof jud_beg_carrier		NA
132#2#2 Net An sal: Judge_Supr Ct		NA
132#2#3 Net An sal: Pb prosecutor_beg_carrier		NA
132#2#4 Net An sal: Pb prosecutor_Supr Ct		NA
4 Average gross annual salary in €	38 078	41 733
Table 7.6. Additional benefits for judges (Q 133)		
133#1#1 Add benef_judges: Reduced taxation	No	No
133#1#2 Add benef_judges: Special pension	No	No
133#1#3 Add benef_judges: Housing	No	No
133#1#4 Add benef_judges: Other financial benefit	No	No
133#2#1 Add benef_pb prosecutors: Reduced taxation	No	No
133#2#2 Add benef_pb prosecutors: Special pension	No	No

133#2#3 Add benef_pb prosecutors: Housing	No	No
133#2#4 Add benef_pb prosecutors: Other fin benefit	No	No
Table 7.7. Terms of office of judges (Q 121, 122, 125)		
121 Judges' mandate given for an indetermined period	Yes	67
125 If mandate of judges renewable	NAP	NAP
125 Length of the mandate of judges		
122#1#1 Is there a probation period for judges?	NAP	
122#1#2 Duration of the probation period		
[122].1.3. - If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period?		NAP
Table 7.8. Distribution of the disciplinary proceedings initiated against judges (Q 144)		
144#1#1 Discipl proc against judges_Total Nr	2	2
144#1#2 Discipl proc against judges_Breach_pro ethics	NA	0
144#1#3 Discipl proc against judges_Prof inadequancy	2	1
144#1#4 Discipl proc against judges_Criminal offence	NA	1
144#1#5 Discipl proc against judges_Other	NA	0
Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges (Q 140)		
140#1#1 Auth_discipl proc against judges_Citizens	No	No
140#1#2 Auth_discipl proc against judges_Relevant Ct	Yes	Yes
140#1#3 Auth_discipl proc against judges_High Ct/Supr Ct	No	No
140#1#4 Auth_discipl proc against judges_High Jud Council	No	No
140#1#5 Auth_discipl proc against judges_Discipl Ct	No	No
140#1#6 Auth_discipl proc against judges_Ombudsman	Yes	Yes
140#1#7 Auth_discipl proc against judges_Parliament	No	No
140#1#8 Auth_discipl proc against judges_Exec power	No	No
140#1#9 Auth_discipl proc against judges_Other	Yes	Yes
Table 7.10. Authorities with disciplinary power against judges (Q 142)		
142#1#1 Auth for discipl power on judges_Court	No	No
142#1#2 Auth for discipl power on judges_Higher/Supreme Ct	No	No
142#1#3 Auth for discipl power on judges_Judicial Council	No	No
142#1#4 Auth for discipl power on judges_Disciplinary Court	Yes	Yes
142#1#5 Auth for discipl power on judges_Ombudsman	No	No
142#1#6 Auth for discipl power on judges_Parliament	No	No
142#1#7 Auth for discipl power on judges_Executive power	No	No
142#1#8 Auth for discipl power on judges_Other	No	No
Table 7.11. Number of sanctions pronounced against judges (Q 145)		
145#1#1 Sanctions against judges_Total number	NA	0

145#1#2 Sanctions against judges_Reprimand	NA	0
145#1#3 Sanctions against judges_Suspension	NA	0
145#1#4 Sanctions against judges_Removal of cases	NA	0
145#1#5 Sanctions against judges_Fine	NA	0
145#1#6 Sanctions against judges_Temp reduction_sal	NA	0
145#1#7 Sanctions against judges_Position downgrade	NA	0
145#1#8 Sanctions against judges_Transfer_another geo loc	NA	0
145#1#9 Sanctions against judges_Dismissal	NA	0
145#1#10 Sanctions against judges_Other	NA	0

Table 7.12 Procedure to challenge a judge (Q 85)		
85 Procedure_challenge_judge if considered_not impartial	Yes	NA
85C Number of successful challenges (in a year)		

Table 7.13. Number of court presidents (proffesional judges) (Q 47)		
47#1#1 Total Nr of court presidents	73	72
47#1#2 Number of 1st instance presidents	62	60
47#1#3 Number of 2nd instance presidents	9	10
47#1#4 Number of supreme court presidents	2	2
47#2#1 Total Nr of court presidents_males	55	46
47#2#2 Number of 1st instance presidents_males	45	38
47#2#3 Number of 2nd instance presidents_males	9	7
47#2#4 Number of supreme court presidents_males	1	1
47#3#1 Total Nr of court presidents_females	18	26
47#3#2 Number of 1st instance presidents_females	17	22
47#3#3 Number of 2nd instance presidents_females	NA	3
47#3#4 Number of supreme court presidents_females	1	1
[47].4.1. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.2. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.3. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		
[47].4.4. - Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.		

Table 7.14. Number of professional judges sitting in courts on an occasional basis and who are paid as such and number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury), (Q 48, 49)

48#1#1 Professional judges	Yes	Yes
48#2#1 Nr_professional judges_gross figure	€ 211,0	€ 247,0
48#1#2 Professional judges	Yes	Yes
48#2#2 Nr_professional judges_full-time equivalent	€ 46,0	€ 46,0
49#1#1 Non-professional judges	Yes	Yes
49#2#1 Number of non-professional judges_Gross figure	€ 8 000,0	€ 8 600,0
Table 7.15. Procedures and criteria used for promoting judges (Q114)		
114 System of qual ind assessment_judges' activity	Yes	Yes

Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution (Q168)		
168#1#1 Alternative dispute resolution_Mediation (other than judicial mediation)	Yes	Yes
168#1#2 Alternative dispute resolution_Arbitration	Yes	Yes
168#1#3 Alternative dispute resolution_Conciliation	Yes	Yes
168#1#4 Alternative dispute resolution_Other	No	No
Table 8.2. Judicial mediation procedure and legal aid (Q163, 163.1, 165)		
163 Mediation procedures	Yes	Yes
[163.1].1 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
[163.1].2 - In some fields, does the judicial system provide for mandatory mediation procedures?		No
165 Legal aid for mediation procedures	Yes	Yes
Table 8.3. Types of cases concerned by judicial mediation (Q 164)		
164#1#1 Court annexed mediation_Civil and com cases	Yes	Yes
164#1#2 Court annexed mediation_Family law cases	Yes	Yes
164#1#3 Court annexed mediation_Administrative cases	No	No
164#1#4 Court annexed mediation_Empl dismissals	Yes	Yes
164#1#5 Court annexed mediation_Criminal cases	No	No
164#2#1 Private mediator_Civil and commercial cases	Yes	Yes
164#2#2 Private mediator_Family law cases	Yes	Yes
164#2#3 Private mediator_Administrative cases	No	No
164#2#4 Private mediator_Employment dismissals	Yes	Yes
164#2#5 Private mediator_Criminal cases	No	No
164#3#1 Public authority_Civil and com cases	No	No
164#3#2 Public authority_Family law cases	No	No
164#3#3 Public authority_Administrative cases	No	No
164#3#4 Public authority_Employment dismissals	No	No

164#3#5 Public authority_Criminal cases	Yes	Yes
164#4#1 Judge_Civil and commercial cases	Yes	Yes
164#4#2 Judge_Family law cases	Yes	Yes
164#4#3 Judge_Administrative cases	No	No
164#4#4 Judge_Employment dismissals	Yes	Yes
164#4#5 Judge_Criminal cases	No	No
164#5#1 Prosecutor_Civil and commercial cases	No	No
164#5#2 Prosecutor_Family law cases	No	No
164#5#3 Prosecutor_Administrative cases	No	No
164#5#4 Prosecutor_Employment dismissals	No	No
164#5#5 Prosecutor_Criminal cases	No	No
Table 8.4. Number of judicial mediation procedures and number of accredited mediators (Q 166, 167)		
#1 Number of inhabitants	9 415 570	9 555 893
166#1#2 Number of accredited mediators		NAP
167#2#1 Judicial mediation procedures_Total Nr		
167#2#2 Judicial mediation procedures_Civil cases Nr		
167#2#3 Judicial mediation procedures_Family cases Nr		
167#2#4 Judicial mediation procedures_Admin cases Nr		
167#2#5 Judicial med procedures_Empl dismissals Nr		
167#2#6 Judicial mediation procedures_Criminal cs Nr		
Indicator 9: Professionals of justice		
Table 9.1. Number of judges, lawyers, enforcement agents and non judge-staff per 100,000 inhabitants (Q1, Q46, Q52, Q146, Q170)		
Table 9.1. bis Number of judges per 100,000 inhabitants in (Q1, Q46)		
Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)		
1 Number of inhabitants	9 415 570	9 555 893
46#1#1 Total Nr of professional judges	1 081	1 123
52#2#1 Nr_non-judge staff who are working in courts		
146 Total number of practicing lawyers	5 000	5 246
170 Number of enforcement agents		2 098 2 127
52.2.2 Number Non-judge staff (Rechtspfleger)		
Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges (Q1, 46, 146, 147, 148)		
Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)		
146 Total number of practicing lawyers	5 000	5 246
148 Number of legal advisors	NAP	NA
147 Does "Nr of lawyers" include “legal advisors”?	No	No
46#1#1 Total Nr of professional judges	1 081	1 123
1 Number of inhabitants	9 415 570	9 555 893
Table 9.5. Monopoly of legal representation (Q 149)		

149#1#1 Lawyers_monopoly of repr in_Civil cs	No	No
149#1#2 Lawyers_monopoly of repr in_Crim cs_Def	No	No
149#1#3 Lawyers_monopoly of repr in_Crim cs_Vict	No	No
149#1#4 Lawyers_monopoly of repr in_Admin cs	No	No
149#1#5 Lawyers_monopoly of repr in_No monopoly	Yes	Yes
Table 9.6. Lawyers' fees (Q 154, 155, 156)		
154 Can users establish what lawyers' fees will be?	No	No
155 Lawyers' fees are_freely negotiated	Yes	Yes
156#1#1 Providing rules_lawyers' fees_Laws	No	No
156#1#2 Providing rules_lawyers' fees_Standarts_bar assoc	Yes	Yes
156#1#3 Providing rules_lawyers' fees_Nobody	No	No
Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2012 and 2010 (Q 170)		
170 Number of enforcement agents	2 098	2 127
Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities (EA) responsible in each state or entity (Q 178)		
178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.9. Number of disciplinary proceedings initiated against enforcement agents (EA) (Q187)		
187#2#1 Nr_Discipl proceedings against EA_Total	2	5
187#2#2 Nr_Discipl proc against EA_Breach_pro ethics	0	4
187#2#3 Nr_Discipl proc against EA_Pro inadequancy	1	0
187#2#4 Nr_Discipl proc against EA_Criminal offence	1	1
187#2#5 Nr_Discipl proc against EA_Other	0	0
Table 9.10. Number of sanction pronounced against enforcement agents (EA) (Q 188)		
188#2#1 Nr_Sanctions pronounced against EA_Total	4	5
188#2#2 Nr_Sanctions pronounced against EA_Reprimand	0	4
188#2#3 Nr_Sanctions pronounced vs EA_Suspension	0	0
188#2#4 Nr_Sanctions pronounced against EA_Dismissal	2	0
188#2#5 Nr_Sanctions pronounced against EA_Fine	0	0
188#2#6 Nr_Sanctions pronounced against EA_Other	2	1
Table 9.11. Enforcement fees (Q174, Q175 and Q176)		
174 Are enforcement fees transparent for court users	Yes	Yes
175#1#1 Enforcement fees are_Freely negotiated	No	No

178#1#1 Auth resp_supervision_EA_Professional body	No	No
178#1#2 Auth resp_supervision_EA_Judge	No	No
178#1#3 Auth resp_supervision_EA_Min of Justice	No	No
178#1#4 Auth resp_supervision_EA_Pb Prosecutor	No	No
178#1#5 Auth resp_supervision of EA_Other	Yes	Yes
Table 9.11. bis Authority possibly responsible for establishing quality standards for enforcement agents (Q180)		
180#1#1 Qty standarts established by_Professional body 2010	No	No
180#1#2 Qty standarts established by_Judge 2010	No	No
180#1#3 Qty standarts established by_Min of Justice 2010	No	No
180#1#4 Qty standarts established by_Other 2010	Yes	Yes
Table 9.11. ter Main complaints made by users concerning the enforcement procedure (Q183)		
183#1#1 Users' complaints enf proc_Non execution 2010	No	No
183#1#2 Users' compl enf proc_Non exec_Ct dec vs PA 2010	No	No
183#1#3 Users' complaints enf proc_Lack of info 2010	No	Yes
183#1#4 Users' complaints enf proc_Excessive length 2010	No	No
183#1#5 Users' compl enf proc_Unlawfull practices 2010	No	No
183#1#6 Users' compl enf proc_Insuff supervision 2010	No	No
183#1#7 Users' complaints enf proc_Excessive cost 2010	No	No
183#1#8 Users' complaints enf proc_Other 2010	Yes	Yes
Table 9.12 Non-judge staff who are working in courts (Q52)		
Table 9.13 Non-judge staff who are working in courts (Q52)		
52#2#1 Nr_non-judge staff who are working in courts		
52#2#2 Number Non-judge staff (Rechtspfleger)		
52#2#3 Nr_Non-judge staff assisting the judges	2 800	3 500
52#2#4 Number_Staff in charge of administrative tasks	1 179	1 054
52#2#5 Number of Technical staff		119
52#2#6 Number of Other non-judge staff		500
Table 9.14. System for monitoring the enforcement procedure		
179 Quality standards for enforcement agents	Yes	Yes
182 System for monitoring the execution	Yes	Yes
Indicator 10: The methods, sources and efficiency of national data collection		
Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary (Q 66)		
66 Centralised inst resp_collecting data_func_C&J	Yes	Yes

Annex 1 - List of the 93 tables presented in the study presented by indicator

General Data: Economic and demographic data in 2012, in absolute values (Q1 to Q4)

Indicator 1: The budget and resources of courts and the justice system

Table 1.1 Public budget allocated to courts, legal aid and public prosecution in 2012, in € (Q6, Q12, Q13)
Table 1.1. bis Public budget allocated to courts, legal aid and public prosecution in 2010, in € (Q6, Q12, Q13)
Table 1.1 ter Public budget allocated to courts, legal aid and public prosecution, 2012 vs. 2010
Table 1.2. Break-down by component of the court budget in 2012 (Q6)
Table 1.3. Annual approved budget allocated to the whole justice system and its budgetary elements in 2012, in € (Q 15.1, 15.2)
Table 1.4. Cost of judicial system and change in cost of judicial system per capita, in € (Q3 and Q15,1)
Table 1.5. Authorities formally responsible for the budgets allocated to the courts in 2012 (Q14)
Table 1.6. Authorities entrusted with responsibilities related to the budget within the courts in 2012 (Q61)

Indicator 2: The judicial organisation

Table 2.1. Number of first instance courts (general and specialized) as legal entities and number of all courts (first, appeal and high courts) as geographic locations in 2010 and 2012 (Q42)
Table 2.2. Number of (legal entities) first instance specialized courts in 2012 (Q43)
Table 2.3. Number of first instance courts competent for a debt collection for small claims / a dismissal in 2012 (Q 45)
Table 2.4. Role of public prosecutor in civil and/or administrative cases and insolvency cases in 2012 (Q106 and Q106.1)

Indicator 3: The performances of courts at all stages of the proceedings

Table 3.1. First instance courts: Number of other than criminal law cases (Q91)
Table 3.2. Clearance rate and disposition time in different types of non-criminal cases in first instance in 2012 (Q 91)
Table 3.2. bis Clearance rate and disposition time in different types of non-criminal cases in first instance in 2010 (Q 91)
Table 3.3. Changes in clearance and disposition time of the first instance court non-criminal cases (2012 vs. 2010) (Q91)
Table 3.4 Number of cases received and processed by first instance courts (divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases) (Q101)
Table 3.5.Clearance rate and Disposition time in insolvency cases in 2012 (Q101)
Table 3.6. Second instance courts: Number of other than criminal law cases (Q97)
Table 3.7. Clearance rate and disposition time in the second instance courts non-criminal cases in 2012 (Q97)
Table 3.8. Highest instance courts: Number of other than criminal law cases (Q99)
Table 3.9. Clearance rate and disposition time in the highest instance courts non-criminal cases in 2012 (Q99)
Table 3.10. Average length of proceedings (litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide) in days in 2012 (Q102)
Table3.10. bis Calculation method of the length of proceedings (Q104)
Table 3.11.2012 caseload in the EU
Table 3.11.bis 2010 caseload in the EU
Table 3.11.ter Differences 2012 vs 2010 caseload in the EU
Table 3.12. Specific procedures for urgent matters in 2012 (Q 87)
Table 3.13. Simplified procedures in 2012 (Q 88, 88.1)
Table 3.14. Possibility for courts and lawyers to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings) in 2012 (Q89)
Table 3.15. Timeframe for the notification of a court decision on debt recovery to a person living in the city where the court is sitting in 2012 (Q 186)
Table 3.16. Procedure of manifest inadmissibility at the level of Higher court in 2012 (Q 99.1)

Indicator 4: Systems for measuring and evaluating the performance of courts

Table 4.1. Authorities responsible for the evaluation of the performance of the courts in 2012 (Q 77)
Table 4.2. Modalities of monitoring system in 2012 (Q 67, 68)
Table 4.3. System to evaluate regularly the activity of courts, performance and quality indicators, quality standards determined for the whole judicial system in 2012(Q 69, 70, 78 and 79)
Table 4.4.Performance targets defined at the level of the court in 2012 (Q 72, 73, 74, 81 and 82)
Table 4.4 bis Main performance and quality indicators possibly defined concerning courts activities in 2012 (Q71)
Table 4.4 ter Authorities possibly responsible for setting targets for the courts in 2012 (Q 75)
Table 4. 5. Systems measuring backlogs (in civil, criminal and administrative cases) in 2012 (Q80)
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Indicator 5: Legal aid and court fees

Table 5.1 Annual public budget allocated to legal aid in 2012 (Q 12)
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Table 5.3. Number of legal aid cases per 100 000 inhabitants and average amount allocated in the public budget for legal aid per case in 2012 (Q 12, 20)
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Table 5.5. Annual amount of court fees (or taxes) received by the state compared with the total annual approved public budget allocated to all courts, public prosecution and legal aid in 2012, in € (Q6, Q9, Q12, Q13)
Table 5.6. Court fees required to start a proceeding at a court of general jurisdiction in 2012 (Q8)
Table 5.7: Court fees calculation methodology and the amount of court fees to commence action for € 3000 debt recovery (Q8.1 and 8.2)
Table 5.8. Authority responsible to decide to grant or refuse legal aid in other than criminal cases in 2012 (Q25)

Indicator 6: The ICT tools of courts and for court users

Table 6.1. Computer facilities used within the courts for three areas of use in 2012 (Q 62, 63, 64)
Table 6.2. Use of videoconferencing in the courts in 2012 (Q 65)
Table 6.3. The ICT tools of courts and for court users 2010
Table 6.4. The ICT tools of courts and for court users 2012
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Indicator 7: Career and status of judges

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Table 7.2. Types of compulsory trainings for judges in 2012 (Q 127)*
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Table 7.9. Authorities responsible to initiate the disciplinary proceedings against judges in 2012 (Q 140)
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Table 7.12 Procedure to challenge a judge in 2012 (Q 85)
Table 7.13. Number of court presidents (professional judges) in 2012 (Q 47)
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Indicator 8: The existence and use of alternative dispute resolution methods

Table 8.1. Types of Alternative Dispute Resolution in 2012 (Q168)
Table 8.2. Judicial mediation procedure and legal aid in 2012 (Q163, 163.1, 165)
Table 8.3. Types of cases concerned by judicial mediation in 2012 (Q 164)
Table 8.4. Number of judicial mediation procedures and number of accredited mediators in 2012 (Q 166, 167)

Indicator 9: Professionals of justice

Table 9.1. Number of judges, lawyers, enforcement agents and non-judge staff per 100,000 inhabitants in 2012 (Q1, Q46, Q52, Q146, Q170)

Table 9.1. bis Number of judges per 100,000 inhabitants in 2010 (Q1, Q46)

Table 9.1ter Number of lawyers per 100 000 inhabitants in 2010

Table 9.2. Evolution in number of professional judges between 2012 and 2010 (Q 46)

Table 9.3. Number of lawyers and legal advisors, per 100 000 inhabitants and number per professional judges in 2012 (Q1, 46, 146, 147, 148)

Table 9.4. Relative change in number of lawyers between 2012 and 2010 (Q146)

Table 9.5. Monopoly of legal representation in 2012 (Q 149)

Table 9.6. Lawyers' fees in 2012 (Q 154, 155, 156)

Table 9.7. Number of enforcement agents according to their status in 2012. Evolution between 2010 and 2012 (Q 170)

Table 9.8. Authority responsible for the supervision and the control of enforcement agents and number of authorities responsible in each state or entity in 2012 (Q 178)

Table 9.9. Number of disciplinary proceedings initiated against enforcement agents in 2012 (Q187)

Table 9.10. Number of sanction pronounced against enforcement agents in 2012 (Q 188)

Table 9.11. Enforcement fees in 2012 (Q 174, 175, 178)

Table 9.11 bis Authorities possibly responsible for establishing quality standards for enforcement agents in 2012 (Q 180)

Table 9.11 ter Main complaints made by users concerning the enforcement procedure in 2012 (Q 183)

Table 9.12 Non-judge staff who are working in courts, in 2010 (Q52)

Table 9.13 Non-judge staff who are working in courts, in 2012 (Q52)

Table 9.13 bis. Rechtspfleger (or similar bodies): status and duties in 2012 (Q 53)

Table 9.14. System for monitoring the enforcement procedure in 2012 (Q179, Q182)

Indicator 10: The methods, sources and efficiency of national data collection

Table 10.1. Centralised institution responsible for collecting statistical data regarding the functioning of the courts and judiciary in 2012 (Q 66)

Annex 2 - Explanatory Note

The present document refers to the CEPEJ explanatory note to the scheme for evaluating judicial systems - 2012 – 2014 Cycle.

Demographic and economic data

Question 1

The number of inhabitants should is given as of 1 January 2013.

Question 2

The total annual amount of *public expenditure* includes all expenses made by the (federal) state or (federal) public bodies, including public deficits.

Question 4

The gross salary is calculated before any social expenses and taxes have been deducted; it is the amount that the employer actually has to pay per employee, but not to the employee.

Question 6

The annual approved budget allocated to the functioning of all courts covers the functioning of the courts (without the public prosecution services and without legal aid), whatever the source of this budget is. It is defined by the CEPEJ (see categories below) and may differ from the member states' definitions.

The figures presented are the figures of the approved budget, e.g. the budget that has been formally approved by the Parliament (or another competent public authority), but not the one effectively executed.

Where appropriate, the annual approved budget allocated to the functioning of all courts includes both the budget at national level and at the level of regional or federal entities.

Categories:

1. (Gross) salaries are those of all judicial and non-judicial staff working within courts, excluding, if appropriate, the public prosecution system (and the staff working for the prosecution services). This amount includes the total salary costs for the employer: if, in addition to the gross salary proper, the employer also pays insurances and/or pensions, these contributions are included.

2. Computerisation includes all the expenses for the installation, use and maintenance of computer systems (including the expenses paid to the technical staff).

3. Justice expenses borne by the state (or by the justice system) refer to the amounts that the courts should pay out within the framework of judicial proceedings, such as expenses paid for expert opinions or court interpreters. Any expenses to be paid by the parties (court fees and taxes; see question 8-9) or aimed at legal aid are not indicated here (see question 12).

4. Court buildings' budget includes all the costs that are related to the maintenance and operation of court buildings (costs for rental, electricity, security, cleaning, maintenance etc.). It does not include investments in new buildings.

5. Investments in new court buildings include all the costs that are connected with investments in new court buildings.

6. Training and education includes all the costs that are related to training courses or the education of judges and court staff.

7. Other includes all figures that you can not subsume under categories 1 to 6.

The annual approved budget allocated to all courts does not include in particular:
the budget for the prison and probation systems;
the budget for the operation of the Ministry of Justice (and/or any other institution which deals with the administration of justice);
the budget for the operation of other institutions (other than courts) attached to the Ministry of Justice;
the budget of the prosecution system (see question 13);
the budget of the judicial protection of youth (social workers, etc);
the budget of the Constitutional courts;
the budget of the High Council for the Judiciary (or similar body);
the annual income of court fees or taxes received by the state (see questions 8 et 9),
the budget for legal aid (see question 12).

Questions 8, 8-1, 8-2 and 9

There may be a general rule in some states according to which a party is required to pay a court tax or fee to start a proceeding at a court of general jurisdiction. Court taxes or fees do not concern lawyers' fees.

For the purposes of this question, *courts of general jurisdiction* are those courts which deal with civil law and criminal law cases.

A portion of the budget of courts can be financed by an income resulting from the payment by the parties of such court taxes or fees.

As regard the method for calculating the court fees or taxes due upon introduction of court proceedings (question 8-1), in certain countries this can be a set sum whereas in others it can consist of a percentage of the contested amount or of an amount determined by the nature of the proceedings.

For the purposes of comparing the different systems in place in different countries, question 8-2 seeks to give an example of the debt recovery action available for the recovery of a debt of 3000 euros.

Question 12

Annual approved public budget allocated to legal aid refers to the amount of the public budget allocated to legal aid in its widest sense. Where possible, it is specified:
on the one hand the amounts allocated to litigious cases (12.1), in criminal (12.1.1) and non-criminal (12.1.2) matters, that is to say the aid allocated to litigants for cases brought to courts (for example the costs of legal representation in court)
on the other hand, the amounts spent on other types of aid (12.2), for example, for access to legal consultation, to ADR proceedings (conciliation, mediation, etc.) or other systems to prevent court action.. In certain countries the majority of public aid given to users before the case comes to court in order to avoid bringing cases to court.

The total amount includes only the sums to be paid to those benefiting from legal aid or their lawyers (excluding administrative costs resulting from such procedures).

The figures presented are the figures of the approved budget, i.e. the budget that has been formally approved by the Parliament (or by another competent body), but not the one effectively executed.

Question 13

The Public Prosecutor is understood according to the following definition contained in Recommendation Rec(2000)19 of the Committee of Ministers of the Council of Europe on the role of public prosecution in the criminal justice system: "(…) authorities who, on behalf of society and in the public interest, ensure the application of the law where the breach of the law carries a criminal sanction, taking into account both the rights of the individual and the necessary effectiveness of the criminal justice system".

The figures presented are the figures of the approved budget, namely the budget that has been formally approved by the Parliament (or another competent public authority), but not the one effectively executed.

Questions 14 and 15

The aim of this question is to identify the bodies involved in the various phases of the process regarding the global budget allocated to the courts. This question does not concern the management of the budget at the

level of each individual court, to be addressed under question 61. Various answers are possible, because, in certain countries, the management and the allocation of the budget to the courts is, for example, a combined responsibility of the Ministry of Justice and a Council for the Judiciary.

Question 15-1 (ex question 10) and 15-2 (ex question 11)

This question takes into account the approved budget allocated to the whole justice system (contrary to question 6 which concerns only the court system).

The figures presented must be the figures of the approved budget, for instance, the budget that has been formally approved by the Parliament (or another competent public authority), but not the one effectively executed.

The public annually approved budget allocated to the whole justice system includes, in particular:
the budget of the prison system;
the budget for the functioning of the Ministry of Justice or other bodies,
the budget for the judicial protection of youth;
the budget for the public prosecution system;
the budget for the courts and the judiciary;
the budget for high councils for the judiciary;
the budget for legal aid;
the budget for probation services;
the budget for refugees and asylum seekers services
etc. (please specify the other possible elements)

This figure enables, for instance, to assess the part of this budget dedicated to the functioning of all courts.

Access to justice and to all courts

As the European Convention on Human Rights guarantees legal aid in criminal matters, the questionnaire distinguishes legal aid in criminal cases from legal aid in other than criminal cases.

For the purposes of this Scheme, *legal aid* is defined as the aid provided by the state to persons who do not have sufficient financial means to defend themselves before a court. For more information on the characteristics of legal aid, please refer to Resolution Res(78)8 of the Committee of Ministers of the Council of Europe on Legal Aid and Advice.

Question 17

Certain States consider the coverage or the exemption from court fees (which, in certain countries can consist of a fixed amount, whereas in others this can consist of a percentage of the contested amount or of an amount determined by the nature of the proceedings) as 'legal aid'

Questions 20 and 20.1

These two questions should allow to calculate more precisely the ratio of the amount of legal aid granted per individual case in the member states, differentiating on the one hand the budgets allocated to litigious cases, brought to court (question 20, reported to question 12.1), and, on the other hand, to other cases not brought to court (question 20.1, reported to question 12.2). Indeed, some states spend substantial amounts to prevent litigations before the court.

Question 23

It is possible that legal aid is limited to people with a standard of living that is deemed modest. The threshold below which legal aid is granted is defined in terms of revenues and / or assets of the parties.

Question 29

This question can apply to all types of cases.

A mandatory provision of information to individuals on the foreseeable timeframe of the case to which they are parties is a concept to be developed to improve judicial efficiency. It can be simple information to the

parties or for instance a procedure requiring the relevant court and the parties concerned to agree on a jointly determined time-limit, to which both sides would commit themselves through various provisions.

Questions 38 and 39

These questions concern the surveys aimed at persons who were in direct contact with a court and who were directly involved in proceedings. It does not concern general opinion surveys.

Questions 40 and 41

These questions refer to the existence of a procedure enabling every user of the justice system to complain about a fact that he/she thinks is contrary to the good functioning of the judicial system.

An example of a specific type of complaint could be the (possible) case of a corrupt judge, public prosecutor or court staff and public prosecution offices.

Organisation of the court system

For the purposes of this Scheme, a court means a body established by law appointed to adjudicate on specific type(s) of judicial disputes within a specified administrative structure where one or several judge(s) is/are sitting, on a temporary or permanent basis.

Questions 42 and 43

A court can be considered either as a legal entity or a geographical location.

For the number of legal entities (administrative structure), the possible different divisions of a court shall not be counted individually (for instance it is not correct to indicate “3” for the same court which includes one civil division, one criminal division and one administrative division. The correct answer is “1”). The different court buildings are not counted (contrary to the question regarding the number of courts on a geographic location point of view, see below).

For the purpose of this question, a court of general jurisdiction is a court which deals with all the issues which are not attributed to specialised courts owing to the nature of the case.

As specialised courts are counted only the courts which are indeed considered as such in the domestic system. **Are not considered here as specialised courts**, for instance:
chambers responsible for "family cases" or "administrative law cases" that are under the authority of the same court of general jurisdiction,
a Supreme Court or a High Court dealing with all types of cases; they belong to the ordinary organisation of the judiciary.

Questions 42.1, 42.2 and 43 (contrary to question 42.3) only concern 1st instance courts.

Courts (geographic locations) (42-3): For the purposes of this question, the geographical locations (premises or court buildings) are considered as the places where judicial hearings are taking place. It includes in the data the various buildings, with court rooms, belonging to the same tribunal (for instance, when the same tribunal is split into two buildings, it is counted "2").

Question 43

Courts are included only if they are actually specialised courts. For example, if family law cases are dealt with by ordinary courts, the answer is: "NAP" (not applicable).

This question concerns only the courts of first instance.

Question 45

This question aims to compare the number of courts for some specific cases (geographic locations). It should enable a comparison of member states despite the differences regarding judicial organisation.

Questions 46 to 49 and 52

These questions aim at numbering all persons entrusted with the task of delivering or participating in a judicial decision.
It refers to the number of posts that are actually filled at the date of reference and not the theoretical budgetary posts.

For the purposes of this Scheme, a judge must be understood according to the case law of the European Court of Human Rights. In particular, the judge decides, according to the law and following an organised procedure, on any issue within his/her jurisdiction. He/she is independent from the executive power.

Therefore, **judges deciding in administrative or financial matters (for instance) are counted** if they are included in the above mentioned definition.

Question 46 and 47

For the purposes of this question, professional judges are those who have been trained and who are paid as such. The information is given for permanent posts that are actually filled (not the theoretical number included in the budget) and in full-time equivalent. Full-time equivalent indicates the number of persons working the standard number of hours (whereas the gross figure of posts includes the total number of persons working independently of their working hours). The indication of the full-time equivalent implies that the number of part time working persons has to be converted: for instance, one half-time worker should count for 0.5 of a full-time equivalent, two people that work half the standard number of hours count for one "full-time equivalent".

The data concerns all general jurisdiction and specialised courts.

In order to better understand gender issues in the judiciary, the number of women and men who practice in the different court levels and the number of women and men who practice as court presidents are specified.

Question 48

This question concerns occasional professional judges who do not perform their duty on a permanent basis but who are fully paid for their function as a judge.

Question 49

For the purposes of this question, non-professional judges are those who sit in courts (as defined in question 46) and whose decisions are binding but who do not belong to the categories mentioned in questions 46 and 48 above. This category includes namely lay judges and the (French) "juges consulaires". Neither the arbitrators, nor the persons who have been sitting in a jury (see question 50) are subject to this question.

See note on question 46 for the notion of gross figure.

Question 52

The whole non-judge staff, working in all courts, is counted here in full-time equivalent for permanents posts. In order to better understand gender issues in the judiciary, specify the total number of female staff working in courts as well as the number of female staff for each category are specified. The figures presented exclude staff working for the public prosecution services.

1. The Rechtspfleger is defined as an independent judicial authority according to the tasks that were delegated to him/her by law. Such tasks can be connected to: family and guardianship law, law of succession, law on land register, commercial registers, decisions about granting a nationality, criminal law cases, enforcement of sentences, reduced sentencing by way of community service, prosecution in district courts, decisions concerning legal aid, etc. The Rechtspfleger has a quasi judicial function.

2. Non-judge (judicial) staff directly assist a judge with judicial support (assistance during hearings, (judicial) preparation of a case, court recording, judicial assistance in the drafting of the decision of the judge, legal counselling - for example court registrars). If data is given under the previous category (Rechtspfleger), this figure was not added again under the present category.

3. Administrative staff are not directly involved in the judicial assistance of a judge, but are responsible for administrative tasks (such as the registration of cases in a computer system, the supervision of the payment of court fees, administrative preparation of case files, archiving) and/or the management of the court (for example a head of the court secretary, head of the computer department of the court, financial director of a court, human resources manager, etc.).

4. Technical staff are staff in charge of execution tasks or any technical and other maintenance related duties such as cleaning staff, security staff, staff working at the courts' computer departments or electricians.

5. Other non-judge staff include all non-judge staff that aren't included under the categories 1-4.

Question 53

For the definition of Rechtspfleger see question 52 above.

Question 54

The aim of this question is to know if courts delegate certain services to private providers and comparing this issue with the number of court staff.

Question 61

Contrary to question 14 which concerns the elaboration of the budget before it is actually allocated between the courts, this question concerns those persons within the courts who enjoy specific powers as regards the budget. Multiple answers are possible.

Questions 62 to 65-4

These questions aim to evaluate the quality of the computerised support of the courts.

Question 66-1 and 67

These questions aim to establish if the final statistics and annual reports of court activities are available to the public via the internet and to give an idea of the degree of transparency of each court.

Questions 68 to 75 and 77 to 81

Various court activities (including judges and administrative court staff) are nowadays subject, in numerous countries, to monitoring and evaluation systems.

The monitoring system aims to assess the day-to-day activity of the courts, and namely what the courts produce, thanks in particular to data collections and statistical analysis (see questions 68, 80 and 81).

The evaluation system refers to the performance of the court systems with prospective concerns, using indicators and targets. This evaluation can have a more qualitative nature.

Questions 72 and 73

The questions address here quantitative targets to measure the individual work of each judge, participating in the work of the whole court, e.g. a defined number of cases to be handled per month or per year. They do not cover a possible more general assessment of the judge, which may include elements such as qualitative indicators and / or behaviour (addressed in Chapter 5, question 114).

Questions 78 and 79

A recent trend in Europe concerns the introduction of quality systems in courts, for example in the Netherlands (rechtspraaQ) and in Finland (Court of appeal of Rovamieni). It is important to identify these countries and to see if specialised staff working in the courts are also responsible for the quality policy.

Question 80

Backlogs are composed of filed cases which have not yet been decided.

Question 81

Waiting time means time during which nothing happens in a procedure (for instance because the judge is waiting for an expert's report). It is not the general length of the procedure.

Question 82

This question does not specifically concern the evaluation of performance indicators, but the overall evaluation of the (smooth) functioning of the court. The supervision of the courts may be done here thanks to inspection visits. These visits might be organised by making use of programmed inspection rounds, where courts or groups of courts in a certain region are regularly visited, annually, bi-annually or at any other frequency, this plan of visits being known in advance.

4 Fair trial

Question 85

This question aims to provide information on procedures which allow to guarantee for the court users that the principle of judges' impartiality is respected, in accordance with Article 6 of the European Convention on Human Rights.

Question 87

Such a procedure for urgent cases (accelerated) can be used in order for the judge to take a provisional decision (e.g. decision on the right to control and care for a child) or when it is necessary to preserve evidence or when there is a risk of imminent or hardly repairable damage (for instance emergency interim proceedings).

Questions 88 and 88-1

Such a simplified procedure can be used in civil matters for instance when it concerns the enforcement of a simple obligation (e.g. payment order).

For criminal matters, the question aims to know whether petty offences (for instance minor traffic offences or shoplifting) can be processed through administrative or simplified procedures. These offences are considered as subject to sanctions of criminal nature by the European Court of Human Rights and shall therefore be processed in respect of the subsequent procedural rights.

Question 88-1 aims to establish how the requirement to reason judgements (see article 6-1 European Convention of Human Rights) is put into practise when a simplified procedure is used.

Question 89

This question refers to agreements between lawyers and the courts which can be entered into in order to facilitate the dialogue between the main actors of the proceeding and, in particular, to improve lengths of proceedings.

Questions 91 to 93, 97, 99, 99.1, 101, 102, 104, 106, 106.1

The questions refer to the **caseload of the courts** (from first instance courts to the highest instance courts).

Pending cases are cases which have not been completed within a given period. Please provide both the number of pending cases within the previous year (pending cases on 1 January) and within the reference year (pending cases on 31 December).

Resolved cases include all the procedures which have come to an end at the level considered (first instance or appeal) during the year, either through a judgment or through any other decision which ended the procedure (provisional decisions or decisions regarding the proceeding should not be counted here).

Other than criminal law cases

1. Litigious civil (and commercial) cases are for instance litigious divorce cases or disputes regarding contracts. In some countries commercial cases are addressed by special commercial courts, whilst in other countries these cases are handled by ordinary (civil) courts. Bankruptcy proceedings must be understood as litigious proceedings. Despite the organisational differences between countries in this respect, all the information concerning civil and commercial cases should be included in the same figures. If appropriate, litigious civil (and commercial) cases do not include administrative law cases (see category 6).

2. General non-litigious civil (and commercial) cases concern for example uncontested payment orders, request for a change of name, divorce cases with mutual consent (for some legal systems), etc. **If courts deal with such cases, please indicate the different case categories included.**

3.-5. In certain member states, registration tasks (business registers and land registers) and enforcement cases are dealt with by special units or entities of the courts. These are non-litigious civil cases. Activities related to business registers could be the registration of new businesses or companies in the business register of the court or the modification of the legal status of a company. Changes in the ownership of immovable goods (like land or houses) may be a part of court activities which are related to the land register. Cases relating to enforcement are such as issuance of a writ of execution or, for states with a system of public bailiffs, an order given by a judge to a public enforcement officer. Litigious cases relating to an enforcement procedure (e.g. judicial complaint against the action of a bailiff) are not counted here: they fall into category 1.

6. Administrative law cases (litigious or non-litigious) concern disputes between citizens and (local, regional or national) authorities, for instance: asylum refusals or refusals of construction permit applications. Administrative law cases are in some countries addressed by special administrative courts or tribunals, whilst in other countries they are handled by the ordinary civil courts. **If countries have special administrative courts/tribunals or separate administrative law procedures or are anyway able to distinguish between administrative law cases and civil law cases, these figures are indicated separately under "administrative law cases"**.

7. The category "other' can be related for example to the management of insolvency registers (or bankruptcy registers). .

Question 99-1
A manifestly inadmissible case is an affaire where the facts have not yet been examined and which is refused immediately following a simplified procedure, generally presided by a single judge, because the claimant has not respected a mandatory rule of procedure and therefore loses their right to bring an action before the judge (for example if they have not paid a fee or if they have not provided all the documents necessary in due time).

Questions 101 and 102

The five case categories, which are (mostly) common in Europe, can be defined as follows:

Litigious divorce cases: i.e. the dissolution of a marriage contract between two persons, following a judgment of a competent court. The data do not include: divorce ruled by an agreement between the parties concerning the separation of the spouses and all its consequences (procedure of mutual consent, even if they are processed by the competent court) or ruled through an administrative procedure.

Employment dismissal cases: cases concerning the termination of (an) employment (contract) at the initiative of the employer (working in the private sector). It does not include dismissals of public officials, following a disciplinary procedure for instance.

Bankruptcy: Legal status of a person or an organisation that cannot repay the debts owed to creditors. Data encompass bankruptcy declaration by a court, as well as all procedures connected with bankruptcy (recovery of credits, liquidation of assets, payment of creditors, etc.).

Robbery concerns stealing from a person with force or threat of force. These figures include muggings (bag-snatching, armed theft, etc) and exclude pick pocketing, extortion and blackmail (according to the definition of the European Sourcebook of Crime and Criminal Justice). The data do not include attempts. The case is counted here when the robbery is either the only offence concerned or the main offence concerned in the case.

Intentional homicide is defined as the intentional killing of a person. Where possible the figures include assaults leading to death, euthanasia, infanticide and exclude suicide assistance (according to the definition of the European Sourcebook of Crime and Criminal Justice). The data do not include attempts. The case is counted here when the intentional homicide is either the only offence concerned or the main offence concerned in the case.

If the average length of proceedings is not calculated from the lodging of court proceedings, the starting point for the calculation is indicated. The average length of proceedings is presented in days.

Question 106

In civil matters, the public prosecutor can, in some member states, be entrusted for instance with the responsibility of safeguarding the interest of children or persons under guardianship. In administrative matters, he/she can, for instance, represent the interests of children against the state or one of its bodies.

This issue is addressed by the Consultative Council of European Prosecutors (CCPE) in its Opinion N° 3 (2008) on the "Role of prosecution services outside the Criminal Law Field" (www.coe.int/ccpe).

Question 106-1

For example the public prosecutor can give their opinion regarding a proposal to buy a business that has been declared bankrupt, as well as the guaranties given to the buyer and even oversee the procedure to ensure that the law is respected, to avoid any conflict of interest and to prevent any abuse of power.

5. Career of judges

Questions 114

Contrary to question 72, individual assessments of the professional activities of judges and public prosecutors may involve qualitative aspects. They might have an influence on judges' and public prosecutors' careers and may have an impact on disciplinary issues.

Questions 121

A mandate for an undetermined period means that judges and public prosecutors are appointed for 'life' (until their official age of retirement) and cannot be removed from office (unless severe disciplinary proceedings/sanctions against a judge or a public prosecutor are ordered, knowing that the highest sanction is a dismissal). It is possible for judges/public prosecutors to be appointed for life after a probation period.

Question 121-1

This question aims to better understand the status of judges in different member states by identifying the reasons for transferring a judge without their consent as well as the procedural guaranties in place.

Questions 131

This question only concerns member states that have public bodies specifically entrusted with the training of judges and/or prosecutors (schools, academies). The latter can be trained together (in a single institution) or separately. Training can be only initial, only continuous or both initial and continuous. Several institutions can therefore co-exist.

The budgets to be indicated should only correspond to the single budget of those bodies, and not to the total public budget for the training of judges and prosecutors (in particular if part of the training is provided by a University or private institutes). The total budget for training must be indicated under question 6.

Question 132

Two different indicators are analysed: the salary at the beginning of the career (at a first instance court for a judge/public prosecutor; starting salary at his/her salary scale) and the salary at the end of the career (at the Supreme Court or the Highest Appellate Court). They represent the salary at full-time equivalent. If a bonus given to judges significantly increases their income, please specify it and, if possible, indicate the annual amount of such bonus or the proportion that the bonus takes in the judge's income. This bonus does not include the bonus mentioned under question 129.

The gross salary is calculated before any welfare costs and taxes have been paid (see question 4).

The net salary is calculated after the deduction of welfare costs (such as pension schemes) and taxes (for those countries where they are deducted beforehand and automatically from the sources of income; when this is not the case, please indicate that the judge has to pay further income taxes on this "net" salary, so that it can be taken into account in the comparison).

If it is not possible to indicate a determined amount, please indicate the minimum and maximum annual gross and net salary.

Questions 135

Teaching includes for instance practising as a University professor, participating in conferences, participating in educational activities in schools, etc.

Research and publication includes for instance publishing articles in newspapers, participating in drafting legal norms, etc.

Cultural function includes for instance performing in concerts and theatre plays, selling his/her own paintings, etc.

Questions 140

The power to “initiate a complaint” against a judge or a prosecutor is understood in a wide sense, as the purpose of the question is to identify who can be at the origin of a disciplinary proceeding, and not the body formally responsible for opening the disciplinary file.

Questions 144 and 145

This question, which appears as a table, specifies the number of disciplinary proceedings against judges or public prosecutors and the sanctions actually decided against judges or public prosecutors.

Breach of professional ethics (e.g. rude behaviours against a lawyer or another judge), professional inadequacy (e.g. systematic slowness in delivering decisions), criminal offence (offence committed in the private or professional framework and open to sanction) refer to some mistakes made by judges or public prosecutors which might justify disciplinary proceedings against them.

If the disciplinary proceedings are undertaken because of several mistakes, the proceedings is counted only once and for the main mistake.

Lawyers

For the purposes of this chapter, lawyers refer to the definition of the Recommendation Rec(2000)21 of the Committee of Ministers of the Council of Europe on the freedom of exercise of the profession of lawyer, as follows: a person qualified and authorised according to national law to plead and act on behalf of his or her clients, to engage in the practice of law, to appear before the courts or advise and represent his or her clients in legal matters.

Questions 147 and 148

Legal advisors (for instance some solicitors) are legal professionals who give legal advice and prepare legal documents but have no competence to represent users in courts.

Question 149

This question aims to measure the scope of the "monopoly of lawyers" and/or to get information concerning other persons entitled, according to the type of cases, to represent clients before courts. In some countries a legal representation by a lawyer is mandatory for criminal cases, whilst in other countries this might not be the case (a representation, by for example, a family member is possible). A similar principle can be found in

civil law cases. In certain countries for civil cases with a small financial value there may not be the obligation to hire a lawyer to defend such cases before the court.

Alternative Disputes Resolutions

Question 163

Mediation: this is a voluntary, non-binding private dispute resolution process in which a neutral and independent person assists the parties in facilitating the discussion between the parties in order to help them resolve their difficulties and reach an agreement. It exists in civil, administrative and criminal matters.

Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).

Conciliation: the conciliator's main goal is to conciliate, most of the time by seeking concessions. She/he can suggest to the parties proposals for the settlement of a dispute. Compared to a mediator, a conciliator has more power and is more proactive.

Arbitration: parties select an impartial third party, known as an arbitrator, whose (final) decision is binding. Parties can present evidence and testimonies before the arbitrators. Sometimes there are several arbitrators selected who work as a court. Arbitration is most commonly used for the resolution of commercial disputes as it offers higher confidentiality.

Question 163.1

For certain types of disputes or certain legal areas, it is possible that the procedure codes require that a mandatory mediation is conducted beforehand in order to be able to go to court. Furthermore, certain procedures give the possibility to the judge to whom a case is addressed to order a mediation procedure at the beginning of judicial proceeding or during this proceeding.

Question 164

Court annexed mediation: this is a particular kind of mediation, based on the American model of mediation and which takes place in a court-annexed place. The mediation may be conducted by private mediators or by judges and court employees specially trained and accredited.

Private mediators: for example lawyers who are accredited mediators or psychologists with a mediation specialisation.

For the purposes of this specific question, "civil cases" exclude family cases and employment dismissal cases, to be addressed in the specific rows below in the table.

Question 167

The interest of this question is to understand in which field judicial mediation is more used and considered as a successful procedure.

For the purposes of this specific question, "civil cases" exclude family and employment dismissal cases, to be addressed specifically below.

Enforcement of court decisions

Question 169

In accordance with the definition contained in Recommendation Rec(2003)17 of the Committee of Ministers of the Council of Europe on enforcement of court decisions: the enforcement agent is a person authorised by the state to carry out the enforcement process irrespective of whether that person is employed by the state or not.

Please note that questions 169 to 183 only concern the enforcement of decisions in civil matters (which include commercial matters or family law issues for the purpose of this Scheme).

Questions 174 and 175

These questions aim to provide information on the way enforcement fees are determined and on the possibility for users to have easy access to prior information on the foreseeable amount of fees requested by an enforcement agent to execute the judicial decision.

Questions 177, 178 and 179

Enforcement agents are entrusted with public duties. It is therefore important to know who supervises them, even if their status can be very different. In addition it is important to know if specific quality criteria are used in the profession of the enforcement agents and which criteria are defined.

Question 184

This question aims to evaluate the situation in the country concerning the enforcement procedures.

Question 185

This question refers to the implementation of a statistical system enabling to indicate, in number of days for example, the length of the enforcement procedure as such, from the time the parties receive the decision. One of the reasons for the difficulty to keep a statistical data base in this field can be that, in civil matters, the execution of the decision depends on the wish of the winning party.

Question 186

The aim of this question is to compare the situation between countries concerning the notification of the judicial decision enabling the enforcement procedure to begin.

Question 187

The terms: breach of ethical standards, professional inadequacy and criminal offence refer to acts susceptible to lead to disciplinary proceedings being brought against the lawyer.

Foreseen reforms

Question 208

As a general conclusion, this question offers the possibility to indicate general or more specific remarks concerning the situation in the countries which replied to the scheme and the necessary reforms to be undertaken to improve the quality and the efficiency of justice.